

STATE OF DELAWARE

Brownfields Grant Funding Eligible Expenses Manual and Reimbursement Application Instructions



**Department of Natural Resources and Environmental Control (DNREC)
Division of Waste & Hazardous Substances
Remediation Section
391 Lukens Drive
New Castle, DE 19720**

**(302) 395-2600
(302) 395-2601 FAX**

Revised July 2023
Revised June 2021
Revised July 2020
Revised June 2013
Revised December 2011
Created March 2008

1.0 Introduction

The purpose of the Brownfields Grant Funding Eligible Expenses Manual is to provide a comprehensive list of tasks of reimbursable and non-reimbursable costs in accordance with the Hazardous Substance Cleanup Act (HSCA) Brownfields Funding Policy dated July 2023. The terms “Brownfield” and “Certified Brownfield” used throughout this policy are defined in [7 Del. C. §9103 \(3\)](#) and [§9123 \(3\)](#). Reimbursement claims submitted to the Department should be prepared using the task codes and forms provided in this document. These reimbursement claims must include all necessary supplemental information, including subcontractor invoices and daily accounting of consultant time on the project (i.e., timesheets). Timesheets are required to show the hours worked. DNREC will remove any undocumented time on any invoices that the Department receives. **DNREC reserves the right to deny any costs that are not acceptable under the Program.** At any time DNREC may require a full financial audit to be performed on any grant recipient.

The Department may only reimburse the environmental costs associated with a Brownfield project up to the corresponding reimbursement amount specified in the current Brownfield Grant Funding Policy. Environmental costs are defined as *all necessary and reasonable expenses related to addressing the environmental conditions on a Certified Brownfield site*. This includes; but is not limited to, due diligence activities, investigation work, feasibility studies, treatability studies, remedial investigations and development and implementation of Proposed and Final Plans of Remedial Action through to issuance of a Certificate of Completion of Remedy (COCR) and subsequent Long-Term Stewardship (LTS) including Long-Term Monitoring (LTM) costs approved in writing by the Department. Reimbursement eligibility will not begin until a site is officially certified as a Certified Brownfield property by the Department. Actual monetary reimbursement will not begin until after a Brownfield Development Agreement (BDA) has been entered into and fully executed. As specified by a Final Plan of Remedial Action (FPRA), remediation costs that have been incurred prior to the Brownfields Developer taking title to the property, may only be reimbursed after the Brownfields Developer takes title to the property. In addition, a COCR will not be issued for a site without proof of payment to consultants, contractors and/or the State for items covered under this guidance.

The effective date for this policy is July 1, 2023. Funding amounts outlined in this policy only apply to sites that do not have a recorded COCR as of July 1, 2023. Only LTS activities described under Task 3.7 of the Brownfield Funding Policy July 2023 are eligible for reimbursement after the issuance of a COCR.

1.2 Approved in writing and Non-Approved in writing Activities

The approved in writing and non-approved in writing activities listed in this document are not intended to be all inclusive. Other costs may be approved in writing by the Department, provided the expenses are in compliance with the [Delaware Regulations Governing Hazardous Substance Cleanup \(HSCA\)](#) regulations, any guidance issued under the HSCA program, and any additional Department cleanup programs such as the [Underground Storage Tank Act \(7 Del. C, Ch. 74\)](#) and the [Jeffrey Davis Aboveground Storage Tank Act \(7 Del C Ch. 74A\)](#) and [Hazardous Waste Management \(7 Del. C., Ch. 63\)](#). Some costs incurred by a Brownfields Developer, or a party entering a BDA, are **not reimbursable** pursuant to this manual unless approved in writing in writing by the department. The non-reimbursable costs include:

1. Preparation of the Hazardous Substance Cleanup Act Brownfield Certification and Grant Application.
2. Attorney fees more than five-thousand dollars (\$5,000).
3. Phase I and II Assessment activities prior to Brownfield certification of the site as defined in this document more than six-thousand dollars (\$6,000).
4. Meetings prior to certification of the site.
5. Laboratory costs, including mark-up, more than the rates listed in the Maximum Allowable Laboratory Charges document. (See Appendix A)
6. Demolition of structures, unless otherwise required by the Final Plan or Interim Action.
7. Geotechnical sampling of fill material.
8. Erosion and Sediment Controls required for normal construction activities, including permits, and Erosion and Sediment Control inspections after a Remedial Action Completion Report has been approved in writing by the Department.
9. Stormwater Management Plan preparation and implementation, including permits.
10. Implementation of a Long-Term Stewardship Plan after issuance of a Certificate of Completion of Remedy more than forty-thousand dollars (\$40,000).
11. Slab installation not required by the Final Plan of Remedial Action.
12. Property management fees not related to environmental issues.
13. Any Other Direct Costs (ODC) that are more than documented Federal per diem or mileage reimbursement rates. Overnight accommodations and airfare costs will be reimbursed if travel is greater than two hours or otherwise pre-approved in writing in writing by the Department.
14. Any other expenses, including ODCs, not specifically related to environmental cleanup, or implementation of an approved in writing Proposed Plan of Remedial Action, Final Plan of Remedial Action, or Interim Action.
15. Meetings with the Department to discuss reimbursement claims.
16. Any Occupational Safety and Health Administration (OSHA) training costs.

1.3 Contact Information

All correspondence, reimbursement application packages, and inquiries should be sent via email to dnrec_whs_bf_reimbursements@delaware.gov.

For any questions regarding the task codes outlined in the policy, please contact the Strategic Service Section at (302) 395-2600 or dnrec_whs_bf_reimbursements@delaware.gov. Any needed clarification and/or approval on task codes should be completed **prior to** submittal of your claim. If necessary, appropriate DNREC Remediation Section staff will be contacted for further clarification, if needed.

2.0 Reimbursable Task Codes

This section provides the task codes and general description of the reimbursable tasks. Detailed description of the tasks is provided in section 3.0.

Task 1 – Reimbursement Package Preparation

**Note: Unless requested by the Department, consultant or contractor time spent for meetings related to reimbursement claims will not be reimbursed.*

1.010 Preparation of Reimbursement Package

Task 2 – Pre-Assessment Activities

2.010 Phase I & II Environmental Assessment Activities prior to Brownfields Certification.
2.015 Conceptual Site Model & Sampling and Analysis Plan (CSM-SAP)
2.020 Scoping Meeting
2.030 Health & Safety Plan
2.040 Revisions to CSM –SAP
2.050 Other Subcontractor Expenses

Task 3 – Site Investigation/Release Confirmation

3.010 Labor - Consultant Coordination and Oversight Associated with Section 3
3.020 Travel, Supplies, Equipment or Incidental Costs Relating to Section 3
3.030 Collection of Environmental Media Samples
3.040 Drilling Subcontractor Costs
3.050 Laboratory Costs – Brownfield Investigation
3.060 Asbestos and/or Lead Based Paint Survey
3.070 Wetland Delineation
3.080 Other Site Investigation Costs – Please Specify
3.090 EQulS Electronic Data Deliverables (EDD) Submission

Task 4 – Waste Characterization, Removal, Transport & Disposal

4.010 Labor - Consultant Coordination and Oversight Associated with Section 4
4.020 Travel, Supplies, Equipment or Incidental Costs Relating to Section 4
4.030 Removal of Hazardous Substances or Materials
4.040 Waste Material Characterization
4.050 Labor - Confirmatory Sampling for Contaminated Materials Removal
4.060 Laboratory Costs – Waste Material Characterization and Confirmation
4.070 Transport & Disposal Costs for Contaminated Materials Removal

- 4.080 Other Waste Characterization, Removal, Transport & Disposal – **Please Specify.**
- 4.090 EQUIS Electronic Data Deliverables (EDD) Submission

Task 5 – Dewatering

- 5.010 Labor - Consultant Coordination and Oversight Associated with Section 5
- 5.020 Travel, Supplies, Equipment or Incidental Costs Relating to Section 5
- 5.030 Excavation Dewatering Not Associated with Site Construction
- 5.040 Storage Tank Rental
- 5.050 Laboratory Costs – Wastewater Characterization
- 5.060 Transport & Disposal Costs Associated with Dewatering
- 5.070 Other Dewatering – ***Please Specify***
- 5.080 EQUIS Electronic Data Deliverables (EDD) Submission

Task 6 – Filling/Capping as Remedy

- 6.010 Labor - Consultant Oversight and Coordination Associated with Section 6
- 6.020 Travel, Supplies, Equipment or Incidental Costs Relating to Section
- 6.030 Fill Material and Placement
- 6.040 Impervious Surfaces (asphalt, concrete, etc.)
- 6.050 Bed Utility Trenches and Place Geotextile Fabric
- 6.060 Construction and Maintenance of Haul Roads for Fill/Cap Placement
- 6.070 Marker Fabric and Placement
- 6.080 Other Filling/Capping – ***Please Specify***

