



Florida Department of Environmental Protection

Petroleum Restoration Program

Petroleum Restoration Program

June 13, 2017





Continuous Improvements to PRP

To assist Owners & ATCs in
efficiently achieving site
rehabilitation



Agenda

Information for All Industry

- Program & Legislative Update
- How Contractors are Assigned to a Site
 - Contractor Selection Process
 - Special Funding Programs & Owner Options
- Owner Options for Closure

Information for Contractors and Sub's

- Managing the PO Process - Change Orders, - **Joseph Sowers**, Pinellas County Health Dept.
- Invoices/Per Diem - **Andrea Murley** Hillsborough County EPC
- Making Assessment Processes Work - **Steffanie Wickham**, Hillsborough County EPC
- Pathways to Closure - **John Wright, P.E.**
- Remedial Action Const. Purchase Orders - **John Wright, P.E.**
- Q & A



Florida Department of Environmental Protection

Petroleum Restoration Program

Cleanup Program Update & Owner Options





2016 Rule & Legislative Updates

- Revised Program Eligibilities (ATRP, PCPP)
 - Eligibility Windows expanded
- Low-Scored Site Initiative (LSSI)
 - Added up to \$35k in Limited Remediation funding for closure
- Innovative Technology
- New Contractor Recommendation Options in Rule
 - New Conditional Closure Agreement
 - Owner can recommend an ATC if agree to a conditional closure
 - 61 Received so far



2017 Rule & Legislative Updates

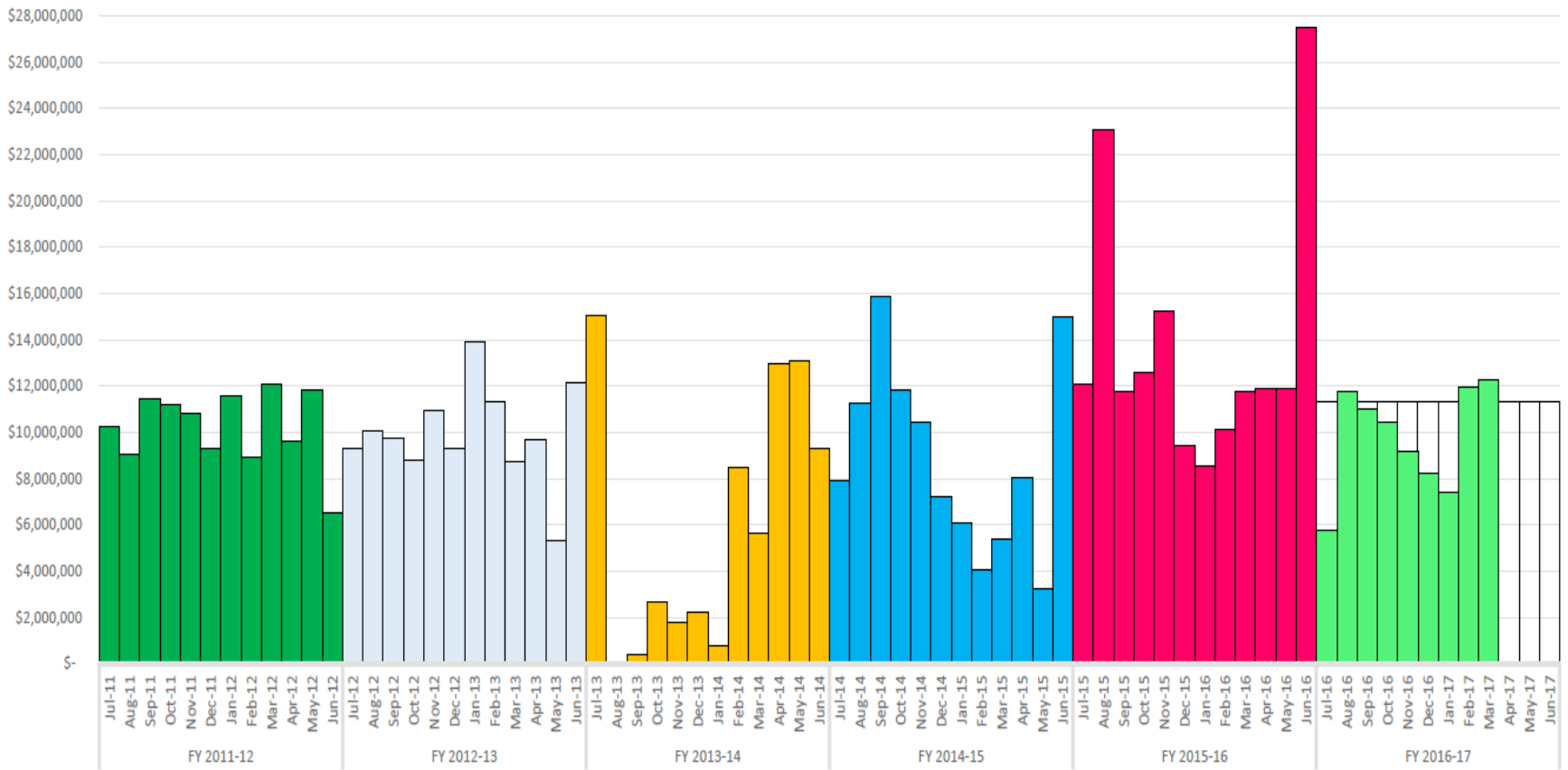
- SB 1018
 - Not yet approved
 - Noticing
 - Allows Redevelopment Sites into the Advanced Cleanup (AC) Program
 - Drycleaning Facilities
 - Advanced Site Assessment



