

**STATE OF GEORGIA  
 FY 2009 AMERICAN RECOVERY AND REINVESTMENT ACT (RECOVERY ACT) LUST TRUST FUND  
 COOPERATIVE AGREEMENT WORK PLAN**

The outcome of this work plan will be leaking underground storage tank sites cleaned up to levels necessary to protect public health and the environment and allow reuse of contaminated properties, while creating and/or preserving jobs.

The Recovery Act funding opportunity and work plan must still comply with OSWER Directive 9650.10A, *LUST Trust Fund Cooperative Agreement Guidelines*, and OSWER Directive 9610.10A, *Cost Recovery Policy for the Leaking Underground Storage Tank Fund*. [Reference: OSWER Directives 9650.10A and 9610.10A}

<b>Goal: Goal 3. Land Preservation and Restoration</b>
<b>Objective 2. Restore Land: By 2011, control the risks to human health and the environment by mitigating the impact of accidental or intentional releases and by cleaning up and restoring contaminated sites or properties to appropriate levels.</b>
<b>Sub-Objective 2. Clean Up and Revitalize Contaminated Land: By 2011, control the risks to human health and the environment on contaminated properties or sites through cleanup, stabilization, or other action, and make land available for reuse.</b>
<b>Cooperative Agreement: 2L</b>

TASK	ACTIVITY	REFERENCE	DATE DUE	EPA RECOMMENDATIONS FOR STATE COMMITMENTS
<b>ADMINISTRATION (Planning, Evaluation &amp; Reporting)</b>				

TASK	ACTIVITY	REFERENCE	DATE DUE	EPA RECOMMENDATIONS FOR STATE COMMITMENTS
1.	<p>Identify all shovel ready sites to be addressed with Recovery Act LUST Trust Fund monies onto a Consolidated Budget in accordance with previously established Region 4 FY09 LUST assistance agreement guidance.</p> <p>Obligate funds for contracts, subgrants, or similar transactions for at least 35 percent of the funds, and expend at least 15 percent of funds within 9 months of the award.</p>	<p>OSWER Directive 9650.10A,</p> <p>OUST Recovery Act Program Guidance – June 2009</p>	<p>submitted with final work plan within 30 days of award, or</p> <p>07/13/09</p>	<p>All shovel-ready sites that are to be addressed with Recovery act LUST fund monies that have been identified at this time will be listed on the Consolidated Budget in accordance with previously established Region IV guidances. Latitude and longitude of each site is not available at this time, but will be obtained by the contractor and submitted in their first report. There are currently 48 sites that have been identified to be addressed with the ARRA funds that are to be awarded. There are a total of 98 LUST sites that have been identified as potentially eligible for ARRA funding. None of the sites identified as being ARRA or LUST-eligible are eligible for GUST Trust funding.</p> <p>At least 35% of the funds will be obligated and at least 15% spent within the first 9 months of the award.</p>
2.	<p>Develop and implement a site prioritization system that incorporates the priorities in Section 9003(h) of RCRA.</p>	<p>OSWER Directive 9650.10A, RCRA Section 9003(h)</p>	<p>On-Going</p>	<p>The bulk of the monies will be spent on high risk sites that will require funds for clean-up. Several sites that lack sufficient data to rank will also be addressed with the remaining funds. Risk posed by a site is determined using the Environmental Site Ranking Form.</p>

