



**Florida Department of Environmental Protection**  
**Petroleum Restoration Program**

# **Annual Petroleum Restoration Program Workshop**

**March 29-31, 2017**





# Workshop Road Map

- Program Update, Targets, & Future
- Technical & Procedural Presentations
  - Interactive Classroom Exercises
    - Topic Booths
  - Optional Town Hall Meeting



# Workshop Road Map

- Communication & ATC Performance are Yuge!
  - Details provided in individual talks and classes



# Pathway to Closure

- Focus on
  - Communication with Owners
  - ATC Performance
  - Streamlining Procedures
  - Conceptual Site Model
- Best Target for Each Site
  - RMO I?
  - RMO II or III?
  - LSSI NFA?
  - LtNAM vs Active RA?
- Coming Soon: Pre-SA Telecons



# Conditional Closure Steps

- Navigating the Process
  - Allowable Costs
- Institutional & Engineering Controls



# Administrative Procedures

- PCPP Agreements
  - Noticing
- Change Orders
  - Invoicing
  - STCM



# Site Assessment

- Pre-Assessment Telecon
  - Coming soon
- Site Recon
- Scope of Work
  - Drilling
  - Sampling
  - Screening Workbook
- Communication & Performance



# Operation & Maintenance

- Runtime & Downtime
- Reports & Milestones
- Purchase Orders
  - Timing
  - Templates
  - Scope of Work
    - Workbook
    - Summary Tables
    - Supporting Documents
    - Schedule of Pay Items
- Communication & Performance





# Remedial Action Construction

- Remediation Methods
- PARM
- Scope of Work
  - Tables
  - Drawings
  - Calculations
  - SPI
- Communication & Performance



# Florida Department of Environmental Protection

## Petroleum Restoration Program

# Petroleum Restoration Program Update

Diane Pickett, PG, Program Administrator

**March 30, 2017**





# Program Update

- ✓ Rule & Legislative Update
- ✓ How Are We Doing?
  - Short and long-term comparisons
- ✓ Moving Forward
  - Workflow, Closures
- ✓ Focus
  - Work Priorities
  - Communication
  - Contractor Performance Evaluations



# 2016 Legislative Update

- LSSI
  - Added up to \$35k in Limited RA funding for closure
- Innovative Technology
  - One will be posted every month or 2
- Revised Program Eligibilities (ATRP, PCPP)
  - Eligibility Windows expanded
  - So far 26 new ATRP, 4 new PCPP eligible sites
- Advanced Cleanup
  - Increased funding from \$15 to \$25 Mil/yr
  - Decreased # sites in bundle from 20 to 5
  - Received ~\$15 Mil in applications this year



# 2016 Legislative Update

- Allows Payment For Some Costs To Obtain an Institutional Control For Funded Sites Including:
  - Acquiring a Special Use Survey If Required
  - Obtaining Title Work
  - Recording Fees
  - Does Not Exclude Paying For an Engineering Control
- Eligibility Can Continue After Conditional NFA or LSSI Closure If The Actual Or Proposed Circumstances of Exposure Change



# LSSI Successes

- Unique Closure Opportunity
  - Discuss with owners of Sites scored <30
    - Deductible not required for LSSI work
    - Co-Pays not required for LSSI work
    - PCPP sites can use LSSI SA for their LCAR
- 1791 Sites had LSSI Work funded
  - **34% Closures**
    - 31% SRCO
    - 3% LSSI NFA
- Be familiar with LSSI for when we drop the remediation funding score below 30!