Task 7 – Erosion and Sediment Control

****Note: Erosion and Sediment Control inspections will not be reimbursed if performed AFTER Remedial Action Completion Report has been approved in writing by the Department.***

- 7.010 Labor - Consultant Oversight and Coordination Associated with Section 7
- 7.020 Travel, Supplies, Equipment or Incidental Costs Relating to Section 7
- 7.030 Silt Fence in Excess of Construction Requirements
- 7.040 Other Erosion and Sediment Control

Task 8 – Underground and Above Ground Storage Tanks

****Note: Reimbursement for UST and AST related activities may occur only if the work is performed in accordance with [7 Del. Admin. Code §1352, Regulations Governing Aboveground Storage Tanks](#) and [7 Del. Admin. Code §1351, Regulations Governing Underground Storage Tank Systems.](#)***

****Note: Any site condition that has been subject to an enforcement action by the Department will be required to come into compliance with the Department’s requirements for that condition at the expense of the identified Potentially Responsible Party.***

- 8.010 Labor for Consultant Oversight and Coordination Associated with Section 8
- 8.020 Travel, Supplies, Equipment or Incidental Costs Relating to Section 8

8.030	Removal of UST/AST
8.040	Disposal of UST/AST
8.045	Laboratory Costs – UST/AST Removal Activities
8.050	Remedial Costs Associated with UST/AST
8.060	Other UST/AST Costs – Please Specify
8.070	EQUS Electronic Data Deliverables (EDD) Submission

Task 9 – Soil Remedial Actions

****Note: Soil removal/disposal as a remedial action must be reimbursed under Section 4 of this Guidance.***

****Note: Remediation costs, as specified by a Final Plan of Remedial Action, that have been incurred prior to the Brownfield Developer taking title to the property, will only be reimbursed after the Brownfield Developer takes title to the property.***

9.010	Labor - Consultant Oversight and Coordination Associated with Section 9
9.020	In-Situ Stabilization/Treatment
9.030	Subsurface Containment Wall or Cell
9.040	Vapor Intrusion Control System
9.045	Asbestos/Lead Abatement
9.050	Other Innovative Technologies
9.060	Laboratory Costs – Soil Remedial Actions
9.070	EQUS Electronic Data Deliverables (EDD) Submission

Task 10 – Reports

****Note: Reimbursement for Tasks in Section 10 will not be processed until the report has been submitted to the Department. Any reports not requested by, required by, or submitted to the Department will not be eligible for reimbursement.***

10.010	Brownfield Investigation Report
10.020	Human Health Risk Assessment
10.030	Ecological Risk Assessment
10.040	Feasibility Study
10.050	Interim Action Work Plan and Completion Report
10.060	Proposed Plan of Remedial Action
10.070	Long-Term Stewardship Plan
10.075	Remedial Action Work Plan
10.080	Contaminated Materials Management Plan (CMMP)
10.090	Remedial Action Completion Report
10.100	Environmental Covenants
10.110	Other Reports – Please Specify

Task 11 – Public Relations and Safety

****Note: All Section 11 tasks require written approval from DNREC to be reimbursed.***

****Note: OSHA HAZWOPER training and/or annual refresher courses for environmental consultants is not reimbursable by the Brownfields program.***

- 11.010 Public Hearing Preparations and Support
- 11.020 Public Outreach Regarding Environmental Issues
- 11.030 Environmental Construction Coordination Meetings
- 11.040 Fence Installation
- 11.050 Security Guard Services
- 11.060 Environmental Site Orientation and Training
- 11.070 Defunct task
- 11.080 Other Public Relations and Safety – *Please Specify*

Task 12 – Capital Expenses, Legal Fees and Miscellaneous

- 12.010 Capital Expenses
- 12.020 Legal Fees
- 12.030 Other Reimbursable Expenses Not Defined in Sections 1 through 11
- 12.040 Project Management Meeting

Task 13 –Long-Term Stewardship

**Note: LTS costs allowed under Section 13 will be capped at a cumulative cost of \$40,000.*

**Note: Certified Brownfield Sites may be eligible for reimbursement/direct payment for the Long-Term Stewardship (LTS) activities before and/or after issuance of the Certificate of Completion of Remedy (COCR). LTS activities include Site inspection and maintenance, Long-Term Monitoring (LTM) for groundwater, surface water and/or soil-gas if required in the Final Plan of Remedial Action, and/or, adherence and implementation of the provisions and requirements set forth in the Contaminated Materials Management Plan (CMMP), including sampling and reporting subject to the Guidance for Soil Material Reuse at, and from, Sites/Facilities Regulated by the Hazardous Substance Cleanup Act (HSCA).*

- 13.010 LTS Inspections, operation and maintenance Reports
- 13.020 Inspections/Repairs/Replacements of the Remedial Action
- 13.030 Remediation System Operation and Maintenance
- 13.040 Labor
- 13.050 Travel, Supplies Equipment or Incidental Cost Relating to Section 13
- 13.060 Collection of Groundwater Samples
- 13.070 Collection of Soil Gas and Air Samples
- 13.080 Laboratory Cost for Groundwater, Soil-Gas, and Air Samples
- 13.090 Long-Term Monitoring Reports
- 13.100 Monitored Natural Attenuation
- 13.110 EQUS Electronic Data Deliverables (EDD) Submission
- 13.120 Contaminated Materials Management Plan (CMMP)
- 13.130 Soil/Material Reuse
- 13.140 Long-Term Stewardship of Green Remediation
- 13.150 Other Activities Related to Long-Term Stewardship

Task 14 – Limited Offsite Groundwater and Soil-Gas Investigation

**Note: Offsite investigation costs allowed under this section will be capped at a cumulative cost of \$25,000.*

**Note: Off-site investigation of groundwater and soil gas are performed to determine potential or actual migration of groundwater and/or soil gas.*

**Note: Off-site investigation may include multiple rounds of sampling and on-site sampling if determined necessary by the Department.*

14.010	Labor - Consultant Oversight and Coordination Associated with Section 14
14.020	Travel, Supplies Equipment or Incidental Costs Relating to Section 14
14.030	Collection of Groundwater Samples including well installation
14.030	Collection of Soil-gas Samples including sample point installation
14.040	Drilling Subcontractor Costs Onsite
14.050	Laboratory Costs – associated with Groundwater Sample analysis.
14.060	Laboratory Costs – Associated with Soil-Gas and Air Sample Analysis
14.070	EQuIS Electronic Data Deliverables (EDD) Submission

Task 15 – Remediation of Source Areas of Contamination to Reduce Groundwater and Soil-Gas Contamination On-Site and Off-Site

**Note: Costs associated with remedial actions that reduce groundwater and/or soil gas contamination at the source areas, and that also reduces migration of groundwater and soil gas contamination offsite would be eligible for this additional funding. Additional sampling and other evaluations necessary for the implementation and monitoring of these remedial actions may also be eligible for this funding.*

**Note: As specified by a Final Plan of Remedial Action, any costs incurred prior to the Brownfield Developer taking title to the Property, will only be reimbursed after the Brownfield Developer takes title to the property.*

15.010	Labor - Consultant Oversight and Coordination Associated with Section 15
15.020	Travel, Supplies Equipment or Incidental Costs Relating to Section 15
15.030	Subcontractor Costs for Remediation
15.040	Groundwater Treatment Technologies
15.050	Soil-Gas Treatment Technologies
15.060	Other Innovative Remediation Technologies
15.070	Sampling Costs – Associated with the Remedial Actions
15.080	Laboratory Costs – Associated with the Remedial Actions
15.090	EQuIS Electronic Data Deliverables (EDD) Submission

Task 16- SUSTAINABILITY & GREEN REMEDIATION

- 16.010 Labor—Consultant Coordination and Oversight Associated with Section 16
- 16.020 Travel, Supplies, Equipment, or Incidental Costs Relating to Section 16
- 16.030 Rain Gardens
- 16.040 Vegetated Swales
- 16.050 Tree Boxes and Tree Trenches
- 16.060 Rain Barrels, Cisterns & Downspout Disconnection
- 16.070 Green Roofs/Rooftop Gardens
- 16.080 Cool Roofs
- 16.090 Urban Trees
- 16.100 Riparian Buffers
- 16.110 Living Shorelines
- 16.120 Permeable Pavement
- 16.130 Native Vegetation or Voluntary Ecological Enhancement with Native Vegetation
- 16.140 Other Innovative Technologies
- 16.150 Evaluation of Green Remediation
- 16.160 Long-Term Stewardship of Green Remediation
- 16.170 Sustainability Principles as described in section 7.3.1 of DNREC’s Feasibility Study Guidance

Task 17 – COMMUNITY INVOLVEMENT ACTIVITIES (including focus on equity areas and limited English areas)

- 17.01 Public Meetings
- 17.02 Public notifications via flyers, emails, etc.
- 17.03 Training & Support for community groups
- 17.04 Technical Assistance to community groups
- 17.05 Attending outreach events.
- 17.06 Environmental Justice Screening Investigation and Mapping Tools
- 17.07 Assist communities with equitable development approach

Appendix A - Maximum Allowable Laboratory Charges

3.0 REIMBURSABLE TASK DESCRIPTIONS

The detailed descriptions of the reimbursable task are described in this section.

