

**SOUTH DAKOTA
PETROLEUM RELEASE COMPENSATION FUND**

523 E. Capitol Avenue Pierre, South Dakota 57501
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sd.gov/prcf

CHECKLIST FOR FUND APPLICANTS

The following checklist is to provide you with some basic information regarding the requirements for obtaining reimbursement from the Petroleum Release Compensation Fund (PRCF). It contains some very important information about the forms, procedures, and your duties after a petroleum spill has been reported. This checklist cannot cover all requirements and procedures. It will, however, give you a basic understanding of what may be needed from you. Failure to provide the necessary information or cooperate with the PRCF may jeopardize your eligibility for funding.

PLEASE CHECK IN THE SPACE PROVIDED AFTER REVIEWING EACH ITEM

- APPLICATION:** The application must be filled out **completely**, signed, and dated by the Applicant.

- W-9:** This form must be completed, signed and dated by the Applicant.

- SUBROGATION ASSIGNMENT:** This form must be filled out completely, signed, and dated by the Applicant and notarized. The **original notarized** form must be returned to the Fund's investigator. Signing this form allows the PRCF the right to recover any payment(s) made to you from your insurance company if they provide pollution/contamination cleanup coverage.

- INSURANCE LETTER:** You must submit a letter from your insurance company or insurance agent telling us what coverage they provide for pollution/contamination cleanup and the applicable deductible amounts. A letter from your past insurance company or agent may also be required.

- CONSULTANT and CONTRACTOR EXPENSE GUIDELINES:** These guidelines outline how the PRCF reviews the corrective action work completed and help determine if the expenses charged by are reasonable and reimbursable by the PRCF.

- PAY REQUEST FORM FOR CONTRACTOR AND CONSULTANT EXPENSES:** Pay request forms have been included in your packet for you to complete and submit with each request for reimbursement. *Please note that no expenses should be submitted for reimbursement until you have received a corrective action plan from your environmental consultant or are requested by representatives of the Fund to do so.*

- ITEMIZED CONTRACTOR INVOICES:** A detailed itemization (provided by the contractor) must accompany all requests for reimbursement of contractor expenses. This itemization should include the costs and associated units for all activities the contractor performed and invoiced. Miscellaneous expenses must be detailed. Any entry such as "other expenses" is not acceptable. The itemization should be performed by your contractor, documenting their actual charges. The itemization should not be performed by you, based upon the PRCF cost guidelines.

REQUIREMENTS FOR REIMBURSEMENT: In addition to the forms listed above, there are several other requirements that must be met before reimbursement can be made. The most important ones are listed below.

- **Payment of Deductible** - No reimbursement can be made until you have paid **eligible expenses** equal to the required deductible. Evidence in the form of a cancelled check(s) is required. Because you are the party signing the contract with both the environmental consultant and the excavation contractor, you are responsible for payment of these bills even if they exceed the amount of the deductible. While the PRCF can make co-payments to both you and your contractor, this does not alleviate you of your responsibility to pay your bills. **The PRCF does not reimburse for any interest or carrying charges.** Therefore, it is important to pay your bills promptly.
- **Documentation of Petroleum Contamination** - Petroleum contamination must be identified at concentrations that exceed the state environmental standards for soil or groundwater or both before a release site is eligible for PRCF reimbursement. Sufficient laboratory analysis of the soil or groundwater is required to verify the contamination, which must be documented in the environmental consultant's written reports.
- **Submittal of Documentation** - You are responsible for assuring that all environmental consultant reports with the information about the cleanup are submitted to the Fund's Claims investigator, the PRCF office in Pierre, and the Department of Environment Groundwater Quality staff. Until you provide the required documentation, no pay request will be considered by the PRCF. The essential documents include, but are not limited to:
 - **Contracts** (approval by the PRCF is required);
 - **Pre-assessment Report** (work plan);
 - **Assessment Reports;** and
 - **Corrective Action Plan (CAP) Note: Approval of the CAP by the PRCF is required prior to reimbursement!**

COMPLIANCE WITH REGULATORY REQUIREMENTS: Reimbursement for cleanup expenses cannot be made unless you are in substantial compliance with federal and state regulations applicable to the tank(s) involved in the release. Please contact the Department of Environment and Natural Resources Tank section at 605-773-3296 if you have questions regarding compliance requirements.

INELIGIBLE EXPENSES: The partial list of ineligible expenses that you must sign, date and return to the PRCF are some of the expenses that are NOT REIMBURSED by the PRCF.

I, the undersigned, have read and understand the items checked above.

(Signature)

(Printed/Typed Name)

(Date)