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3.	Implement quality assurance practices pursuant to EPA approved Quality Management Plan (QMP), and develop project-specific Quality Assurance Project Plan (QAPPs) as needed for the LUST investigations and cleanup projects.	OSWER Directive 9650.10A Section XI,  40 CFR §31.45	On-going	Developing new QAPP based on template developed by other Region IV states and EPA. No new updates are yet available for the QMP. A QMP is already in place and provides the general outline of data and quality assurance guidelines and goals for each Branch of EPD. Each project is required by USTMP Rules and Guidance documents to conform to strict data collection and analysis standards, as are the requirements of the contracts under which the State Contractors work. Project officers are required in their Performance Management Plans to perform quality assurance reviews of Corrective Action Plans and other reports to ensure that they conform to the data collection plans, collection and analysis requirements outlined in the contract, the Rules, the Guidance documents, and SW-846.
4.	Develop and maintain an adequately trained staff to carry out the enforcement, corrective action, and cost Recovery Activities described in this work plan.	OSWER Directive 9650.10A, EPA Order 5700.7	On-Going	All staff working on this project have more than 10 years experience in overseeing or regulating Corrective Action for contaminated sites. All staff participate in on-going in-house training and are approved for third-party training that benefits the program. Staff are being kept informed of new tracking and reporting requirements under ARRA. If deficiencies are identified in staff performance, they are corrected immediately and individual training is implemented by management to prevent future deficiencies.

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5.	<p>Submit Quarterly Performance Reports. The narrative is to include the elements under the EPA Recommendations column to the right, as well as all activity measures reporting noted in this cooperative agreement work plan.</p> <p>Davis-Bacon Act wage requirements reporting, if applicable.</p> <p>Required Section 1512 reporting</p>	<p>OSWER Directive 9650.10A, 40 CFR §31.40</p> <p>OUST Recovery Act Program Guidance – June 2009</p> <p>2 CFR 176.20(c) 40 CFR 31.43</p> <p>OMB Guidance on Recipient Reporting</p>	<p>Quarterly Reports will be submitted on</p> <p>Oct. 10, 2009</p> <p>Jan. 10, 2010</p> <p>April 10, 2010</p> <p>July 10, 2010</p>	<p>Quarterly report will include:</p> <ul style="list-style-type: none"> <li>-status of each work plan task</li> <li>-Summary of accomplishments and discussion of problems impacting or expected to impact performance</li> <li>-Identification of tasks not on schedule and proposed dates of completion</li> <li>-Davis-Bacon Act compliance verification and sampling.</li> <li>-Required Section 1512 reporting will be performed</li> </ul>
6.	<p>Participate in site visits, fiscal reviews and at least one formal, annual comprehensive performance evaluation by EPA staff regarding Recovery Act activities. The formal evaluation process will include discussions of:</p> <ul style="list-style-type: none"> <li>a. Accomplishments as measured against work plan commitments;</li> <li>b. The cumulative effectiveness of the work performed under all work plan components;</li> <li>c. Existing and potential problem areas; and</li> <li>e. Suggestions for improvement, including, where feasible, schedules for making improvements.</li> </ul>	<p>OSWER Directives 9610.6 and 9650.10A, 40 CFR §35.115, Memorandum of Agreement, EPA Order 5700.6 A1</p>	<p>TBA</p>	<p>EPD Project Officer and other EPD staff will conduct site visits and fiscal reviews as needed and will assist in the formal, annual comprehensive review. EPD will participate and cooperate with EPA in site visits, fiscal reviews and at least one formal, annual comprehensive performance evaluation by EPA staff regarding Recovery Act activities. The formal evaluation process will include discussions of:</p> <ul style="list-style-type: none"> <li>a. Accomplishments as measured against work plan commitments;</li> <li>b. The cumulative effectiveness of the work performed under all work plan components;</li> <li>c. Existing and potential problem areas; and</li> <li>e. Suggestions for improvement, including, where feasible, schedules for making improvements.</li> </ul>