TASK 1 – REIMBURSEMENT PACKAGE PREPARATION*

**Note: Unless requested by the Department, consultant or contractor time spent for meetings related to reimbursement claims will not be reimbursed.*

**Note: Effective July 1, 2023, DNREC-RS Oversight costs will be considered an administrative cost and not charged to the site-specific grant.*

1.010

Preparation of Reimbursement Package: Includes time for preparation of a reimbursement package for submittal to DNREC-RS. The Department will not reimburse for preparation of reimbursement more than 5% of the **submitted invoice**, subject to the discretion of the Department. An accounting of time spent on this task (i.e., timesheets) must be included as backup. The reimbursement package must include all other necessary backup and supplemental forms as required by this document. Incomplete reimbursement packages will require the additional submittal of documents, or the Department will remove the undocumented costs from the reimbursement package. The Department will not reimburse for revisions for reimbursement packages.

TASK 2 – PRE-ASSESSMENT ACTIVITIES

2.010

Previous Assessment Activities: Includes Phase I Environmental Site Assessments or Phase II Environmental Site Assessments (or equivalent) if less than 180 days old, and if applicable to the development of a Conceptual Site Model and Sampling Analysis Plan for a site. Assessment information older than 180 days is presumed non-reimbursable. However, site information more than 180 days old or over the six-thousand dollar (\$6,000) allowable limit may be approved in writing by the Department, with written justification.

2.015

Conceptual Site Model & Sampling and Analysis Plan (CSM-SAP): Includes consultant time for preparation, revision or update to the CSM-SAP in the format provided by DNREC, including background information collection, a summary of the existing data, and information in the CSM and the preparation of the SAP. The SAP includes the initial proposal of sampling locations, number of samples from different media and the type of analysis. DNREC requires that Standard Operating Procedures (SOPs), which are referenced in the SAP, be utilized. **Billing rates for the preparation of the CSM-SAP cannot exceed the rate of a Project Manager or equivalent title unless some sections are required to be prepared by professional geologist or other equivalent title. A Senior Management (Program Manager/Principle) rate can be utilized for review, but not preparation.** The CSM-SAP is submitted prior to a Scoping Meeting and includes review and revisions because of communications between DNREC and consultant.

2.020

Scoping Meeting: Includes attendance of the Scoping Meeting for the site. The intent of the Scoping Meeting is to finalize the SAP. Only required staff will be reimbursable (e.g., program manager and project manager for the project).

2.030

Health & Safety Plan: Includes time for the preparation and/or revisions or updated to a site-specific Health & Safety Plan.

2.040

Revisions to CSM –SAP: Includes any additions and/or revisions to the CSM based on the input from all the parties.

2.050

Other Subcontractor Expenses: This task would include the cost of a Meets and Bounds survey, Ground Penetrating Radar, and other DNREC approved in writing expenses not included in the above task.

TASK 3 – SITE INVESTIGATION/RELEASE CONFIRMATION

3.010

Labor – Consultant Coordination and Oversight Associated with Section 3: Includes costs associated with the coordination of drilling activities, site reconnaissance, preparation of well permit applications and submittal, drilling oversight, monitoring well surveying (if conducted by the consultant) and laboratory coordination. Other consultant coordination and oversight activities related to the Brownfield Investigation and implementation of the approved in writing CSM-SAP not listed separately in this document apply to this task.

3.020

Travel, Supplies, Equipment or Incidental Costs Relating to Section 3: Includes direct costs associated with the labor performed under Task 3.010. These costs include, but are not limited to, equipment rental (including vehicles), mileage, [federal per diem rates](#), airfare, and ice for samples. If vehicle rental reimbursement is submitted, mileage will not be reimbursed and vice versa. If mileage is used, documentation stating the federal rate and miles driven must be provided. In the case of per diem (which needs prior approval by the Department), required documentation stating the federal rate, the number of individuals and the number of days must be included. When airfare travel is pre-approved in writing, the Department will only reimburse for one roundtrip coach ticket per person per task per year or otherwise site-specifically approved in writing in writing by DNREC. **A cost comparison of commuting to the site daily versus the daily federal per diem rate must be submitted and approved in writing in writing by DNREC for the lesser of the two costs. Clear documentation must be provided.**

3.030

Collection of Environmental Media Samples: Includes consultant time for collecting soil, surface water, groundwater, sediment and/or indoor air samples. This task should include but is not limited to, collection of soil samples using hand augers, groundwater monitoring well sampling, grab surface water and sediment sampling, and all associated equipment costs. The rate charged by staff cannot exceed Environmental Scientist, Geologist, Environmental Technical Staff, or equivalent

title.

3.040

Drilling Subcontractor Costs: This task is only for subcontractor invoices. Includes subcontractor costs for soil sampling and groundwater monitoring well installation associated with the implementation of the CSM-SAP, and subsequent monitoring well abandonment. The use of advanced site characterization tools and soil-gas sample collection are eligible to utilize this task. This task includes the actual drilling costs and mark-ups cannot exceed 10%. Drilling subcontractor invoices must be submitted with the reimbursement package. A mark-up is allowed only if the drilling was conducted by a subcontractor.

3.050

Laboratory Costs – Brownfield Investigation: Includes costs for performing analytical requirements on soil, surface water, groundwater, sediment, air samples, and/or other media as defined in the CSM-SAP. All laboratory reimbursement must comply with the guidelines set forth **in Appendix A: Maximum Allowable Laboratory Charges**. If applicable, laboratory subcontractor invoices must be submitted with the reimbursement package. For Laboratory Analysis not included in Appendix A, the rate is eligible for a 10% markup. Expedited turn-around of samples requires written pre-approval from the Department to be reimbursed.

3.060

Asbestos and/or Lead Based Paint Survey: Includes subcontractor costs for performing an asbestos and/or lead based paint survey at the site, if deemed necessary during the Scoping Meeting, or otherwise approved in writing by the Department. This task includes the actual asbestos and/or lead based paint survey costs plus mark-ups cannot exceed 10%. Subcontractor invoices must be submitted with the reimbursement package. A mark-up is allowed only if the asbestos survey was conducted by a subcontractor.

3.070

Wetland Delineation: Includes subcontractor costs for performing wetland delineation at the site, if deemed necessary during the Scoping Meeting, or otherwise approved in writing in writing by the Department. This task includes the wetland delineation cost plus mark-ups cannot exceed 10%. Subcontractor invoices must be submitted with the reimbursement package. A mark-up is only allowed if the wetland delineation is conducted by a subcontractor.

3.080

Other Site Investigation Costs: This task should only be used if the expense is not identified in the other tasks. Includes any additional costs incurred during the implementation of the CSM-SAP that are not covered by another task in this section. When using this task, an explanation or summary of the activity(s) must be submitted with the reimbursement package. **Written Pre-approval from the Department is required to ensure timely reimbursement if this task is used.**

3.090

EQuIS Electronic Data Deliverables (EDD) Submission: EDD's are data repositories containing information about sampling event, and subsequent laboratory analysis of those samples. This task is the cost to prepare and submit the EDD's required by the Department. EDD's required for the sampling under Section 3 may be submitted under this task. The Department will only pay to fix an EDD submittal one time. If further revisions are necessary

by the consultant, those cost are not eligible for reimbursement.

TASK 4 – WASTE CHARACTERIZATION, REMOVAL, TRANSPORT & DISPOSAL

4.010

Labor – Consultant Coordination and Oversight Associated with Section 4: Includes costs associated with the coordination and oversight of characterization, management, and removal of hazardous substances (other than water) at a site. Other consultant coordination and oversight activities related to the waste characterization, removal, transport, and disposal not listed separately in this document apply to this task.

