

APPENDIX A SCOPE OF SERVICES

ABANDONED TANK CLOSURE AND ASSESSMENT PROGRAM (ATCAP)

1.0 RESPONSE ACTION TASKS

All response action activities directed by the LDEQ shall be conducted in accordance with the Louisiana Environmental Quality Act (La. R.S. 30:2001, *et seq.*), specifically, La. R.S. 30:2195(F), and Louisiana Administrative Code Title 33, Part XI, Underground Storage Tanks (USTs). All costs associated with the assessment and corrective actions shall be in accordance with the most current version of the Louisiana Motor Fuels Underground Storage Tank Trust Dedicated Fund Account (Tank Trust Account) Cost Control Guidance Document.

1.1 Assessments

Site assessments are a part of the corrective action process in which data is gathered to characterize the physical aspects of the site (e.g., soil conditions, groundwater conditions, geology, hydrogeology, etc.) and to define the nature and extent of constituents of concern (COCs) in media affected by a release from the UST system.

All site assessment activities shall be conducted in accordance with LAC 33:XI Chapter 7, most current version of the LDEQ's Risk Evaluation and Corrective Action Program (RECAP) Document, and accepted industry practices (e.g. LDEQ/LDNR Guidance Manual for Environmental Boreholes and Monitoring Systems). All costs associated with the response actions must be in accordance with the most current version of the Tank Trust Account Cost Control Guidance Document. The RAC will be required to use best professional judgement and experience to submit work plans detailing an assessment scope of work to address the nature and extent of COCs in the affected media. At a minimum, an Investigation Report meeting the data and format requirements specified in the RECAP, Appendix B, shall be submitted detailing the findings of the site assessment. The report must include but not limited to a narrative describing all field activities, legible scaled site maps/figures denoting all structures and sample locations, analytical results in tabular format, accredited laboratory analytical sheets, chain-of-custody documentation, tables, forms, and the RECAP Input Parameter Form.

Work Orders for site assessments shall be completed as outlined in Section 3.0 of this document. Prior to any work being conducted, the Response Action Contractor (RAC) must receive an approved Work Order from the LDEQ ATCAP Project Manager. LDEQ Team Leaders must approve all applicable work plans. No work shall be conducted without an approved Work Order. Before site work can begin, the LDEQ Team Leader must be notified no later than five (5) business days prior to the implementation of assessment activities. In addition, no site work shall be conducted without an LDEQ representative on site, unless approved by the LDEQ ATCAP Project Manager.

1.2 RECAP Evaluation

The RECAP evaluation is part of the corrective action process in which data gathered during the site assessment is evaluated to address the risks to human health and the environment posed by the release of COCs to the affected media. The LDEQ uses risk-based evaluations to determine if corrective action is necessary and to identify COCs levels in the affected media that do not pose unacceptable risks (i.e., RECAP Standards). Upon completion and LDEQ approval of the assessment (Section 1.1), the LDEQ may issue a work order to develop the RECAP Evaluation Report.

All risk-based evaluations and incurred costs shall be conducted in accordance with the most current versions of the LDEQ's RECAP Document and the Tank Trust Account Cost Control Guidance Document. Upon completion of the assessment and the LDEQ approval of the Investigation Report and the RECAP Input Parameter Form (Section 1.1), a complete RECAP Evaluation Report shall be submitted detailing the results of the risk-based evaluation. The report shall meet the data and format requirements specified in the RECAP Document for the Management Option(s) being implemented, including but not limited to, narrative summaries, tables, forms, scaled maps/figures, analytical data, etc. Additionally, the RECAP Evaluation Report shall include both a residential (non-industrial) and commercial (industrial) land use exposure scenario for the Management Option(s) being implemented.

1.3 Corrective Action Plan

The Corrective Action Plan (CAP) is a component of the corrective action process in which a plan is developed to remediate all COCs in the affected media in a manner that ensures protection of human health and the environment. Upon completion and LDEQ approval of the assessment (Section 1.1) and RECAP Evaluation (Section 1.2), the LDEQ may issue a work order to develop a CAP.