Program Metrics Procurement of Work

PRP MONTHLY ENCUMBRANCES BY FISCAL YEAR

Work Order (WO) & Purchase Order (PO) Amounts Created per Month
July 1, 2011 through March 29, 2017 (and Projections through 6-30-2017)





Remediation Funding Score Dropping to 27

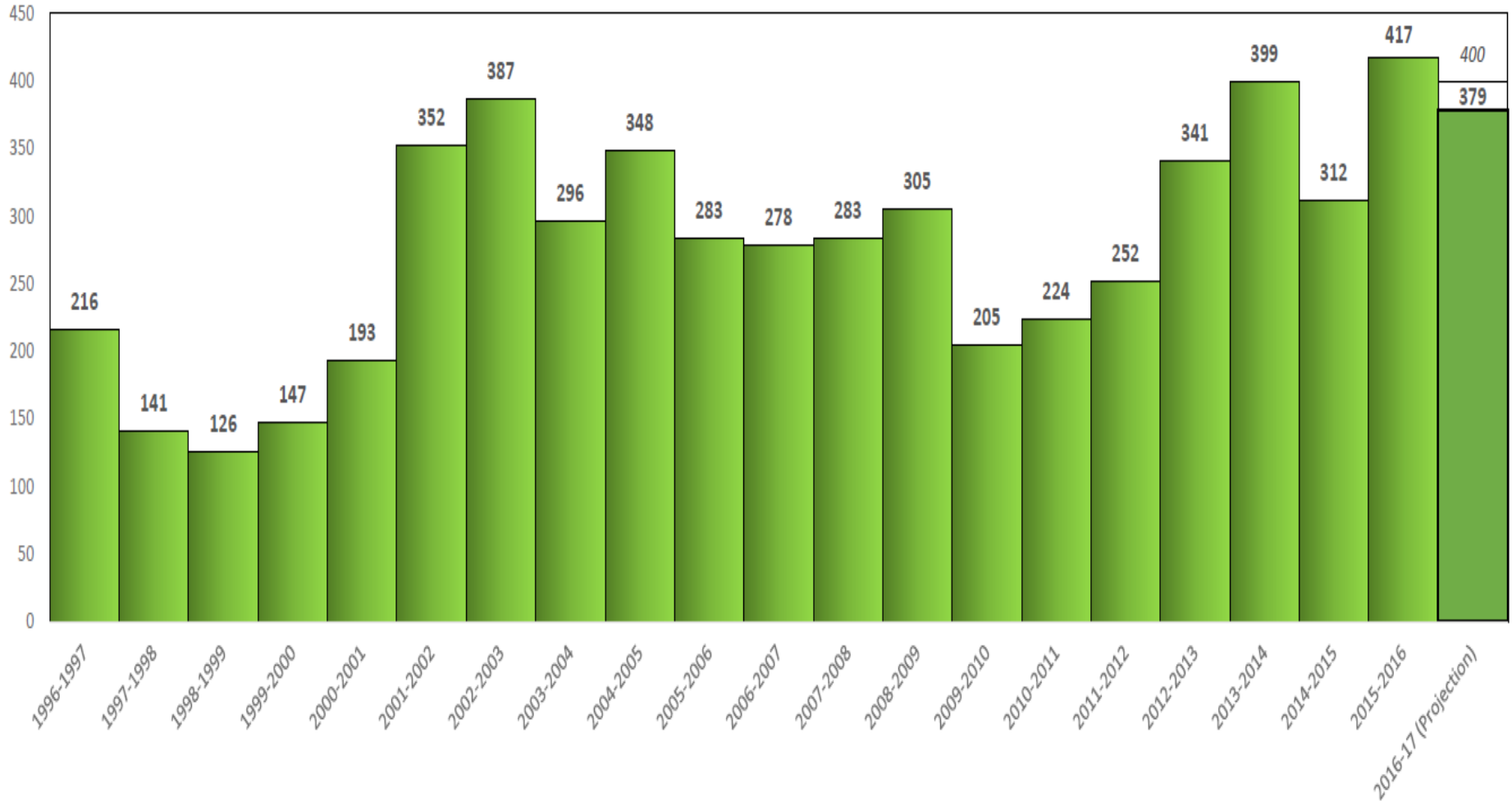
- PRP will contact Owners & ATCs for individual sites
 - Deductible Collection
 - PCPP sites
 - Need PCPP Agreement
 - Need LCAR provided by Owner/RP
 - Previous LSSI or Low Scored Assessment (LSA) work helps!
 - NOTE TO OWNERS: For sites scored <27, sign Site Access Agreements ASAP to get state funded SA before score drops again!!!
 - Once Score drops, LSA not funded, owner pays
 - However LSSI still possible
 - LSA & LSSI sites can move to RA phase if applicable