4.020

Travel, Supplies, Equipment, or Incidental costs relating to Section 4: Includes direct costs associated with the labor performed in under Task 4.010. These costs include, but are not limited to, equipment rental (including vehicles), mileage, federal per diem rates, airfare, and ice for samples. If vehicle rental reimbursement is submitted, mileage will not be reimbursed and vice versa. If mileage is used, documentation stating the federal rate and miles driven must be provided. In the case of per diem (which needs prior written approval by the Department), required documentation stating the federal rate, the number of individuals and the number of days must be included. When airfare travel is pre-approved in writing, the Department will only reimburse for one roundtrip coach ticket per person per task per year or otherwise site-specially approved in writing in writing by DNREC. **A cost comparison of commuting to the site daily versus the daily federal per diem rate must be submitted and approved in writing in writing by the Department for the lesser of the two costs. Clear documentation must be provided.**

4.030

Removal of Hazardous Substances or Materials: Includes costs associated with the removal of any hazardous substances from a site or hazardous waste remaining on a site as required by a Final Plan of Remedial Action or Interim Action. Also included under this task is the removal and management of contaminated materials from a site, the removal of contaminated subsurface obstructions encountered during excavations related to construction activities at site, the removal of any subsurface obstructions if encountered during excavation activities required by the Final Plan of Remedial Action or Interim Action and not otherwise required for construction, the removal and management of uncontaminated overburden, including trees and shrubs, when removal is necessary to reach contaminated material at a site, and removal of HSCA hazardous substances associated with impervious cover or ground-level demolition as required by a Final Plan of Remedial Action or Interim Action. This task includes the actual subcontractor cost for removal of hazardous substances or materials plus mark-ups cannot exceed 10%.

4.040

Waste Material Characterization: Includes consultant time and equipment charges for collecting samples from site materials for the purpose of waste characterization.

4.050

Labor – Confirmatory Sampling for Contaminated Materials Removal: Includes consultant time and equipment costs for collecting soil or sediment samples to confirm that contaminated materials have been removed from the site.

4.060

Laboratory Costs – Waste Material Characterization and Confirmation: Includes costs for performing analytical requirements on contaminated materials encountered during activities described as reimbursable in this document, and as required by the treatment/disposal facility. Laboratory analytical costs associated with confirmatory sampling to ensure that contaminated materials have been removed from the site are also included in this task. All laboratory reimbursement must comply with the guidelines set forth in Appendix A: Maximum Allowable Laboratory Charges document. If applicable, laboratory subcontractor invoices and treatment/disposal facility analytical requirements must be submitted with the reimbursement package. For Laboratory Analysis not included in Appendix A, the rate is eligible for a 10% markup. Expedited turn-around of samples, or special analytical protocols, requires written pre-approval from the Department to be reimbursed.

4.070

Transport & Disposal Costs for Contaminated Materials Removal: Includes subcontractor costs associated with the transport and disposal of contaminated materials encountered during excavation activities required by a Final Plan of Remedial Action or other reimbursable activity described in this section. This task includes the actual cost for transportation and disposal plus mark-ups cannot exceed 10%. Transportation and disposal subcontractor invoices must be submitted with the reimbursement package.

4.080

Other Waste Characterization, Removal, and Transport & Disposal: Includes any additional cost associated with waste characterization, removal, transport, and disposal that is not covered by another task in this section. When using this task, an explanation or summary of the activity(s) must be submitted with the reimbursement package. **Pre-approval from the Department is required to ensure timely reimbursement if this task is used.**

4.090

EQuIS Electronic Data Deliverables (EDD) Submission: EDD's are data repositories containing information about sampling event, and subsequent laboratory analysis of those samples. This task is the cost to prepare and submit the EDD's required by the Department. EDD's required for the sampling task under Section 4 may be submitted under this task. The Department will only pay to correct an EDD submittal one time, if further revisions are necessary by the consultant those cost are not eligible for reimbursement.

TASK 5 – DEWATERING

5.010

Labor – Consultant Coordination and Oversight Associated with Section 5: Includes costs associated with the coordination and oversight of dewatering activities if related to site contaminants and not otherwise required by normal construction activities. Other consultant coordination and oversight activities related to dewatering not listed separately in this document apply to this task.

5.020

Travel, Supplies, Equipment or Incidental Costs Relating to Section 5: Includes direct costs associated with the labor performed under Task 5.010. These costs include, but are not limited to, equipment rental (including vehicles), mileage, federal per diem rates, airfare, and ice for samples. If vehicle rental reimbursement is submitted, mileage will not be reimbursed and vice versa. If mileage is used, documentation stating the federal rate and miles driven must be provided. In the case of per diem (which needs prior approval by the Department), required documentation stating the federal rate, the number of individuals and the number of days must be included. When airfare travel is pre-approved in writing, the Department will only reimburse for one roundtrip coach ticket per person per task per year or site- specially approved in writing by DNREC. **A cost comparison of commuting to the site daily versus the daily federal per diem rate must be submitted and approved in writing by the Department for the lesser of the two costs. Clear documentation must be provided.**

5.030

Excavation Dewatering Not Associated with Site Construction: Includes costs for dewatering an excavation, including sheeting and shoring, if water is encountered while performing excavation activities required by a Final Plan of Remedial Action or Interim Action and not otherwise required for site construction/development. This task also applies to costs incurred if contaminated water is encountered during construction related excavation activities to the extent it exceeds the requirements for handling if the water were NOT contaminated. If this situation is applicable, a breakdown showing the cost difference in handling contaminated versus non-contaminated water must accompany the reimbursement package. The difference is eligible for reimbursement.

5.040

Storage Tank Rental: Includes costs for the rental of water storage equipment, if necessary, for dewatering during excavation activities required by the Final Plan of Remedial Action or Interim Action, or to the extent it exceeds the requirements for handling if the water were NOT contaminated. If this situation is applicable, a breakdown showing the cost difference in handling contaminated versus non- contaminated water must accompany the reimbursement package. The difference is eligible for reimbursement.

5.050

Laboratory Costs – Wastewater Characterization: Includes costs for performing analytical requirements on contaminated water removed from an excavation, and as required by the treatment/disposal facility.

All laboratory reimbursement must comply with the guidelines set forth in *Appendix A: Maximum Allowable Laboratory Charges* document. If applicable, laboratory subcontractor invoices and treatment/disposal facility analytical requirements must be submitted with the reimbursement package. For Laboratory Analysis not included in Appendix A, the rate is eligible for a 10% markup. Expedited turn-around of samples, or special analytical protocols, requires written pre-approval from the Department to be reimbursed.

5.060

Transport & Disposal Costs Associated with Dewatering: Includes subcontractor costs associated with the transport and disposal of contaminated water encountered during excavation activities required by a DNREC CMMP or other reimbursable activity described in this section. This task includes the actual cost for transportation and disposal plus mark-ups cannot exceed 10%. Transportation and disposal subcontractor invoices must be submitted with the reimbursement package.

5.070

Other Dewatering: Includes any additional costs associated with dewatering activities that are not covered by another task in this section. When using this task, an explanation or summary of the activity(s) must be submitted with the reimbursement package. **Pre-approval from the Department is required to ensure timely reimbursement if this task is used.**

5.080

EQulS Electronic Data Deliverables (EDD) Submission: EDD's are data repositories containing information about sampling events, and subsequent laboratory analysis of those samples. This task is the cost to prepare and submit the EDD's required by the Department. EDD's required for the sampling task Section 5 may be submitted under this task. The Department will only pay to fix an EDD submittal one time, if further revisions are necessary by the consultant those cost are not eligible for reimbursement.

TASK 6 – FILLING/CAPPING

6.010

Labor – Consultant Coordination and Oversight Associated with Section 6: Includes costs associated with the coordination and oversight of filling and/or capping to the extent required by the Final Plan of Remedial Action or Interim Action as approved in writing by the Department. Other consultant coordination and oversight activities related to filling/capping not listed separately in this document apply to this task.

6.020

Travel, Supplies, Equipment or Incidental Costs Relating to Section 6: Includes direct costs associated with the labor performed under Task 6.010. These costs include, but are not limited to, equipment rental (including vehicles), mileage, federal per diem rates, airfare, and ice for

samples. If vehicle rental reimbursement is submitted, mileage will not be reimbursed and vice versa. If mileage is used, documentation stating the federal rate and miles driven must be provided. In the case of per diem (which needs prior written approval by the Department), required documentation stating the federal rate, the number of individuals and the number of days must be included. When airfare travel is pre-approved in writing, the Department will only reimburse for one roundtrip coach ticket per person per task per year or otherwise site-specially approved in writing by DNREC. **A cost comparison of commuting to the site daily versus the daily federal per diem rate must be submitted and approved in writing by the Department for the lesser of the two costs. Clear documentation must be provided.**

6.030

Fill Material and Placement: Includes labor and materials costs for fill material and its placement/ grading to the extent specifically required as a remedy by the Final Plan of Remedial Action or Interim Action.

6.040

Impervious Surfaces (asphalt, concrete, etc): Includes labor and material costs for placement of an impervious cap, including but not limited to asphalt, concrete, or crushed stone to the extent specifically required as a remedy by the Final Plan of Remedial Action or Interim Actions approved in writing by the Department. If placement of an impervious surface is proposed on a site due to re-development reasons, and not due to reasons related to the site contamination, then DNREC will only reimburse an amount equal to the value of one foot of clean fill material for the footprint of the impervious surface, provided that a protective cap was required for the same area in the Final Plan of Remedial Action or Interim Action. A cost comparison must be provided by the consultant and clear documentation must be provided.