All activities and incurred costs shall be conducted in accordance with LAC 33:XI Chapter 7, LDEQ's RECAP Document, and the most current version of the Tank Trust Account Cost Control Guidance Document. The RAC will be required to use best professional judgement and experience to submit a Scoping Meeting proposal detailing the most appropriate and cost effective corrective action technologies to meet the remedial standards for all COCs as reported in the RECAP Evaluation (Section 1.2). The Scoping Meeting proposal and recommendations will be presented to the LDEQ Remediation Oversight Group (ROG) during a scheduled meeting. Upon the ROG's approval of the appropriate corrective action technology, the RAC will submit a CAP for final ROG approval of the CAP and cost estimate. The ROG will document the CAP and cost estimate approval on a ROG Meeting Summary document that will be used to authorize implementation of the CAP.

Work Orders for CAPs will be completed as outlined in Section 3.0 of this document. Prior to any work being conducted, the RAC must receive an approved Work Order from the LDEQ ATCAP Project Manager. LDEQ Team Leaders must approve all applicable work plans. No work shall be conducted without an approved Work Order. Before site work can begin, the LDEQ Team Leader must be notified no later than five (5) business days prior to the implementation of the corrective action activities. In addition, no site work shall be conducted without an LDEQ representative on site, unless approved by the LDEQ ATCAP Project Manager.

1.4 Corrective Action Plan Implementation

CAP Implementation is a part of the corrective action process in which the approved CAP (Section 1.3) is implemented to remediate all COCs in the affected media in a manner that ensures protection of human health and the environment. After the ROG approval of a CAP, the LDEQ will issue Work Orders to implement the CAP as approved by the ROG.

All CAP activities shall be implemented as approved by the ROG. The reimbursement of costs associated with the activities shall be in accordance with the Tank Trust Account Cost Control Guidance Document or the Pay for Performance (PFP) Program, if optioned by the RAC. For implementation of the CAP, the LDEQ may offer a Work Order to implement the CAP under a PFP Agreement. Should the RAC not accept the offer to implement the work under the PFP Program, the LDEQ will issue Work Orders to implement the CAP and reimburse incurred costs in accordance with the Tank Trust Account Cost Control Guidance Document. The LDEQ reserves the right to bid out a separate contract and implement the CAP under a PFP agreement. In addition, the LDEQ reserves the

right to seek additional cost estimates and transfer corrective action activities to another RAC in Regions with multiple awards, if any, as a cost savings measure to the ATCAP.

Work Orders for CAP Implementation will be completed as outlined in Section 3.0 of this document. Prior to any work being conducted, the RAC must receive an approved Work Order from the LDEQ ATCAP Project Manager. LDEQ Team Leaders must approve all applicable work plans. No work shall be conducted without an approved Work Order. Before site work can begin, the LDEQ Team Leader must be notified no later than five (5) business days prior to the implementation of the corrective action activities. In addition, no site work shall be conducted without an LDEQ representative on site, unless approved by the LDEQ ATCAP Project Manager.

2.0 PROJECT MANAGEMENT

The RAC shall provide the methods and resources (personnel, supervision, materials, supplies, permits, transportation, and equipment) necessary to perform the tasks described in this Scope of Services. All equipment must be in good working order and available to the RAC when needed, whether RAC-owned or leased. The RAC shall provide the necessary equipment and services to manage all waste material that may be generated. These services shall include completing and signing waste profile sheets, signing manifests to initiate transportation to disposal facilities, and signing certifications necessary to comply with disposal facility requirements. The RAC shall provide all support equipment and accessories necessary to operate and maintain the equipment. All lifting equipment must comply with OSHA requirements. All instrumentation must be in sound working condition and calibrated prior to use. The RAC shall plan and supervise all tasks efficiently using best professional judgment and accepted industry practices. The RAC shall be solely responsible for the methods, techniques, procedures, and sequencing of all work.

2.1 General Site Management

The RAC shall be responsible for the protection and safety of all workers, materials, equipment, and other property on the sites against vandals and other unauthorized persons during on-site activities. No claims shall be made against the LDEQ by reason of any act of an employee or trespasser. All damage, injury or loss to any property caused directly or indirectly, in whole or in part, by the RAC shall be remedied by the RAC at his expense. Upon completion of site(s) activities, the RAC shall remove all equipment, uncontaminated supplies and materials, and non-hazardous RAC generated waste. All investigation derived waste must be properly containerized, profiled, and disposed of at a permitted facility and in accordance with any approved work plan. The contractor shall provide legible waste manifests with authorized signatures from the final designated facility.