# Innovative Technology Project

## From Appropriation:

1671 FIXED CAPITAL  
OUTLAY

PETROLEUM TANKS  
CLEANUP

FROM IPTF 118,000,000

From the funds in Specific Appropriation 1671, up to \$5,000,000 in nonrecurring funds from the Inland Protection Trust Fund may be used by the Department of Environmental Protection for cleanup of petroleum contamination sites using contractors that employ non-traditional or innovative technologies approved by the department. During Fiscal Year 2016-2017, the department shall identify at least one petroleum contamination site that is conducive to rehabilitation using such non-traditional or innovative petroleum cleanup technologies. The department shall select contractors that employ such non-traditional or innovative technologies, using a competitive solicitation process, to perform the site rehabilitation. Within 180 days after completion of the site rehabilitation work for the site(s) selected by the department as required above, the department shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives detailing each site selected for rehabilitation using such non-traditional or innovative technology and the result of the rehabilitation. Specifically, the report shall detail the level of cleanup achieved, the length of time that it took to achieve a no further action order or to meet an established cleanup target level, and the overall cost of the rehabilitation.



# Innovative Technology Project

## Implementing Law for the Appropriation:

Chapter 2016-62, LOF is the Implementing language for the General Appropriations Act (above) and mentions applicability of funding caps. Section 94 (page 67) says:

Section 94. In order to implement the proviso language associated with Specific Appropriation 1671 of the 2016-2017 General Appropriations Act relating to the cleanup of petroleum contamination sites, the Department of Environmental Protection may not require payment of program copayments and may not require submission of the limited contamination assessment report as provided in s. 376.3071(13)(c), Florida Statutes. The use of funds appropriated in the 2016-2017 fiscal year may not be applied towards the funding limits provided in sections 376.3071(13) and 376.3072(2), Florida Statutes. This section expires July 1, 2017.





# Innovative Technology Project

- 2016/2017 Appropriation of Up to \$5 million
  - Funding Does Not Apply To Towards Funding Cap
  - Co-pay Not Required
- Projects Awarded Based Using Competitive Process - Request For Proposal (RFP)
- Awarded Based on Cost & Quality Considerations
- Payments Are Based on Meeting Cleanup Milestones



# Innovative Technology Project

- To Demonstrate Innovative Technology Processes
- Has been tested, but lacks established history of full-scale use
- May be a Stand Alone Technology Or an Enhancement to the following Traditional Technology:
  - GW Extraction
  - AS/SVE (including bio-sparging)
  - SVE alone
  - Dual- or Multi-Phase extraction
  - Conventional or LDA extraction



# Innovative Technology Project

- Good Candidate Sites:
  - May Be Challenging But Not Impossible
  - Needs To Have Good Assessment
  - Contamination Must Be Assessable
  - An Approved RAP Would Be A Plus
- Communication
  - PRP must take the lead in finding sites
  - Sites without sufficient funding to address the risk are excellent candidates



# Innovative Technology Project

As of March 2017:

- 5 POs issued and work under way
- 1 currently posted for bid
- 3 more will be posted this fiscal year



# Innovative Technology Project

- To sign up to receive courtesy VBS e-mail notifications about bid advertisements use the link below:
- [http://www.myflorida.com/apps/vbs/vbs\\_main\\_menu](http://www.myflorida.com/apps/vbs/vbs_main_menu)
- Then <https://vendor.myfloridamarketplace.com/vms-web/spring/login?execution=e2s1> to access the State of Florida's Vendor Information Portal.
- For assistance or questions, contact MyFloridaMarketPlace Vendor Registration Customer Service: 866-FLA-EPRO (866-352-3776)