6.050

Bed Utility Trenches and Place Geotextile Fabric: Includes labor and materials cost for bedding utility trenches and/or other excavations with approved in writing fill and geotextile fabric as required by a Final Plan of Remedial Action and or Interim Action.

6.060

Construction and Maintenance of Haul Roads for Fill/Cap Placement: Includes labor and material costs for the construction and maintenance of haul roads necessary based on site conditions for the placement of fill/cap material required by the Final Plan of Remedial Action or Interim Action. Costs will not be reimbursed for the construction and maintenance of the haul roads if they are otherwise required for construction activities.

6.070

Marker Fabric and Placement: Includes labor and material costs for marker fabric and/or geotextile fabric and its installation as required by the Final Plan of Remedial Action or Interim Action.

6.080

Other Filling/Capping: Includes any additional cost associated with filling/capping on a Delaware Certified Brownfield Property that is not covered by another task in this section. When using this task, an explanation or summary of the activity(s) must be submitted with the reimbursement package. **Written Pre- approval from the Department is required to ensure timely reimbursement if this task is used**

TASK 7 – EROSION AND SEDIMENT CONTROL

****Note: Erosion and Sediment Control inspections will not be reimbursed if performed AFTER a Remedial Action Completion Report has been approved in writing by the Department.***

7.010

Labor – Consultant Coordination and Oversight Associated with Section 7: Includes costs associated with the coordination and oversight of the placement of erosion and sediment controls as they relate to site contaminants, especially if required as part of the Final Plan of Remedial Action or Interim Action. Other consultant coordination and oversight activities related to erosion and sediment controls not listed separately in this document apply to this task, including required Erosion and Sediment Control inspections.

7.020

Travel, Supplies, Equipment or Incidental Costs Relating to Section 7: Includes direct costs associated with the labor performed under Task 7.010. These costs include, but are not limited to, equipment rental (including vehicles), mileage, federal per diem rates, airfare, and ice for samples. If vehicle rental reimbursement is submitted, mileage will not be reimbursed and vice versa. If mileage is used, documentation stating the federal rate and miles driven must be provided. In the case of per diem (which needs prior approval by the Department), required documentation stating the federal rate, the number of individuals and the number of days must be included. When airfare travel is pre-approved in writing, the Department will only reimburse for one roundtrip coach ticket per person per task per year or otherwise site-specially approved in writing by DNREC. **A cost comparison of commuting to the site daily versus the daily federal per diem rate must be submitted and approved in writing by the Department for the lesser of the two costs. Clear documentation must be provided.**

7.030

Silt Fence in Excess of Construction Requirements: Includes costs for silt fence and its associated installation more than normal construction requirements. A breakdown showing the difference in construction requirements versus contaminant control requirements must accompany the reimbursement package. The difference is eligible for reimbursement.

7.040

Other Erosion and Sediment Control: Includes any other cost associated with Sediment and Erosion Control that is not covered by another task in this section. When using this task, an explanation or summary of the activity(s) must be submitted with the reimbursement package. **Written Pre-approval from the Department is required to ensure timely reimbursement if this task is used.**

TASK 8 – UNDERGROUND AND ABOVE GROUND STORAGE TANKS*

**Note: Reimbursement for Underground Storage Tanks (UST) and Aboveground Storage Tanks (AST) related activities may occur only if the requirements of 7 Del C, Ch. 74 and/or 74A and the requirements of the Delaware Regulations Governing Underground Storage Tank Systems and the Delaware Regulations Governing Aboveground Storage Tanks have been satisfied. Any site condition that has been subject to an enforcement action by the Department must be rectified at the Potentially Responsible Party's expense.*

**Note: Costs for tank removal are eligible for reimbursement only if the following criteria are met:*

1. The tank removal has taken place after the Site has been certified as a Brownfield; and
2. The tank removal is conducted with prior notice to and oversight by the DNREC Tanks Compliance and Permitting Section (this applies to both regulated and unregulated tanks); and
3. The tank removal is specified as an Interim Action or specified in the Final Plan of Remedial Action; and
4. Tank removal costs that have been incurred by the Brownfield Developer prior to the Brownfield Developer taking title to the property, will only be reimbursed after the Brownfield Developer takes title to the property

**Note: Remediation costs, as specified by a Final Plan of Remedial Action, that have been incurred prior to the Brownfield Developer taking title to the property, will only be reimbursed after the Brownfield Developer takes title to the property.*

8.010

Labor – Consultant Coordination and Oversight Associated with Section 8: Includes costs associated with the coordination and oversight of activities during the removal/disposal/remediation of known or unknown underground storage tanks (USTs) or aboveground storage tanks (ASTs) from a site. Other consultant coordination and oversight activities related to USTs or ASTs not listed separately in this document apply to this task.

8.020

Travel, Supplies, Equipment or Incidental Costs Relating to Section 8: Includes direct costs associated with the labor performed under Task 8.010. These costs include, but are not limited to, equipment rental (including vehicles), mileage, federal per diem rates, airfare, and ice for samples. If vehicle rental reimbursement is submitted, mileage will not be reimbursed and vice versa. If mileage is used, documentation stating the federal rate and miles driven must be provided. In the case of per diem (which needs prior approval in writing by the Department), required documentation stating the federal rate, the number of individuals and the number of days must be included. When airfare travel is pre-approved in writing, the Department will only reimburse for one roundtrip coach ticket expense. **A cost comparison of commuting to the site daily vs the daily federal per diem rate must be submitted and approved in writing by DNREC for the lesser of the two costs. Clear documentation must be provided.**

8.030

Removal or Closure in Place of UST/AST: Includes subcontractor costs associated with the excavation and/or removal of USTs/ASTs by a DNREC Certified UST Closure contractor. All

work must be performed in accordance with the Delaware Regulations Governing Underground Storage Tank Systems and Delaware Regulations Governing Aboveground Storage Tanks. This task includes the actual cost for excavation/removal and mark-ups cannot exceed 10%. Tank removal subcontractor invoices must be submitted with the reimbursement package. A mark-up is allowed only if the UST/AST removal or closure in place was conducted by a subcontractor. The removal of structures such as canopies is not a Brownfield Grant funding eligible costs.

8.040

Disposal of UST/AST: Includes subcontractor costs associated with the transport and disposal of USTs/ASTs. This task includes the actual cost for transportation and disposal plus not to exceed 10% mark-up. Transportation and disposal subcontractor invoices must be submitted with the reimbursement package. A mark-up is allowed only if the UST/AST transportation and disposal was conducted by a subcontractor.

8.045

Laboratory Costs – UST/AST Removal Activities: Includes costs for performing analytical requirements on contaminated soil or water encountered during activities related to AST or UST removal. Laboratory analytical costs associated with confirmatory sampling to ensure that contaminated materials have been removed from the site are also included in this task. All laboratory reimbursement must comply with the guidelines set forth in Appendix A: *Maximum Allowable Laboratory Charges* document. If applicable, laboratory subcontractor invoices and treatment/disposal facility analytical requirements must be submitted with the reimbursement package, and mark-ups cannot exceed 10%. Must be performed in accordance with the HSCA SOPCAP. **Expedited turn-around of samples, or special analytical protocols, requires written pre-approval from the Department to be reimbursed.**

8.050

Remedial Costs Associated with UST/AST: Includes costs associated with the remediation of soil, surface water, ground water or sediments known to be impacted by leaking USTs or ASTs and associated piping and dispensers. These costs include, but are not limited to, over-excavation and disposal of impacted soils, and in-situ or ex-situ treatment technologies utilized to achieve remedial goals established in the Final Plan of Remedial Action or Interim Action.

8.060

Other UST/AST Costs: Includes any other cost that is not covered by another task in this section. When using this task, an explanation or summary of the activity(s) must be submitted with the reimbursement package. **Pre-approval from the Department is required to ensure timely reimbursement if this task is used.**

8.070

EQuIS Electronic Data Deliverables (EDD) Submission: EDD's are data repositories containing information about sampling event, and subsequent laboratory analysis of those samples. This task is the cost to prepare and submit the EDD's required by the Department. EDD's required for the sampling task Section 5 may be submitted under this task. The Department will only pay to fix an EDD submittal one time, if further revisions are necessary by the consultant those cost are not eligible for reimbursement.