Program Metrics

417 FY 15/16 Closures, More this FY

Eligible Discharges Rehabilitated per Fiscal Year as of March 29, 2017



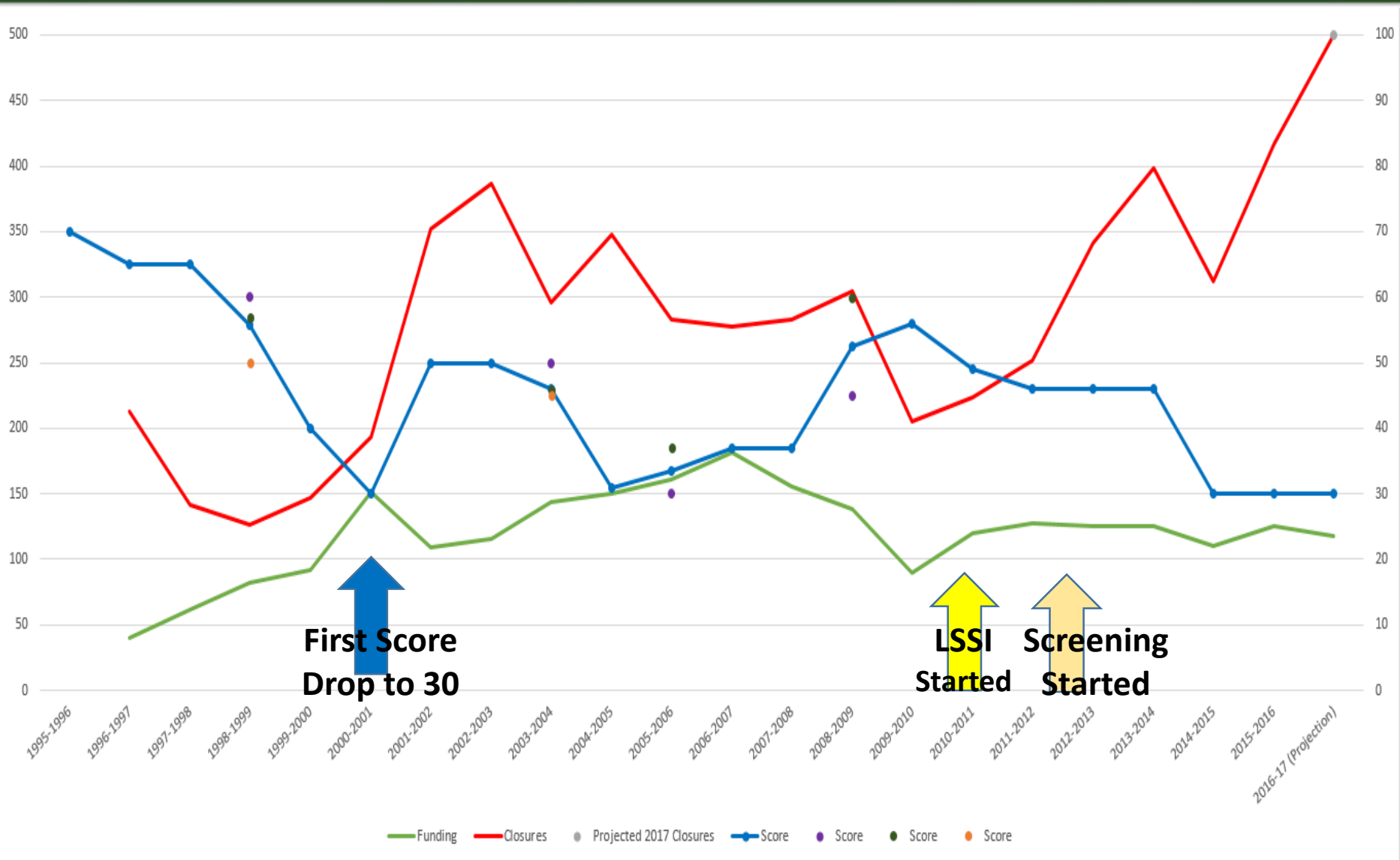


Closure Breakdown

- **373** **Closures** July to March
 - 357 Non-Conditional
 - 16 Conditional
- 80 Following Active RA
- 136 Following SA or NAM
- 157 From LSSI/LSA Screening
- 191 Score Below 30



Closures vs Funding vs Score





Florida Department of Environmental Protection

Petroleum Restoration Program

How Contractors are Assigned to a Site

Options & Information for Owners





When Do We Fund Site Work?

PRP activates the site based on score

-with some exceptions

Sites can fall into one of two groups:

High Score Sites

➤ score of 30 or higher or special priority

Low Score Sites

➤ score below 30, and no special priority



High Score Sites

- Active for assessment **and remediation** as needed until site closure
- PRP “dropped” remediation funding score from 46 to 30 in Aug. 2014
 - Before the score dropped, assessments for sites scored 30-46 were LSAs, now they are just regular SAs...
 - and one day we will drop the score again...
- Some low-scored sites (such as those in vulnerable springsheds, continuing O & M, or Imminent Threat) also qualify for remediation funding

Low Score Sites

- These sites are active for **assessment** to evaluate risk or closure potential
 - Except LSSI can also have limited RA up to \$35k



What Type of Assessment is Available for Sites Scored <30?