# Rule Updates

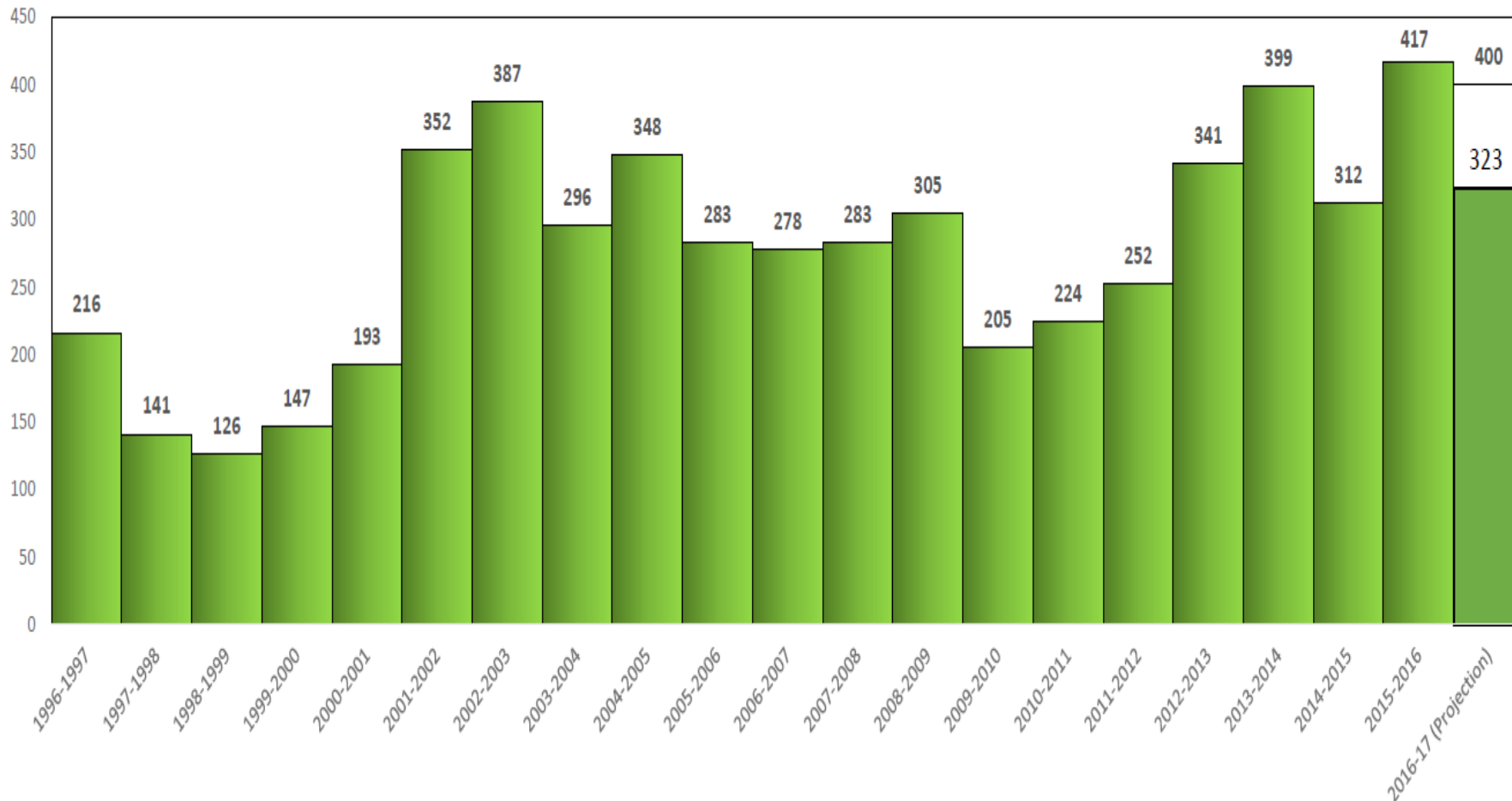
- Contractor Performance Evaluations
  - Updated Forms
- New Contractor Recommendation Options
  - **Conditional Closure Agreement**
    - Pursuant to Rule 62-772.401
    - If owner/participant agrees to a conditional closure, they may recommend an ATC
    - Have received 60 so far
    - CCA, forms, instructions available on website:  
<https://www.floridadep.gov/waste/petroleum-restoration/content/petroleum-cleanup-programs>