TASK 9 – SOIL REMEDIAL ACTIONS*

**Note: Soil removal/disposal as a remedial action must be reimbursed under Section 4 of this Guidance.*

**Note: Remediation costs, as specified by a Final Plan of Remedial Action, that have been incurred prior to the Brownfield Developer taking title to the property, will only be reimbursed after the Brownfield Developer takes title to the property.*

9.010

Labor – Consultant Coordination and Oversight Associated with Section 9: Includes costs associated with the coordination and oversight of soil remedial actions included in this section to the extent required by the Final Plan of Remedial Action or Interim Action. Other consultant coordination and oversight activities related to soil remedial actions not listed separately in this document apply to this task.

9.020

In-Situ or Onsite Stabilization/Treatment: Includes labor and materials necessary for the design and implementation of in-situ stabilization/treatment or onsite treatment of contaminated soil. This task includes the actual costs for in-situ or onsite stabilization/treatment, plus mark-ups cannot exceed 10%. Subcontractor invoices must be submitted with the reimbursement package. A mark-up is allowed only if the in-situ stabilization/treatment was conducted by a subcontractor.

9.030

Subsurface Containment Cell for Soil: Includes the labor and materials necessary for the design and implementation of a subsurface containment wall or cell for contaminated soils. This task covers any type of subsurface containment, including but not limited to clay liners, sheet piles, etc., as required by the Final Plan of Remedial Action. This task includes the actual costs for containment wall or cell construction and/or placement, plus mark-ups cannot exceed 10%. Subcontractor invoices must be submitted with the reimbursement package. A mark-up is allowed only if the construction of the containment wall or cell was conducted by a subcontractor.

9.040

Vapor Intrusion Control System: Includes labor and materials for the installation of a vapor barrier control system or active/passive venting system to protect occupants from exposure to potentially harmful organic vapors associated with contaminants remaining onsite. To obtain reimbursement, the vapor intrusion control system must be required by the Final Plan of Remedial Action, or otherwise approved in writing in writing by the Department. This task includes the actual costs for vapor intrusion system installation, plus mark-ups cannot exceed 10%. Vapor Intrusion Control System subcontractor invoices must be submitted with the reimbursement package. A mark-up is allowed only if the Vapor Intrusion Control System was installed by a subcontractor.

9.045

Asbestos/Lead Abatement: Includes labor and materials necessary for the design and implementation of asbestos and/or lead abatement, whether it is within a site structure or outside of a site structure, and if the asbestos/lead is not the only contaminant of concern at the site. This

task includes the actual costs for asbestos/lead abatement, plus mark-ups cannot exceed 10%. Subcontractor invoices must be submitted with the reimbursement package. A mark-up is allowed only if the asbestos/lead abatement was performed by a subcontractor. Please note that allowable costs under this task are limited to ten percent (10 %) of the eligible total of the grant for a site.

9.050

Other Innovative Technologies: Includes the cost for designing and implementing other innovative remedial technologies required by a Final Plan of Remedial Action not covered by another task in this document. **Written Pre-approval from the Department is required to ensure timely reimbursement if this task is used.**

9.060

Laboratory Costs – Soil Remedial Actions: Includes costs for performing analytical requirements on soil samples associated with remedial actions (including pilot studies) included under this Section, and not related to Long-Term Stewardship requirements. All laboratory reimbursement must comply with the guidelines set forth in Appendix A: *Maximum Allowable Laboratory Charges* document. If applicable, laboratory subcontractor invoices must be submitted with the reimbursement package, and mark-ups cannot exceed 10%. Expedited turn-around of samples, or special analytical protocols, requires written pre-approval from the Department to be reimbursed.

9.070

EQuIS Electronic Data Deliverables (EDD) Submission: EDD's are data repositories containing information about sampling event, and subsequent laboratory analysis of those samples. This task is the cost to prepare and submit the EDD's required by the Department. EDD's required for the sampling under Section 3 may be submitted under this task. The Department will only pay to fix an EDD submittal one time, if further revisions are necessary by the consultant those cost are not eligible for reimbursement.

TASK 10 – REPORTS*

**Note: Reimbursement for Tasks in Section 10 will not be processed until a draft report has been submitted to the Department. Additionally, reports not requested or required by the Department will not be eligible for reimbursement. It is the consultant's responsibility to withhold the expenses under this section until a draft report is received. A draft report can be sent for some completed activities such as activities prior to a Focused Feasibility Study (FFS).*

** Note Report revisions for the same/recurring DNREC-RS comments will only be reimbursed once, unless pre-approval from DNREC has been received.*

10.010

Brownfield Investigation Report: Includes the cost for preparation of a site-specific Brownfield Investigation Report (BFI Report).

10.020

Human Health Risk Assessment: Includes the cost for preparation of a site-specific Human Health Risk Assessment and reporting.

10.030

Ecological Risk Assessment: Includes the cost for preparation of a regular site-specific Ecological Risk Assessment. Additional amount of fifteen thousand dollars (\$15,000) in funding is available for reimbursement as needed for Screening Level Ecological Risk Assessments (SLERA) and Baseline Ecological Risk Assessments (BERA).

10.040

Feasibility Study: Includes the cost for preparation of a site-specific Focus Feasibility Study (FFS) /Feasibility Study (FS) Report, if requested by the Department. An additional fifteen thousand dollars (\$15,000) in funding is available for reimbursement for these activities as needed.

10.050

Interim Action: Includes the cost for preparation of an Interim Action Work Plan and Completion Report.

10.060

Proposed Plan of Remedial Action: Includes the cost for review of a site-specific Proposed Plan of Remedial Action.

10.070

Long-Term Stewardship Plan: Includes the cost for preparation of a site-specific Long-Term Stewardship (LTS) Plan.

10.075

Remedial Action Work Plan: Includes the cost for preparation of a Remedial Action Work Plan.

10.080

Contaminated Materials & Management Plan (CMMP): Includes the cost for preparation of a

site-specific CMMP.

10.090

Remedial Action Completion Report: Includes the cost for preparation of a site-specific Remedial Action Completion Report.

10.100

Environmental Covenants: Includes the cost for preparation of Environmental Covenants and costs associated with the recording of the covenants with the appropriate County Register of Deeds Office. Only costs incurred by a qualified consultant are reimbursable under this task. Legal fees are covered under Task 12.020.

10.110

Other Reports: Includes the cost for preparation of any site-specific report that is not covered by another task in this section. When using this task, an explanation or summary of the activity(s) must be submitted with the reimbursement package. **Written Pre-approval from the Department is required to ensure timely reimbursement if this task is used.**

TASK 11 – PUBLIC RELATIONS AND SAFETY*

**Note: All Section 11 tasks require written pre-approval from DNREC to be reimbursed. A copy of the pre-approval must be submitted with reimbursement.*

**Note: OSHA HAZWOPER training and/or annual refresher courses for environmental consultants is not reimbursable by the Brownfields program*

**Note: Environmental Justice related activities are outlined in Task 17.*

11.010

Public Hearing Preparation and Support: Includes labor and material costs associated with the preparation and support of a public hearing or public meeting.

11.020

Public Outreach Regarding Environmental Issues: Includes labor and material costs associated with the preparation and performance of public outreach. The public outreach must be related to the environmental issues associated with the site (i.e., Proposed Plan of Remedial Action or Final Plan of Remedial Action), as opposed to the site's future development plan.

11.030

Environmental Construction Coordination Meetings: Includes consultant labor costs for conducting Environmental Construction Coordination Meetings.

11.040

Fence Installation: Includes the cost for security fencing and its installation, where necessary, to inhibit public access to site areas where contact with potentially harmful materials or excavations is possible. This task includes the actual costs for fencing and installation, plus mark-ups cannot exceed 10%. Fencing subcontractor invoices must be submitted with the reimbursement package. A mark-up is allowed only if the fencing installation was conducted by a subcontractor.

11.050

Security Guard Services: Includes personnel costs for Security Guard services. Guard services are only reimbursable if security fencing is proven to be inadequate, or environmental vandalism has occurred. Written pre-approval from the Department is required to ensure reimbursement if this task is used.

11.060

Other Public Relations and Safety: Includes any other public relations or safety related item that is not covered by another task in this section. When using this task, an explanation or summary of the activity(s) must be submitted with the reimbursement package. **Written Pre-approval from the Department is required to ensure timely reimbursement if this task is used.**

TASK 12 – CAPITAL EXPENSES, LEGAL FEES AND MISCELLANEOUS

12.010

Capital Expenses: Includes equipment, fixtures, and other tangible personal property of a non-consumable and non-expendable nature, the value or cost of which is one-thousand dollars (\$1,000) or more and the normal expected life of which is one year or greater.

- a. Reimbursement of all capital expense items will be prorated based on the normal expected life of the item and the length of time the item was used for purposes eligible for reimbursement under this document but must NOT include any shown on a previous reimbursement package.
- b. Reimbursement of all leased capital expense items will be limited to the lease rate multiplied by the length of time the item was used. However, this amount must NOT exceed the amount calculated in (a) above, unless operation, maintenance or other service agreements are included in the cost and are identified in the reimbursement package.
- c. In the event a capital expense item fails during its normal expected life, the Department will, upon a demonstration that the item has no further useful life, reimburse the remaining unpaid balance of the item minus any salvage value provided such failure was not the result of abuse, misuse, neglect, or improper maintenance. Such payment must be made on the next scheduled reimbursement opportunity.