1. Low Scored Assessment (LSA)

- PRP plans to have all sites characterized (assessed) within 5 years.
- Most Owners have received letters from PRP requesting Site Access

2. Low-Scored Site Initiative (LSSI)

- Voluntary option (Legislative) to determine if site qualifies for closure
- Allows 2 unique things:
 - Unique “LSSI NFA” Closure Option
 - “Minimally contaminated”
 - For Eligible and non-eligible sites
 - Funding to target closures
 - Allows up to \$35,000 each in assessment & limited RA funding.
 - For eligible sites only
- PRP does NOT send letters requesting Site Access for LSSI (PRP has sent the “generic” site access requests for LSAs to most owners already)

✓ *An LSSI application takes precedent over an LSA until the LSA scope is offered to an ATC*



What Are the Owner's Responsibilities?

Different requirements for each eligibility program

- **All programs require PRP and ATC access to the site**
- EDI does not have a deductible or funding cap
- ATRP & Innocent Victim have deductibles
- PLIRP has deductibles & a funding cap
- PCPP, SRFA, & AC eligibility programs require cost share agreements and have funding caps, LCAR requirements.



What PRP Needs (besides Site Access) for Assessment Work to Begin

	Higher Priority Assessments (≥ 30 , & other priority sites)	Lower Priority Assessments (29 or below)	
		LSA	LSSI
Deductible	Y	N- postponed until closure under LSA or site is funded in score order.	N- not required for LSSI work (including closure from LSSI work), postponed until site is funded in score order.
Cost Share Agreement	Y	N- postponed until site is funded in score order.	
Expenditures Count Towards Funding Cap	Y	Y	Y
Goal of Assessment	Determine the Remediation Approach*	Characterize the Risk	Determine if Eligible for Closure



Work Assignment Process

Contractor Selection Defined in:

- Contractor Selection Process
 - Including CSF (Contractor Selection Formula)
- Procurement Rule 62-772 FAC
- Statutes

However, work can't start until Site Access is Obtained



Site Access

Required before site work can occur

Florida law has different requirements for each eligibility program, but all programs require access to site.

How do we get the Site Access Agreement (SAA)?

- PRP sends SAA to Owner per Property Appraiser records
- Request includes instructions to complete SAA
 - Long and short versions available

Important Notes on SAA

- No work will be conducted until the PRP is in possession of a fully executed SAA *between the Department and Owner*
- No work will be conducted on off-site property until ATC has a fully executed *off-site* access agreement *between the ATC and Owner*



Common Site Access Delays

- Owner wants to modify language of the SAA
- Witness signature is missing
- **Only** signature page is returned
 - The PRP needs the entire document
- Owner attaches an ATC/Owner agreement



Common Site Access Delays

- Exhibit B is only for modifications that the Owner wishes to include in the SAA
 - Common Problems:
 - Unreasonable constraints on the ATC are not allowed
 - Not signed, dated or missing the FDEP FAC Id #
 - Not signed by same person designated as “Owner” in SAA
 - Includes statements or questions from Owner



Site Access FAQs

If the site has a signed older version of the SAA will cleanup stop?

DEP will continue with site cleanup work unless:

- There is a new owner
- New ATC is assigned
- The phase in the agreement is no longer applicable
- Applicable time frames expired

How I can get a copy of the SAA Form?

SAA forms are available at the web site below:

<https://www.floridadep.gov/waste/petroleum-restoration/content/templates-forms-tools-and-guidance>



Site Access Contact Information

- Contact the PRP representative listed on letter; or
- Site Access Coordinator, Grace Rivera, at 850-245-8882, Grace.Rivera@dep.state.fl.us