# How Are We Doing?

## Closures On Track to Beat Last Year!!!

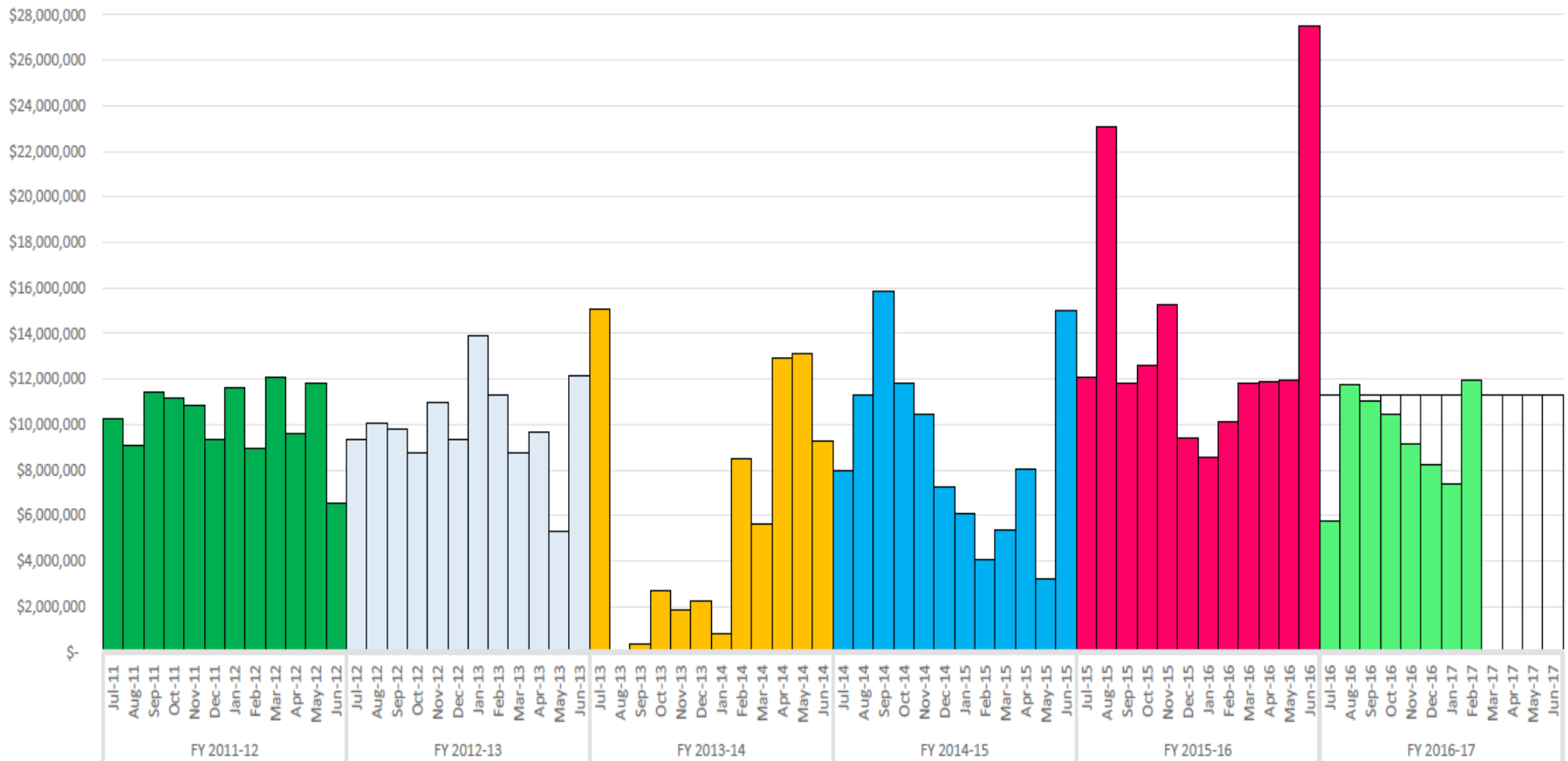
Eligible Discharges Rehabilitated per Fiscal Year as of February 22, 2017