12.020

Legal Fees: Includes the cost of certain legal fees, up to five-thousand dollars (\$5,000), for tasks directed at facilitating the goals of HSCA, including, but not limited to, negotiation of a BDA, convening parties involved in a cleanup, and preparation of Environmental Covenants. Although HSCA funds are intended to be used primarily for on-the-ground site cleanup and investigation expenses, there are certain services provided by legal professionals that help facilitate the overall goals of the Brownfields program, consistent with HSCA, that are eligible for reimbursement. Invoices must be included with the reimbursement package as backup. Legal fees more than five-thousand (\$5,000) *may* be eligible for reimbursement at the discretion of the Department and will require written pre-approval from the Department.

12.030

Other Reimbursable Expenses Not Defined in Sections 1 through 11: Includes any other reimbursable expense that is not covered by another task in this document. When using this task, an explanation or summary of the activity(s) must be submitted with the reimbursement package. **Written Pre-approval from the Department is required to ensure timely reimbursement if this task is used.**

12.040

Project Management Meetings: Includes the cost of attending a meeting relating to the project outside of the scoping meeting. Meetings are only reimbursable if required by the Department. If a meeting is not required, the meeting will not be reimbursable under the grant. Only required staff will be reimbursable, e.g., program manager and project manager of the project.

TASK 13 –LONG-TERM STEWARDSHIP

** Note Certified Brownfield Sites may be eligible for an additional amount up to forty-thousand dollars (\$40,000) for reimbursement/direct payment for the Long-Term Stewardship (LTS) activities before and/or after issuance of the Certificate of Completion of Remedy (COCR). LTS activities include Site inspection and maintenance, Long-Term Monitoring (LTM) for groundwater, surface water and/or soil-gas if required in the Final Plan of Remedial Action, and/or, adherence and implementation of the provisions and requirements set forth in the Contaminated Materials Management Plan (CMMP), including sampling and reporting subject to the Guidance for Soil Material Reuse at, and from, Sites/Facilities Regulated by the Hazardous Substance Cleanup Act (HSCA).*

13.010

LTS Inspections/Repair/Replacement of Remedial Action Reports: This task includes personnel time for preparation of an LTS Report associated with inspection, repairs, replacement of remedial action.

13.020

Inspections/Repairs/Replacements of the Remedial Action: Includes costs associated with the repair, inspection, or replacement of items or conditions critical to the long-term effectiveness of a remedial action, as indicated in a DNREC approved in writing LTS Plan. Written Pre-approval from the Department is required before any repairs or replacements are made if they are to be reimbursed under this task. This task does NOT include visual inspections of caps or security measures.

13.030

Remediation System Operation and Maintenance: Includes cost associated with operation and maintenance of remediation system at the site.

13.040

Labor – Consultant Coordination and Oversight Associated with Section 13: Includes all labor costs associated with the performance of the tasks associated with Section 13.

13.050

Travel, Supplies Equipment or Incidental Costs Relating to Section 13: Travel, Supplies, Equipment or Incidental Costs Relating to Section 13: These costs include, but are not limited to, equipment rental (including vehicles), mileage, federal per diem rates, airfare, and ice for samples. If vehicle rental reimbursement is submitted, mileage will not be reimbursed and vice versa. If mileage is used, documentation stating the federal rate and miles driven must be provided. In the case of per diem (which needs prior approval by the Department), required documentation stating the federal rate, the number of individuals and the number of days must be included. When airfare travel is pre-approved in writing, the Department will only reimburse for one roundtrip coach ticket per person per task per year or otherwise, site-specifically approved in writing by DNREC. **A cost comparison of commuting to the site daily vs the daily federal per diem rate must be submitted and approved in writing by DNREC for the lesser of the two costs. Clear documentation must be provided.**

13.060

Collection of Groundwater Samples: Includes consultant time for collecting groundwater samples required by the LTS Plan for Long-Term Monitoring. This task also includes equipment costs related to groundwater sampling/monitoring under Section 13. The rate charged by staff cannot exceed Environmental Scientist, Geologist, Environmental Technical Staff, or equivalent title.

13.070

Collection of soil-gas and air Samples: Includes consultant time for collecting soil gas samples required by the LTS Plan for Long-Term Monitoring. This task also includes equipment costs related to soil gas and air sampling/monitoring under Section 13. The rate charged by staff cannot exceed Environmental Scientist, Geologist, Environmental Technical Staff, or equivalent title.

13.080

Laboratory Costs for groundwater and soil-gas and air samples: Includes costs for performing analytical requirements on groundwater, soil gas and air samples associated with Long-Term Monitoring as part of LTS. All laboratory reimbursement must comply with the guidelines set forth in Appendix A: Maximum Allowable Laboratory Charges document. If applicable, laboratory subcontractor invoices must be submitted with the reimbursement package, and mark-ups cannot exceed 10%. Expedited turn-around of samples, or special analytical protocols, requires written pre-approval from the Department to be reimbursed.

13.090

Long-Term Monitoring Reports: This task includes personnel time for preparation of Long-Term Monitoring reports associated with groundwater, soil-gas and air sampling results and interpretations and conclusions.

13.100

Monitored Natural Attenuation: Includes the cost for designing and implementing a monitored natural attenuation remedy. This task covers evaluation of the efficacy of monitored natural attenuation, including hydrogeologic modeling.

13.110

EQulS Electronic Data Deliverables (EDD) Submission: EDD's are data repositories containing information about sampling event, and subsequent laboratory analysis of those samples. This task is the cost to prepare and submit the EDD's required by the Department. EDD's required for the sampling under Section 13 may be submitted under this task. The Department will only pay to fix an EDD submittal one time, if further revisions are necessary by the consultant those cost are not eligible for reimbursement.

13.120

Contaminated Materials Management Plan (CMMP): Includes costs associated with All DNREC approved in writing CMMP related cost including sampling and reporting.

13.130

Soil/Material Reuse: Includes cost associated with Soil/material reuse related activities and sampling in accordance with the Soil/ Material Reuse Guidance May 2023 and as approved in

writing by DNREC.

13.140

Long-Term Stewardship of Green Remediation: Includes costs associated with Long-term Stewardship of the green infrastructure or eco revitalization when specified as part of the Final Plan of Remedial Action.

13.150

Other Activities Related to Long-Term Stewardship: Includes costs associated with and other activities related to LTS as approved in writing by DNREC.

Task 14 – Limited Groundwater and Soil-gas Investigation offsite of the Certified Brownfield Site

** Note: Brownfield Developer is not required to investigate offsite but can volunteer to perform the task up to the maximum allowable amount of twenty-five thousand dollars (\$25,000). If Brownfield Developer choose not to perform the offsite investigation, DNREC may perform this task to determine potential or actual migration of groundwater and/ or soil gas offsite migration and whether remediation of source areas at the Brownfields site is necessary.*

**Note: Off-site investigation may include multiple rounds of sampling and off-site if determined necessary by the Department*

14.010

Labor - Consultant Oversight and Coordination Associated with Section 14: Includes costs associated with the coordination (including access agreements) and oversight of offsite groundwater investigation, groundwater remedial actions, and associated groundwater monitoring. Site to the extent required by *Appendix B, the Final Plan of Remedial Action, or Interim Action*. The Department will assist with the acquisition of access agreements with offsite property owners, if necessary. Other consultant coordination and oversight activities related to groundwater remedial actions not listed separately in this document apply to this task.

14.020

Travel, Supplies, Equipment or Incidental Costs Relating to Section 14: Includes direct costs associated with the labor performed under Task 14.010. These costs include, but are not limited to, equipment rental (including vehicles), mileage, federal per diem rates, airfare, and ice for samples. If vehicle rental reimbursement is submitted, mileage will not be reimbursed and vice versa. If mileage is used, documentation stating the federal rate and miles driven must be provided. In the case of per diem (which needs prior approval by the Department), required documentation stating the federal rate, the number of individuals and the number of days must be included. When airfare travel is pre-approved in writing, the Department will only reimburse for one roundtrip coach ticket per person per task per year or otherwise site-specifically approved in writing by DNREC. **A cost comparison of commuting to the site daily vs the daily federal per diem rate must be submitted and approved in writing by DNREC for the lesser of the two costs. Clear documentation must be provided.**

14.030

Collection of Groundwater Samples including well installation: Includes consultant time for collecting groundwater samples and monitoring associated with the remedial action. This task also includes equipment costs related to groundwater sampling/monitoring under Section 14. The rate charged by staff cannot exceed Environmental Scientist, Geologist, Environmental Technical Staff, or equivalent title.