Contractor Selection Process- How to Assign the Next Phase of Work

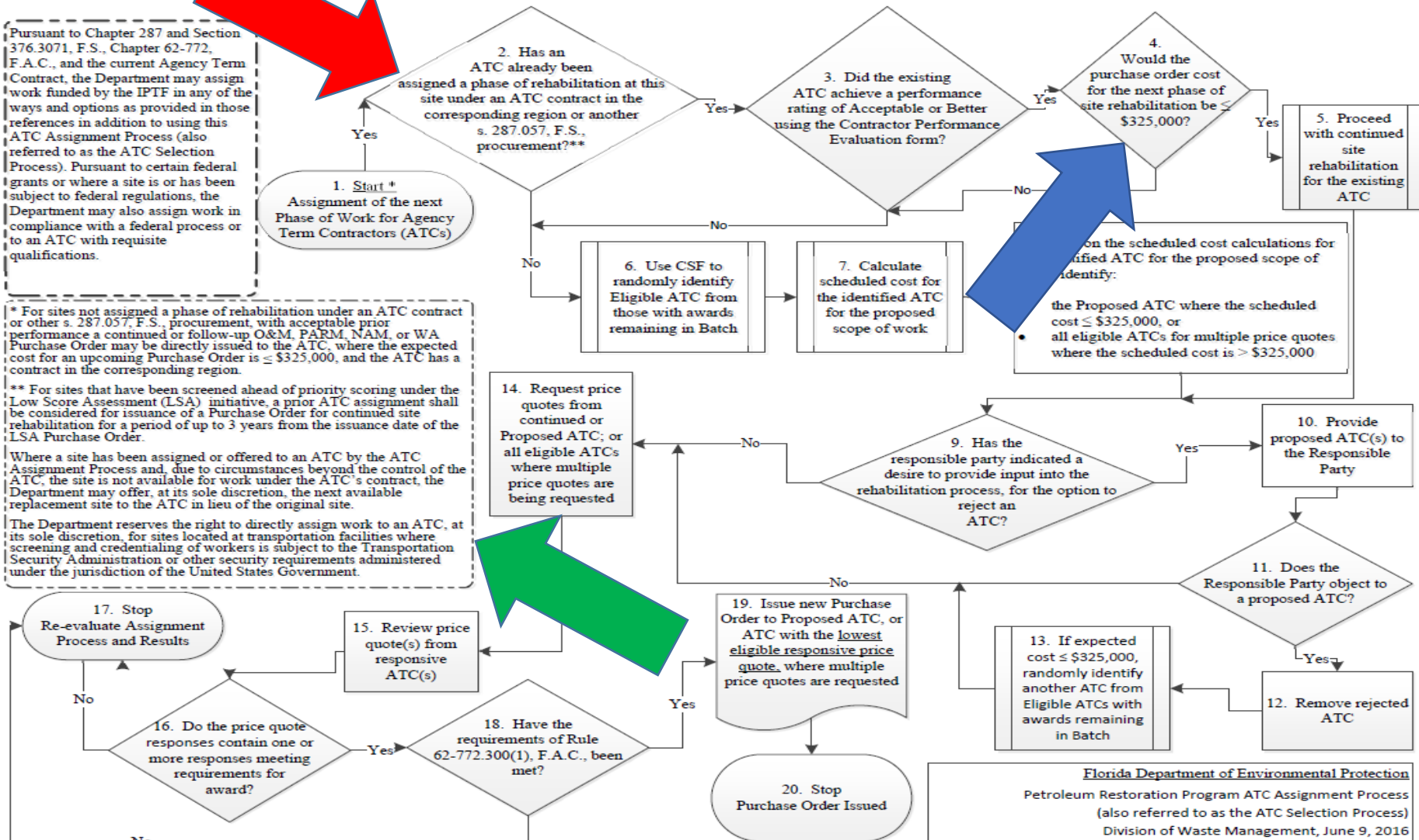
Pursuant to Chapter 287 and Section 376.3071, F.S., Chapter 62-772, F.A.C., and the current Agency Term Contract, the Department may assign work funded by the IPTF in any of the ways and options as provided in those references in addition to using this ATC Assignment Process (also referred to as the ATC Selection Process). Pursuant to certain federal grants or where a site is or has been subject to federal regulations, the Department may also assign work in compliance with a federal process or to an ATC with requisite qualifications.

* For sites not assigned a phase of rehabilitation under an ATC contract or other s. 287.057, F.S., procurement, with acceptable prior performance a continued or follow-up O&M, PARM, NAM, or WA Purchase Order may be directly issued to the ATC, where the expected cost for an upcoming Purchase Order is \leq \$325,000, and the ATC has a contract in the corresponding region.

** For sites that have been screened ahead of priority scoring under the Low Score Assessment (LSA) initiative, a prior ATC assignment shall be considered for issuance of a Purchase Order for continued site rehabilitation for a period of up to 3 years from the issuance date of the LSA Purchase Order.

Where a site has been assigned or offered to an ATC by the ATC Assignment Process and, due to circumstances beyond the control of the ATC, the site is not available for work under the ATC's contract, the Department may offer, at its sole discretion, the next available replacement site to the ATC in lieu of the original site.

The Department reserves the right to directly assign work to an ATC, at its sole discretion, for sites located at transportation facilities where screening and credentialing of workers is subject to the Transportation Security Administration or other security requirements administered under the jurisdiction of the United States Government.



Florida Department of Environmental Protection
Petroleum Restoration Program ATC Assignment Process
(also referred to as the ATC Selection Process)
Division of Waste Management, June 9, 2016
Effective: June 17, 2016 Page 1 of 2



Quote \$325k Threshold: A Realistic Balance

Good balance between Continuity & Cost

- If the next phase of work will cost >\$325k, the work will be solicited as an equote
- Threshold was \$195k until early 2015
- Current threshold for equote is \$325k
 - RAC + 4 Qtr O&M
 - SR + 4Qtr NAM
- 270 RAC/SR POs since threshold was raised
 - 11 equotes (4%) allow best value to State for big jobs
 - 96% stay with current ATC for continuity



Exceptions to CSF

1. PreApproval WOs
2. LSA
 - 3 years
3. Replacement Sites
4. Transportation Facilities

* For sites not assigned a phase of rehabilitation under an ATC contract or other s. 287.057, F.S., procurement, with acceptable prior performance a continued or follow-up O&M, PARM, NAM, or WA Purchase Order may be directly issued to the ATC, where the expected cost for an upcoming Purchase Order is \leq \$325,000, and the ATC has a contract in the corresponding region.