# Monthly Encumbrances by FY

Work Order (WO) & Purchase Order (PO) Amounts Created per Month  
 July 1, 2011 through February 22, 2017 (and Projections through 6-30-2017)



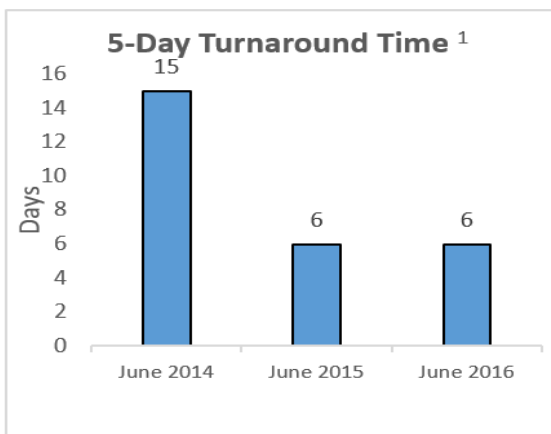




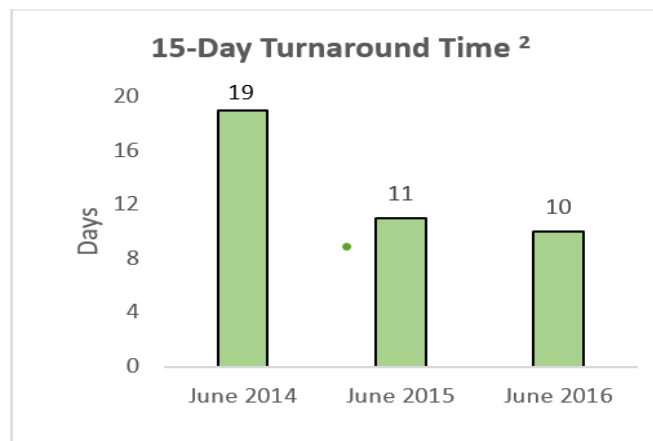
# How Are We Doing?

- Funding Work Assignments has Stabilized
- Processes becoming more streamlined

## DELIVERABLE REVIEW TIMES



<sup>1</sup> Example of 5-Day Reports: Lab Reports, Boring Logs, and HASP.