The RAC shall hold harmless and indemnify the LDEQ and the State of Louisiana against any third party liability from damage caused by the RAC.

2.2 Schedule

The schedule for each assigned site will be specified in the Work Order on a case-by-case basis.

2.3 Deliverables

The RAC shall submit all deliverables related to response action activities as specified and required by approved Work Orders, Federal, State, or Municipal regulations, and guidance documents. The required deliverables may include but are not limited to:

- Investigation Work Plans
- Investigation Reports

- RECAP Evaluation Reports
- CAP Scoping Meeting Proposals
- Corrective Action Plans
- Corrective Action Monitoring Reports
- CAP Construction and Operations Report
- Any Pay for Performance Submittals
- Any permits required by Federal, State, or Municipal authority
- Louisiana Department of Natural Resources Well Registration and Well Plugging and Abandonment Forms
- Conveyance notices
- Other documents as requested by the LDEQ

3.0 OPERATION OF THE MANDATORY WORK AGREEMENT

Response action activities will be assigned by Work Orders issued by the LDEQ ATCAP Project Manager according to the following procedures:

- (1) The LDEQ will issue a written Work Order signed by the LDEQ ATCAP Project Manager (or his designated representative) describing the LDEQ's intent to conduct response actions at a site. Multiple Work Orders may be in progress at the same time; however, the RAC must segregate activities and charges for both reporting and billing purposes on each Work Order.
- (2) The RAC shall review the Work Order and then submit the required deliverables to LDEQ in accordance with the schedule established by the Department.
- (3) The LDEQ will review the RAC's submittal, request clarification or further information as necessary, negotiate any costs or proposed technologies as necessary and agree on a schedule for completion of the work. Acceptance or rejection of the RAC's submittal will be provided in writing by the LDEQ.
- (4) Upon receipt of written approval of the submittal, the RAC shall proceed with the tasks as assigned in the Work Order and provide all deliverables to the LDEQ within the established schedule. The RAC shall not conduct work outside an approved Work Order. A Team Leader cannot approve work outside of an approved Work Order, unless authorized by the ATCAP Project Manager. Any additional work must be addressed with an additional Work Order. The RAC must receive Work Orders approved by the LDEQ prior to performing the work and incurring any costs.
- (5) The LDEQ will review all completed Work Order deliverables, require revision as necessary, and upon approval, send to the RAC written acceptance of the work performed. This written work approval letter, **along with the approved Work Order**, must be submitted with the Reimbursement Application (Refer to Section 5.0).

4.0 LICENSE REQUIREMENTS

The RAC shall possess a current Louisiana Department of Environmental Quality RAC certificate for UST response action activities. The RAC shall possess and demonstrate upon request, any training completion as required by OSHA. The RAC or their staff shall possess any other licenses, permits, or certifications as required by Federal or State law. All analytical testing shall be conducted by laboratories on the LDEQ's accredited list of laboratories.

5.0 PAYMENT

The RAC shall submit Work Order reimbursement applications in accordance with all procedures and guidelines established in the most current version of the Tank Trust Account Cost Control Guidance Document or PFP Agreement. The LDEQ ATCAP Project Manager shall act on behalf of the UST owner for concurrence and affidavit requirements. All reimbursement application claims for payment must follow the Tank Trust Account Cost Control Document or PFP Agreement and **include the corresponding Work Order**. No payment shall be made for reimbursement that does not follow the Tank Trust Account Cost Control Document or PFP Agreement. The RAC is responsible for determining allowable costs and must obtain pre-approval for work that is not specifically listed in the Tank Trust Account Cost Control Guidance Document from the LDEQ ATCAP Project Manager and the LDEQ Trust Fund Section Manager, as necessary. All costs in the PFP Agreement are final and will not be increased or modified with the exception of the conditions as stated in the PFP Agreement.

The reimbursement application will be accepted upon completion of all tasks described within approved Work Order. One reimbursement application for the completed activities may cover a single calendar year quarter or multiple quarters in chronological order. Multiple reimbursement applications submitted in a single calendar year quarter will not be accepted. A final decision on the amount of reimbursement will be made after an application has been reviewed to determine its appropriateness and accuracy.