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1.	<p>Implement corrective actions that are consistent with the substantive requirements of 40 CFR §280.60 – 280.66, including the following:</p> <ul style="list-style-type: none"> <li>- investigate sites to evaluate the source and extent of contamination;</li> <li>- review initial site characterization reports and determine need for further action;</li> <li>- request and review reports of investigations of the magnitude and extent of soil and ground-water contamination;</li> <li>- receive and review free product removal reports and determine practical extent of free product removal;</li> <li>- receive, review, and evaluate required and voluntarily submitted corrective action plans and reports of the results of implementing the plans;</li> <li>- assess how many individuals may have been exposed to petroleum contaminants and the seriousness of the exposure, and estimate resulting health risks;</li> <li>- provide safe drinking water to residents at the site of a tank leak;</li> <li>- provide for temporary or permanent relocation of residents; and</li> <li>- clean up contaminated soil and water.</li> </ul>	OSWER Directive 9650.10A, 40 CFR §280.60 – 280.66	On-going	<p>Upon assignment of the site to an ARRA-funded contractor, all reports already received for each site will be reviewed by the Contractor and EPD. Each site will be investigated by the Contractor to determine the source and extent of soil and groundwater contamination if they have not already been identified. Immediate actions to mitigate any immediate risk to human health or surface water bodies will be taken. All water supplies that are considered by EPD to have been possibly impacted will be sampled for regulated contaminants by the Contractor. If any contamination is discovered, alternate water supplies will be provided by the Contractor. If unsafe conditions cause by the release make living quarters unsafe, residents will be relocated. Other potential receptors will be identified and a risk assessment, as described in the State of Georgia USTMP CAP-Part B Guidelines, will be prepared by the Contractor to determine the longer-term risk posed by the release to those receptors. Remediation requirements will be based on the results of the risk assessment and site-specific clean-up goal submitted by the Contractor in the CAP-Part B upon review and approval by EPD. In all cases, free product will be removed, as required, and groundwater will be cleaned up to levels protective of receptors and human health. Groundwater and soil will be cleaned up to levels necessary to prevent surface waters from exceeding In-Stream Water Quality Standards and to prevent drinking water supplies from becoming contaminated above mcls. Procedures for calculating site-specific clean-up standards are laid out in the Guidelines for CAP-Part A and CAP-Part B. The most cost-effective clean-up methods that can achieve results within the time period of fund expenditure required by EPA will be utilized.</p>

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2.	Conduct public participation activities that are consistent with 40 CFR §280.67.	OSWER Directive 9650.10A, 40 CFR §280.67	On-Going	Public notices of Corrective Action Plan Part A's (initial site characterization) and CAP-Part B's (Corrective Action Plans) are sent out to each adjoining property owner, public officials, and a copy is posted in the local library or City Hall.
3.	Include MTBE, other oxygenates, ethylene dibromide (EDB), and 1, 2-dichloroethane (1,2-DCA) as chemicals of concern during tank closure assessments, site assessments, and corrective action at RECOVERY ACT LUST Trust Fund sites. Analytical method must be capable of detecting EDB and 1,2-DCA at MCL. All ground water monitoring wells at RECOVERY ACT LUST Trust Fund sites must be sampled at least once for EDB and 1,2-DCA. Report detections of EDB and/or 1,2-DCA using previously agreed format.	OUST & Regional requirement	Quarterly reporting of detections	<p>MTBE, other oxygenates, EDB and 1,2-DCA will be analyzed for at ARRA-funded sites and any detections will be reported in the semi-annual narratives in the agreed-upon format.</p> <p>Analytical methods will be capable of detecting EDB and 1,2-DCA to mcls. All groundwater monitoring wells at ARRA-funded sites will be sampled at least once for EDB and 1,2 DCA.</p>