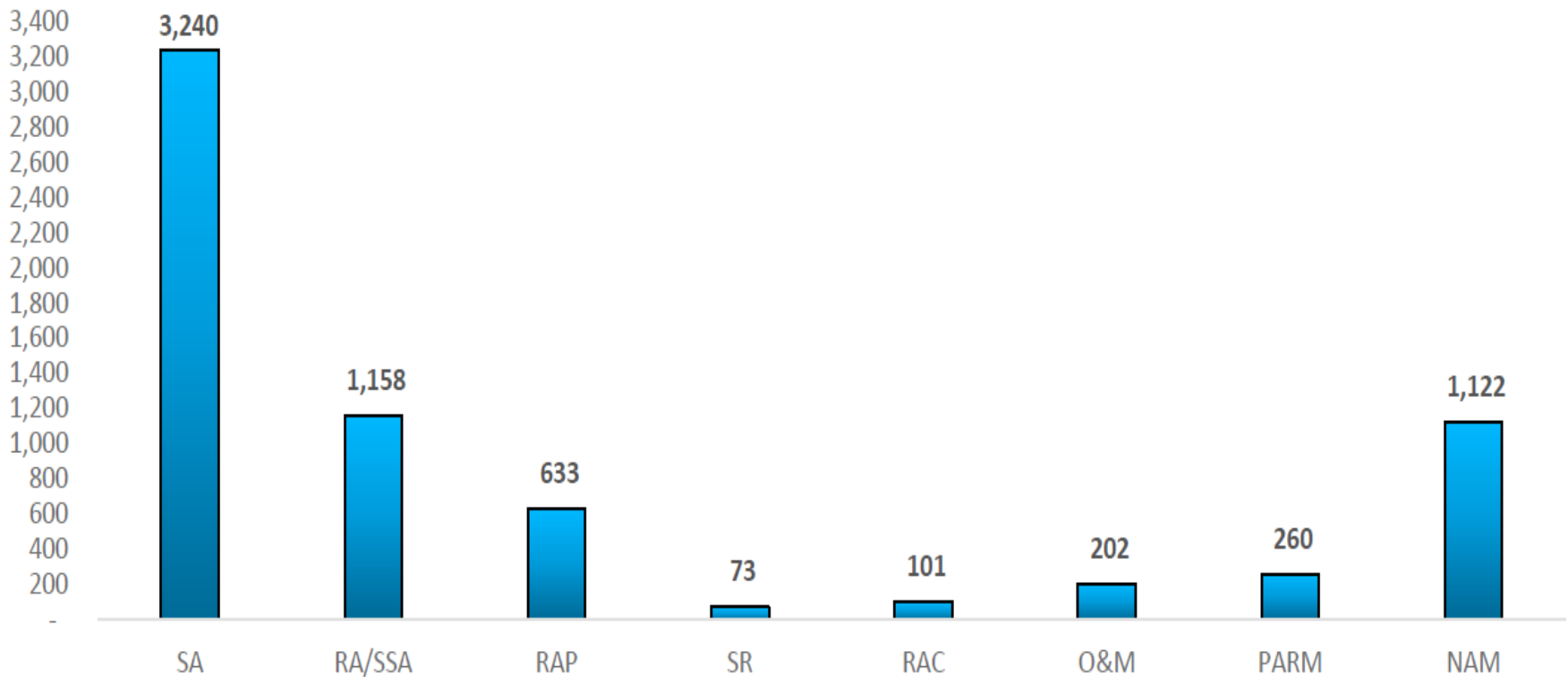
<sup>2</sup> Example of 15-Day Reports: NAM, PBC, and Well Abandonment.



# How Are We Doing?

## Need to Move From Phase to Phase

Current Cleanup Discharge Status by Sub Phase  
as of February 26, 2017





# Advancement of Work: How to move from SA to RA

- Challenges from past few years
  - New processes
  - New staff for Industry and PRP
  - Assessment Saturation
    - 2 years ago:
      - Dropped remediation funding score to 30
      - Ramped up LSA and LSSI
      - Takes 2 yrs to move from SA to RA



# Recognize Different SA Endpoints

- Higher Priority Sites qualify for remediation funding
  - Scored >30
  - Special Categories
    - RA funding authorized for sites scored <30:
      - Springsheds
      - Voluntary LSSI Limited Remediation
      - FPRI
    - Goal = Assess for extent of contamination & remedial design
- Lower Priority Sites
  - Scored <30, and no special remediation funding priority
  - Goal = Generally determine the horizontal and vertical extent of contamination, but **don't need the detail required for RA design**
  - Characterize the Risk
    - Less detail, wider spacing
    - Customize based on receptors
      - For example, more thorough eval if potable wells nearby



# Recognize ATC Site Assignment Process

- Site Assignment has evolved:
  - Preapproval & Reimbursement Program
    - **Owner picked ATC**
  - Competitive Procurement System
    - **ATC is assigned to a site**
      - With some exceptions



# Recognize ATC Site Assignment Process

- Relative Capacity Index (RCI)
  - Used encumbrance, Bonding Capacity, etc

Relative Capacity Index  
(RCI)

$$= \frac{BondingCap^c}{(EncBal \times \frac{EncBal}{600,000})^b + SchRank^r} \times ITNScore^s$$