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How can an Owner be Involved in Contractor Selection?



Owner Contractor Selection Options in Rule & Statute

- Ch 62-772 (Procurement Procedures for Petroleum Cleanup)
 - LSSI
 - Cost-Shares
 - PCPP
 - SRFA
 - Reaching Funding Cap
 - Advanced Cleanup
 - Agree to Conditional Closure
- Statute
 - AC Bundles



Contractor Selection for LSSI & LSA

- LSSI

- Per Rule, Applicant can select “**qualified contractor**”
 - Or ask to have PRP assign thru CSF

- LSA

- **ATC** assigned thru CSF
- When site qualifies for Remediation Funding:
 - It is assigned to same ATC up to 3 yrs from first LSA PO issue date



LSSI Allows 2 Unique Things:

1. Unique “LSSI NFA” Closure
 - For Eligible & non-eligible sites
 - “Minimally Contaminated”
 - Entered into Institutional Control Registry (ICR)
2. Funding to target closures
 - Allows \leq \$35K each in SA & limited RA funding.
 - For eligible sites only



LSSI

Not all sites qualify for LSSI funding, 2 main reasons:

1. Site cannot be properly assessed for under \$35k
 - Deep water table, or
 - Multiple source areas, etc.
2. Existing data indicate site won't qualify for closure



LSSI Closure Requirements

- Score 29 or less
- No excessively contaminated soil
- Plume is shrinking or stable
- No adverse effects on surface water
- Plume confined to source property, or under transportation facility where DEP has agreement for IC
- Groundwater impacts not a threat to permitted potable well
- Top 2' soil below SCTLs or have controls



LSSI OUTCOMES

- SRCO (RMO I)
 - If no soil or groundwater exceedences
 - 30%
- LSSI NFA
 - If “minimally contaminated” below 2’
 - 2%
- LSSI NFAC
 - If minimally contaminated in top 2’
 - Rarely used
- Closure requirements not met
 - Parked, Back in line



Options if LSSI Closure Requirements are Not Met

- Use \leq \$35K LSSI Limited RA funding to make site eligible for LSSI NFA
- Pursue an RMO II or III



LSSI & LSA Hints

- 1/4 to 1/3 of sites qualify for closure after LSA or LSSI
- State Funded Assessment can be used for:
 - Satisfying LCAR requirements
 - Knowing the risk at the site
 - Some owners finish cleanup on their own
 - Evaluating if site is a good AC site
 - Developing a CSM (Site Conceptual Model) to target the best Pathway to Closure
- If LSSI site goes to closure
 - No deductible or cost-share required
- If LSA site meets LSSI NFA criteria
 - Can get an LSSI NFA if desired



PCPP Hints

The Owner/RP pays 25%! Plus the cost of the LCAR

- ATC & PRP must discuss estimates with Owner/RP
 - Including cost-saving closure options
 - Early Site Conceptual Model
- PCPP site owners for sites scored <27 should sign the Site Access Agreements for the LSA work or consider LSSI
 - That way PRP is covering assessment costs



Advanced Cleanup Program (AC)

- Opportunity for Owners/RPs to conduct site rehabilitation in advance of a site's priority ranking
- Owner/RPs must pay a minimum cost share and/or demonstrated cost savings of 25%
- Up to Two AC Application Periods per year
 - May 1 to June 30
 - November 1 to December 31
- 2 Choices:
 1. Individual Facility Application, or
 2. Bundled Application (5+ facilities)





General AC Information

All forms, guidance documentations, and information requirements will be provided on the PRP AC Website:

<https://www.floridadep.gov/waste/petroleum-restoration/content/advanced-cleanup-program-ac>

For additional information, please contact the Advanced Cleanup Program Coordinator:

Ken Busen

Email: Kenneth.busen@dep.state.fl.us

Phone: (850) 245-8745



AC Hints

Owner/RP pays 25%+ Plus the cost of the LCAR

- ATC & PRP must discuss estimates with Owner/RP
 - Including cost-saving closure options
 - Early Site Conceptual Model
- Site owners for sites scored <27 should sign the Site Access Agreements for the LSA work or consider LSSI
 - That way PRP is covering assessment costs, and
 - Sites are screened to help owners decide if site is a good candidate for AC



Conditional Closure Agreement

- Pursuant to Rule 62-772.401, if owner/participant agrees to a conditional closure, they may recommend an ATC
- CCA, forms, instructions available on website:
 - <https://www.floridadep.gov/waste/petroleum-restoration/content/petroleum-cleanup-programs>



Owner Considerations for Closure

~1/4 to 1/3 of owners for sites
scored <30 have committed to an
LSSI Closure



What is the Best Closure for Your Site?

Deciding Factors

- **Low Cap sites**
 - May require owner funding
- **Low Score sites**
 - Owner might want faster closure
- **Sites with Active Businesses**
 - Owner might not want disruption of business



What is the Best Closure for Your Site?

