



Petroleum Release Compensation Fund

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To: Environmental Consultants Who Conduct Soil and Groundwater Testing

From: Alan Bakeberg, ^{*AWB*} Director of Engineering
South Dakota Petroleum Release Compensation Fund

Date: October 6, 1997 (Updated May 10, 2011)

Re: PRCF Policy Update on Certification Requirements

This memo outlines the policy of the Petroleum Release Compensation Fund regarding the eligibility of expenses for on-site environmental technical services at a petroleum release site when the work is required to be performed by or under the responsible charge of a certified petroleum release remediator or assessor as per SDCL 36-18A-72. The updates to this memo address changes in the statutes and rules governing environmental professionals.

The PRCF will only reimburse costs for environmental functions as defined in SDCL 36-18A-6 & 7 when they have been performed by or under the responsible charge of persons who are certified by the South Dakota State Board of Technical Professions to engage in such services. The PRCF believes this is a logical approach to help assure only qualified persons are marketing and performing services involving soil and groundwater testing.

With this in mind, it has not always been clear when the certified person must actually be on site in order to directly supervise the functions being performed. This is because a certified person must be on site for some functions while it may not be necessary for others so long as the individual conducting work is properly trained. For reimbursement purposes, the following paragraphs address circumstances when it is necessary and when it is not necessary for a certified person to be on site in order to directly supervise functions being performed by an uncertified person.

Remedial Excavation Observations

It is not necessary for a certified person to be on site in order for remedial excavation observations expenses to be eligible for reimbursement. However, the person performing the work must be properly trained and conduct the work under the responsible charge of a certified person.

Installation, Operation and Maintenance of Remedial Systems

It is not necessary for a certified person to be on site in order for the expenses associated with the installation, operation and maintenance of remedial systems to be eligible for reimbursement. The person performing the work must be properly trained and conduct the work under the responsible charge of a certified petroleum release remediator. However, a certified petroleum release remediator must be on site prior to installation and after the installation has been completed for review and approval of the installation.

Site Assessments

Expenses for site assessment activities are eligible for reimbursement only if a certified petroleum release remediator or assessor has been on site to select boring locations and depths, classify soils, determine the location of representative soil samples for contaminant analysis and prepare or supervise the preparation of boring logs. An exception to this would be the placement of additional borings or wells after the initial assessment has been completed and the following conditions are met:

- 1) the location and depth of the new borings or wells have been previously specified by a certified person;
- 2) the general site characteristics are already known;
- 3) the person performing the work is properly trained; and
- 4) the work is conducted under the responsible charge of a certified person.

Groundwater Sampling from Monitoring Wells and Air Sampling and Testing

Expenses for periodic monitoring well sampling and air sampling and testing are eligible for reimbursement provided the person collecting the samples is properly trained and performs the work under the responsible charge of a certified petroleum release remediator or assessor. For reimbursement purposes, it is not necessary for the certified person to be on site when these activities are performed.

Please contact the PRCF if you have questions regarding this information.

cc: Doug Miller, DENR
Mark Humphreys, Board of Technical Professions
Bob Miller, President, SDAEP