- RCI Phased Out
  - Replaced by Contractor Selection Formula (CSF) & Flowchart



# Recognize ATC Site Assignment Process

CSF based on a ranking of:

$$\text{ITN Performance}^{1.5} + \text{Current Rate}^{2.0} + \text{CPE}^{2.0}$$

- January 2016- CPE's not available, not used
- January 2017- CPEs used for first time
  - **Thoroughness & Documentation for CPE now critical!**
  - NOTE: Most ATCs are “Top Performers” per Rule
    - ATCs only separated by 1/100<sup>th</sup> point
- Future Changes?
  - To incentivize Performance and Cost



# Recognize Owner Options for ATC Assignments

- Can help with the Pathway to Closure
- Talking Points with the Owners
  - Owner can recommend ATCs for:
    - ✓ LSSI
      - No deductible or LCAR required
      - LSSI SA can be used for the LCAR
    - ✓ Advanced Cleanup (AC)
      - Low-Scored Sites get early funding
    - ✓ Conditional Closure Agreement (CCA)
    - ✓ PCPP
    - ✓ Ports/Airports
      - Talk to owners about LSSI and LSA to help with future cleanup during renovations/upgrades





# Recognize Owner Options for Closure

- Can help with the Pathway to Closure
- Talking Points with the Owners
  - When is NFAC the best option for an owner?
    - Low Cap site
      - Owner won't have to spend their own \$
    - Low Score Site
      - Owner won't have to wait for a closure
    - Reduce or Eliminate disruption of business
  - Discuss "Reopener Clause" for future land use



# Communication

- Owner must be contacted (and log put in Oculus):
  1. When site assigned
    - Conceptual Site Model
      - Short and long term goals
      - Closure options
  2. After PO completed
    - Also discuss CPE
  3. Pre-RAP
  4. Any time a conversation would be beneficial



# PRP Targets Moving Forward

- Continue to Have Stable Flow of Work Orders
  - More RA, Less LSA
- For next few months, focus resources on moving Hi Priority sites from SA to RA
  - And don't over assess Low Priority sites
- Consider Interim Source Removal in SA phase
  - For Hi Priority sites, or FPRI for any score
- Watch for inappropriate scopes from ATCs to avoid the \$325k equate threshold.
- Increase efficiencies and Streamline SA Tasks
  - Monitor proper use of Site Recons
  - Enhance SA planning (Pre-SA Telecons should help)



# PRP Targets Moving Forward

- Take Advantage of Pathways to Closure
  - Conditional Closure Agreements
  - LSSI
    - Limited RA Funding Available
    - Talk to owners when:
      - An LSA site qualifies for LSSI NFA
      - Funding Score Drops below 30
- Increase Communication with Owners
  - Closure Options
  - Options for recommending ATC
  - Pre-Assessment Telecons
- Conceptual Site Model



# PRP Targets Moving Forward

- Incentivize ATC Performance
  - Complete Strong & Defensible CPEs
  - Enhance Site Assignment Process?
- Organize/Streamline Work at Ports/Airports
  - Currently developing strategy
  - Get site access, assess/close discharges <30 with LSA & LSSI
  - Target “Memo of Agreement” for Institutional Control Area
  - Coordinate and Plan for site upgrades and construction
- Keep up with “Data Entry”
  - STCM, Oculus, CPEs, Communication Logs
  - Complete & timely storage of info is mandatory:
    - Lots of eyes look at site progress and history, especially for CO’s
    - Used for metrics and projections