Types of Closures

1. Do not Require a Recorded Institutional Control (IC):

- Risk Management Option 1 - (RMO I, NFA Without Controls)
- Low Score Site Initiative (LSSI NFA)
- Some RMO II or III (NFA With Controls)
 - Uses A Non-Recorded IC
 - e.g. an ordinance restricting ground water use

2. Require a Recorded IC:

- RMO II or III
 - A Ground Water Use Restriction Required
 - An Engineering Control Is Needed For Soil
- LSSI NFAC



How to Speed Up Closure?

1. Consider the Closure Endpoint that fits the Site
2. Participate in Below Funding Range Options:
 - Apply for Advanced Cleanup
 - Apply for LSSI
 - The SA and/or Limited Remediation may close site
3. If Owner likes the LSSI NFA but site is scored >29
 - Owner can request rescore to get site in range of LSSI NFA



Communication



PRP Communication with Owner

- When Site Assigned
- At Critical Junctures and Decision Points
- Special Circumstances for LSA sites:
 - If site qualifies for voluntary LSSI NFA
 - If site is a good candidate for LSSI Limited Remediation Funding
- Pre-Assessment Telecons
 - Coming Soon
 - Participants = Owners, PRP, ATC, Driller
 - Optional, but recommended, for owners and drillers
 - Talking Points
 - Conceptual Site Model
 - Closure Options
 - Efficient Field Work



“Majors” Facilitator Option

- PRP can now assign a Facilitator to a “Major” (owns 20 or more sites) upon request
- What is a “Facilitator”?
 - Experienced PRP staff located in Tallahassee.
- How can they help?
 - Provide a single point of contact for owners;
 - Assist with identifying and addressing systemic problems; and
 - Assist with identifying potential issues with Agency Term Contractors or PRP staff and allow management to address them in a timely manner.



PRP Facilitator Option

If interested or have any questions regarding a Facilitator please contact one of the following:

- Rebecca Marx, Environmental Administrator, at (850) 245-8892 or Rebecca.Marx@dep.state.fl.us; or
- Grant Willis, Environmental Consultant, at (850) 245-8886 or Grant.willis@dep.state.fl.us.



Contact Information on Web



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Petroleum Restoration Program



The Petroleum Restoration Program encompasses the technical oversight, management, and administrative activities necessary to prioritize, assess, and cleanup sites contaminated by discharges of petroleum and petroleum products from stationary petroleum storage systems. These sites include those determined eligible for state funded cleanup using qualified contractors selected through competitive procurement or selected by the property owner or responsible party and state lead contractors under direct contract with the Department, as well as non-program or voluntary cleanup sites that are funded by responsible parties.

Click here for the latest  Announcements, Events & News

Revisions to Ch. 62-772, FAC, Procurement Procedures for the Petroleum Restoration Program (Posted 06/28/16)

The Petroleum Restoration Program (PRP) is pleased to announce revisions to Chapter 62-772, Florida Administrative Code (FAC) and Statutory revisions related to PRP will be effective July 1, 2016. Please see PDF Linked below for Important policies, procedures, guidance, and links to new laws. **PRP welcomes any comments and/or suggestions to improve these documents, however please use these forms at this time to allow in**

- » [Full announcement](#)

Petroleum Restoration Program Property Owner/Responsible Party Information Meeting (Posted 01/19/16)

The Petroleum Restoration Program will be holding a property owner/responsible party information meeting on February 9, 2016 at 1:00 pm. The meeting is located at:

The Florida Department of Environmental Protection
Bob Martinez Center, Room 609
2600 Blairstone Road, Tallahassee, FL 32399-2400

A call-in number is also available if you are unable to attend in person. The number is 888-670-3525, then key-in participant code 6130666628 and press #.

- » [Meeting Agenda](#)
- » [Meeting Presentation](#)
- » [Meeting Survey](#)

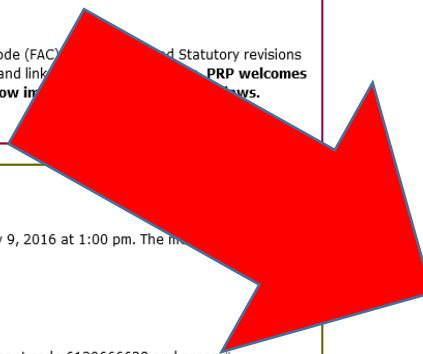
Petroleum Cleanup Program Monthly Dashboard Update

Highlights



Property Owner Notification List Updated: November 14, 2008

- » [Contacts](#)
- » [Petroleum Restoration Program Page](#)
- » [Storage Tank Compliance Main Page](#)
- » [Ability to Pay Information](#)
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- » [Competitive Procurement System](#)
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- » [Frequently Asked Questions](#)
- » [General Information](#)