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4.	<p>On a quarterly basis, identify the following accomplishments utilizing Recovery Act funds during the project period. Include:</p> <p><u>Site Assessments Initiated</u> Total Assessments Initiated (direct and indirect) Direct Assessments Completed</p> <p><u>Site Assessments Completed</u> Total Assessments Completed (direct and indirect) Direct Cleanups Initiated</p> <p><u>Cleanups Initiated</u> Total Cleanups Initiated (direct and indirect) Direct Cleanups Initiated</p> <p><u>Cleanups Completed</u> Total Cleanups Completed (direct and indirect) Direct Cleanups Completed</p>	<p>2006-2011 EPA Strategic Plan, EPA Order 5700.7, 40 CFR §31.40(b)</p> <p>OUST Recovery Act Program Guidance – June 2009</p>	<p>Quarterly</p> <p>Oct 10</p> <p>Jan. 10</p> <p>April 10</p> <p>July 10</p>	<p>These parameters will be reported quarterly by the due dates.</p>
5.	<p>Incorporate sustainable remediation practices (Green Remediation) where possible.</p>	<p>OUST &amp; Regional recommendation</p> <p>March 6, 2009 letter from ARA Stanley Meiburg to State Agency Commissioners</p>	<p>Efforts will be reported Quarterly</p>	<p>All remediation efforts conducted by the State contractors under EPD's supervision and direction will be as sustainable as possible, given the time constraints placed on the expenditure of funds. All off-gasses are treated to within required air-quality limits, and contaminated soil is treated on site or in situ when possible. Groundwater is treated in situ or to within drinking water standards if discharged.</p>

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<b>COST RECOVERY</b>				
1.	Make reasonable efforts to recover Recovery Act LUST Trust Fund expenditures, including interest, from liable owners/operators.	OSWER Directive 9610.10A (Special Conditions)  OUST Recovery Act Program Guidance – June 2009	Quarterly	Recovery Act LUST Trust Fund expenditures will be recovered when a viable responsible party is available. None of the sites identified as LUST-eligible that are to be assigned using ARRA funds have a viable known responsible party.
2.	Dedicate recovered LUST Trust Fund expenditures back to LUST Trust Fund-eligible activities.	OSWER Directive 9610.10A (Special Conditions)  40 CFR §31.25	Quarterly	Any recovered LUST Trust Fund expenditures will be dedicated back to LUST Trust Fund-eligible activities.
3.	Notify EPA promptly of any reduction in its authority to recover response expenditures (e.g., successful challenge to its statutory authority).	OSWER Directive 9610.10A (Special Conditions)	Immediate	EPA will be notified promptly of any reduction in its authority to recover response expenditures

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4.	Maintain supporting documentation and appropriate records in support of any future cost recovery efforts.	OSWER Directive 9610.10A (Special Conditions), LUST Trust Fund State Financial Management Handbook; <i>Cost Recovery Policy for the Leaking Underground Storage Tank Trust Fund</i> , May 1994; <i>Leaking Underground Storage Tank Trust Fund State Financial Management Handbook</i> (March 1989).	Available at formal EPA reviews or upon request by Office of Inspector General	Supporting documentation and appropriate records will be maintained to support of any future cost recovery efforts.

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**RECOVERY ACT LUST TRUST FUND  
WORK PLAN ELEMENT ESTIMATES**

STATE: Georgia

PROJECT PERIOD: 5/15/09 – 9/30/11

BUDGET PERIOD: 7/1/08 – 7/1/09

<b>WORK PLAN ELEMENT</b>	<b>STATE FUNDING</b>	<b>FEDERAL FUNDING</b>	<b>TOTAL FUNDING</b>	<b>WORKYEARS</b>
1. ADMINISTRATION	0	0	0	0
2. CORRECTIVE ACTION	0	\$ 4,970,000	\$ 4,970,000	2
3. COST RECOVERY	0	0	0	0
<b>TOTALS</b>	0	\$ 4,970,000	\$ 4,970,000	2

LUST work plan completion check list:

- √ State authority certification to carry out the enforcement, corrective action and cost recovery activities attached, in accordance with OSWER Directive 9650.10A?
- √ Consolidated budget as needed to satisfy site-specific activity information requirement attached, in OSWER Directive 9650.10A?
- √ Prioritization system with sites addressed with Recovery Act LUST Trust Fund monies are in the higher priority classes?
- √ Training program description attached?
- √ Public participation program addresses federal requirements?
- √ Accounting practices for recovered LUST Trust Funds are well documented at the State?