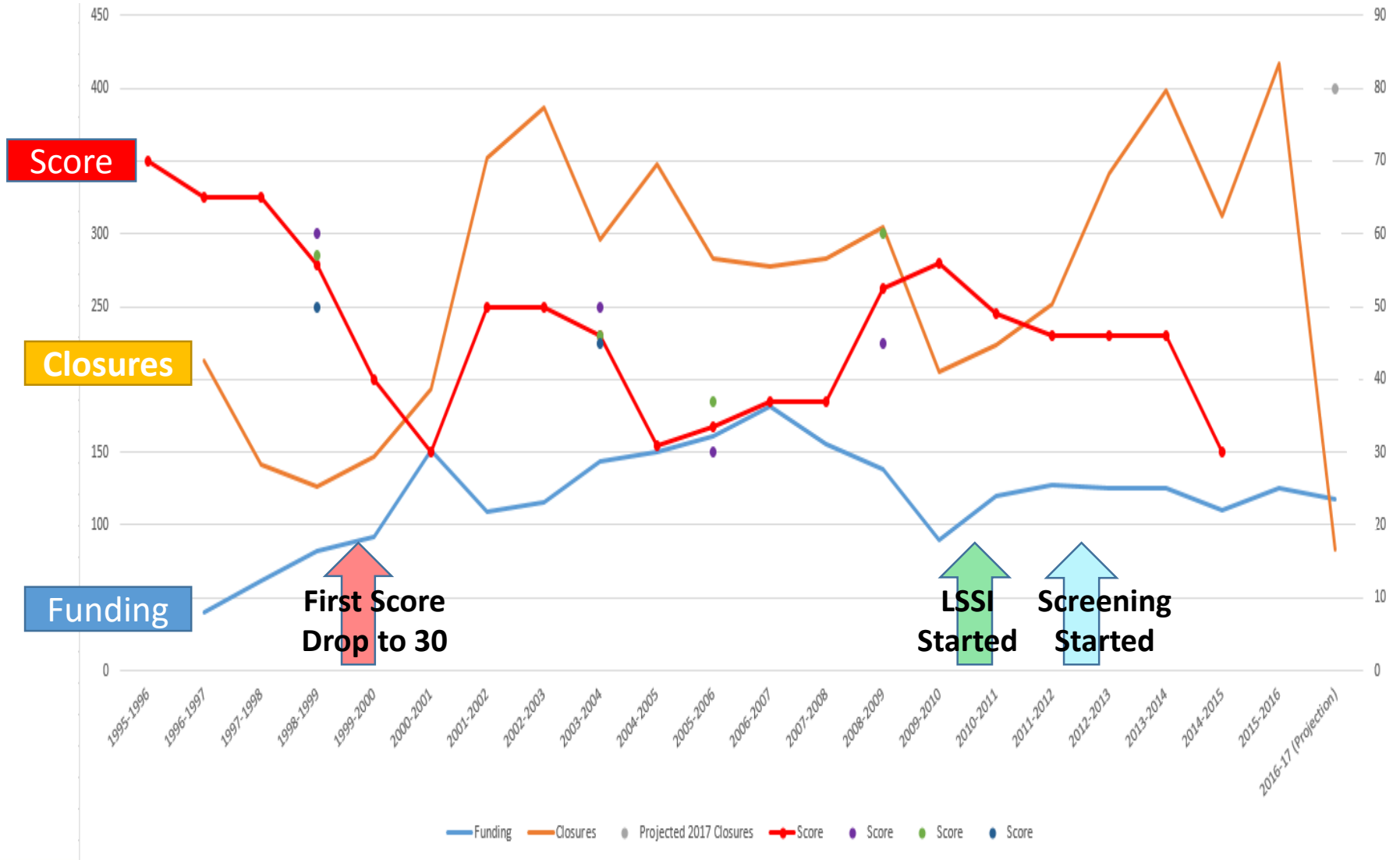
# Summary

- **Always Target Closure!**
- Focus on Advancing Work at the Site
  - No distractions
    - No overassessing (especially low scored sites), or other work not critical to end goal
    - Watch for poor recommendations used to avoid equotes
    - Comment letters need to focus on advancing to next stage
- Every action should be path to the end
  - Early CSM (& Pre-assessment telecon) will help focus resources
  - Make sure the next task is an efficient path
  - Comment letters should focus on necessities
  - Don't allow tasks designed to avoid an equote
  - Frequent communication with owner
  - Stop when an endpoint is reached
    - SA, RA, or closure



# Long-Term Projections

## Closures vs Funding vs Score





# Questions or Comments?