Contact Information on Web PRP Global Contact List

FDEP-DWM PETROLEUM RESTORATION PROGRAM GLOBAL CONTACT LIST

Division Switchboard: 850.245.8839

Cnty	Agency Name & Address	CONTR	Personnel	Phone	Ext.	E-Mail
13	Dade/Miami-Dade County-Dept. of Regulatory & Economic Resources, 701 NW 1st CT, STE 700, Miami, 33136-3902		Mayorga, Wilbur P.E.	305.372.6708		mayorw@miamidade.gov
	FDEP Local Program Liaison		Fletcher, James	850.245.8041		James.Fletcher@dep.state.fl.us
			Slapp, Kevin P.G.	305.372.6698		slappk@miamidade.gov
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			Llano, Jacquelyn P.E.	305.372.6713		llanoj@miamidade.gov
			Lorenz, Janet	305.372.6700		lorenj@miamidade.gov
			Rodriguez, Roberto	305.372.6680		rodriro@miamidade.gov
			Santiago, Matt	305.372.6700		santim@miamidade.gov
			Sanchez, Socorro (Admin)	305.372.6700		sanchs@miamidade.gov
16	Duval County-City of Jacksonville Envir Quality Div. 214 N Hogan ST, 7th Floor, Jacksonville, 32202-3109		Rachal, Allene P.G.	904.255.7139		mcintosh@coj.net
	FDEP Local Program Liaison		Bingel, Christa P.G.	850.245.8921		Christa.Bingel@dep.state.fl.us
02	Baker County		Kelley, Brian P.G.	904.255.7167		bkelly@coj.net
45	Nassau County		Assidy, Jon	904.630.3637		JAssidy@coj.net
55	Saint Johns County		Carey, Helen	904.255.7146		hcarey@coj.net
			Conner, Stephani	904.255.7163		SConner@coj.net
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		→ SM	Farmer, Charles	904.255.7141		CFarmer@coj.net
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			Parente, Paul	904.255.7140		pparente@coj.net
			Reichert, Cassidy	904.255.7162		creichert@coj.net
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		→ SM	Tablada, Alan	904.255.7198		Atablada@coj.net
			Thomas, Vanetta	904.255.7143		vthomas@coj.net
			Franklin, LaTosha (Admin)	904.255.7155		LatoshaF@coj.net

Global PRP Contact List maintained by J. Sanders



8/1/2016 11:11 AM



Contact Information on Web PRP Web Contact List

FDEP/DWM Petroleum Restoration Program
Division Switchboard: 850-245-8839

8/4/2016

Program	Area of Interest		Primary Contact	Phone	Email
			Secondary Contact	Phone	Email
PRP	Administrator's Office	Program Administrator	Diane Pickett	850-245-8821	Diane.Pickett@dep.state.fl.us
		Eligibility Coordinator	Lewis Cornman	850-245-8846	Lewis.Cornman@dep.state.fl.us
PRP	Abandoned Tank Restoration Program (ATRP)	Ability-to-Pay Analysis Coordinator	Brian Dougherty	850-245-7503	Brian.Dougherty@dep.state.fl.us
		Deductible Collection Coordinator	Monica Brady	850-245-8844	Monica.J.Brady@dep.state.fl.us
		Contractor	Alan Sakole	850-671-6362	Alan.Sakole@yorkrsg.com
PRP	Agency Term Contracts (ATC)	Environmental Administrator	Natasha Lampkin	850-245-7525	Natasha.Lampkin@dep.state.fl.us
		Government Analyst	Russell Rhodes	850-245-7686	Russell.Rhodes@dep.state.fl.us
		Contract Manager	Carol Carnley	850-245-8916	Carol.Carnley@dep.state.fl.us
		Contract Manager	Jamie Lopez	850-245-8925	Jamie.L.Lopez@dep.state.fl.us
PRP	Competitive Bidding / State Cleanup	Contract Manager	Chuck Williams	850-245-8863	Charles.Williams@dep.state.fl.us
		Environmental Consultant	Grant Willis	850-245-8886	Grant.Willis@dep.state.fl.us
PRP	Contaminated Site Assessment-non Federal	Professional Geologist	Chris Bayliss	850-245-8866	Christopher.J.Bayliss@dep.state.fl.us
PRP	Contractor Qualification-ATC & non-ATC	York Contract Coordinator	Robert Perlowski	850-245-8917	Robert.Perlowski@dep.state.fl.us
		Contractor	Gail Stephens	850-671-6360	Gail.Stephens@yorkrsg.com
PRP	Engineer, Chief Engineer, Assistant Chief	Professional Engineer	John Wright	850-245-8888	John.Wright@dep.state.fl.us
		Professional Engineer	James Treadwell	850-245-8862	James.Treadwell@dep.state.fl.us
PRP	Free Product Recovery Initiative (FPRI)	FPRI Coordinator	Matt McCoy	850-245-8918	Matt.McCoy@dep.state.fl.us
		Professional Engineer	John Wright	850-245-8888	John.Wright@dep.state.fl.us
PRP	Geologist, Chief Geologist, Assistant Chief	Professional Geologist	Chris Bayliss	850-245-8866	Christopher.J.Bayliss@dep.state.fl.us
		Professional Geologist	Christa Bingel	850-245-8921	Christa.Bingel@dep.state.fl.us
PRP	Imminent Threat Sites	Professional Geologist	Chris Bayliss	850-245-8866	Christopher.J.Bayliss@dep.state.fl.us



Questions?