14.030

Collection of Soil-gas Samples including sample point installation: Includes consultant time for collecting soil-gas samples and monitoring associated with the remedial action. This task also includes equipment costs related to groundwater sampling/monitoring under Section 14. The rate

charged by staff can't exceed Environmental Scientist, Geologist, Environmental Technical Staff, or equivalent title.

14.040

Drilling Subcontractor Costs: Includes subcontractor costs for groundwater monitoring well installation that are required by the Department and associated with the groundwater remedial action. This task includes the actual drilling costs and mark-ups not exceeding 10%. Drilling subcontractor invoices must be submitted with the reimbursement package. A mark-up is allowed only if the drilling was conducted by a subcontractor. Any monitoring well abandonment shall be reimbursed under section 3.040.

14.050

Laboratory Costs – associated with Groundwater Sample analysis: Includes costs for performing analytical requirements on groundwater samples as required by the Department. All laboratory reimbursement must comply with the guidelines set forth in Appendix A: Maximum Allowable Laboratory Charges document. If applicable, laboratory subcontractor invoices must be submitted with the reimbursement package, and mark-ups cannot exceed 10%. Expedited turn-around of samples, or special analytical protocols, requires written pre-approval from the Department to be reimbursed.

14.060

Laboratory Costs – Associated with Soil-Gas and Air Sample Analysis: Includes costs for performing analytical requirements on soil-gas and air samples as required by the Department. All laboratory reimbursement must comply with the guidelines set forth in Appendix A: Maximum Allowable Laboratory Charges document. If applicable, laboratory subcontractor invoices must be submitted with the reimbursement package, and mark-ups cannot exceed 10%. Expedited turn-around of samples, or special analytical protocols, requires written pre-approval from the Department to be reimbursed.

14.070

EQulS Electronic Data Deliverables (EDD) Submission: EDD's are data repositories containing information about sampling event, and subsequent laboratory analysis of those samples. This task is the cost to prepare and submit the EDD's required by the Department. EDD's required for the sampling under Section 14 may be submitted under this task. The Department will only pay to fix an EDD submittal one time, if further revisions are necessary by the consultant those cost are not eligible for reimbursement.

Task15 – Groundwater, soil, and soil-gas remediation at the source areas (hotspots)

**Note: Brownfield Sites would be eligible for an additional funding amount up one-hundred thousand dollars (\$100,000) for reimbursement of DNREC approved in writing groundwater and soil gas remedial actions at the source areas with the goal of reducing migration of groundwater and soil gas contamination offsite. Additional sampling and other evaluations necessary for the implementation and monitoring of these remedial actions may also be eligible for this funding.*

**Note: Remediation costs, as specified by a Final Plan of Remedial Action that have been incurred prior to the Brownfield Developer taking title to the Property, will only be reimbursed after the Brownfield Developer takes title to the property.*

15.010

Labor - Consultant Oversight and Coordination Associated with Section 15: Includes costs associated with the coordination, performance and oversight of groundwater and soil-gas and soil hotspot remedial actions, and associated monitoring as per the Final Plan of Remedial Action. The Department will assist with the acquisition of access agreements with offsite property owners, if necessary.

15.02

Travel, Supplies Equipment or Incidental Costs Relating to Section 15: Includes direct costs associated with the labor performed. These costs include, but are not limited to, equipment rental (including vehicles), mileage, federal per diem rates, airfare, and ice for samples. If vehicle rental reimbursement is submitted, mileage will not be reimbursed and vice versa. If mileage is used, documentation stating the federal rate and miles driven must be provided. In the case of per diem (which needs prior approval by the Department), required documentation stating the federal rate, the number of individuals and the number of days must be included. When airfare travel is pre-approved in writing, the Department will only reimburse for one roundtrip coach ticket per person per task per year or otherwise site-specifically approved in writing by DNREC. **A cost comparison of commuting to the site daily vs the daily federal per diem rate must be submitted and approved in writing by DNREC for the lesser of the two costs. Clear documentation must be provided.**

15.030

Subcontractor Costs for Remediation: Includes subcontractor costs for remedial actions. This task includes the actual subcontractor costs and mark-ups not exceeding 10%. Subcontractor invoices must be submitted with the reimbursement package. A mark-up is allowed only if the task was conducted by a subcontractor.

15.040

Groundwater Treatment Technologies: Includes labor and materials necessary for the design and implementation and monitoring of groundwater treatment technologies approved in writing by the department. This task includes the actual costs for treatment, plus mark-ups not exceeding 10%. Subcontractor invoices must be submitted with the reimbursement package. A mark-up is

allowed only if the treatment was conducted by a subcontractor.

15.050

Soil-Gas Treatment Technologies: Includes labor and materials necessary for the design and implementation of soil-gas treatment technologies. This task includes the actual costs for the treatment, plus mark-ups not exceeding 10%. Subcontractor invoices must be submitted with the reimbursement package. A mark-up is allowed only if the treatment was conducted by a subcontractor.

15.060

Other Innovative Technologies: Includes the cost for designing and implementing other innovative groundwater and soil gas remedial technologies required by a Final Plan of Remedial Action not covered by another task in this document. Pre-approval from the Department is required to ensure timely reimbursement if this task is used.

15.070

Sampling Costs Associated with the Remedial Actions: Includes consultant time for collecting of samples required by the Department. This task also includes equipment costs related to sampling/monitoring under Section 15. The rate charged by staff can't exceed Environmental Scientist, Geologist, Environmental Technical Staff, or equivalent title.

15.080

Laboratory Costs – Associated with the Remedial Actions: Includes costs for performing analytical requirements on groundwater and soil-gas samples associated with the remedial action as required by the Department. All laboratory reimbursement must comply with the guidelines set forth in *Appendix A: Maximum Allowable Laboratory Charges* document. If applicable, laboratory subcontractor invoices must be submitted with the reimbursement package, and mark-ups cannot exceed 10%. Expedited turn-around of samples, or special analytical protocols, requires written pre-approval from the Department to be reimbursed.

15.090

EQulS Electronic Data Deliverables (EDD) Submission: EDD's are data repositories containing information about sampling event, and subsequent laboratory analysis of those samples. This task is the cost to prepare and submit the EDD's required by the Department. EDD's required for the sampling under Section 15 may be submitted under this task. The Department will only pay to fix an EDD submittal one time, if further revisions are necessary by the consultant those cost are not eligible for reimbursement.

Task 16—SASTAINABLE AND GREEN REMEDIATION

*Note: The costs allowed under this section will be capped at a cumulative reimbursable cost of twenty-five thousand dollars (\$25,000).

16.010

Labor—Consultant Coordination and Oversight Associated with Section 15: Includes costs associated with the coordination, oversight, and implementation of green infrastructure, and/or ecological revitalization at a Delaware Certified Brownfield Site in addition to the infrastructure, landscaping, etc. required by *Appendix B, the Final Plan of Remedial Action, or the Interim Action*. Other consultant coordination and oversight activities related to the implementation of green infrastructure or ecological revitalization actions not listed separately in this document may also apply to this task. Up to a 10% mark-up may be submitted for reimbursement if an ecological consultant was sub-contracted. Subcontractor invoices must be submitted with the reimbursement package. For all projects involving vegetation, costs covered will include the acquisition of native plants, soil testing for the selection of appropriate soil amendments, an appropriate soil amendment, and pre-emergent pesticide and application. It may also cover required vegetative monitoring to ensure ecological health and protect against invasive species on appropriate projects. **All tasks covered by this section must be pre-approved in writing by the department before implementation to be eligible for reimbursement.**

16.020

Travel, Supplies, Equipment, or Incidental Costs Relating to Section 15: Includes direct costs associated with the labor performed under Task 15.010. These costs include, but are not limited to, equipment rental (including vehicles), mileage, federal per diem rates, and airfare. If vehicle rental reimbursement is submitted, mileage will not be reimbursed and vice versa. If mileage is used, documentation stating the federal rate and miles driven must be provided. In the case of per diem (which needs prior approval by the Department), required documentation stating the federal rate, the number of individuals and the number of days must be included. When airfare travel is pre-approved in writing, the Department will only reimburse for one roundtrip coach ticket per person per task per year or otherwise site-specifically approved in writing by DNREC. **A cost comparison of commuting to the site daily vs the daily federal per diem rate must be submitted and approved in writing by DNREC for the lesser of the two costs. Clear documentation must be provided.**

16.030

Rain Gardens: Includes labor and materials necessary for the design, construction, and planting of a functioning rain garden containing native landscaping. Proposal must explain how established garden will allow adequate storm water management through soil infiltration and include native plants to provide pollinator habitat.

16.040

Vegetated Swales: Includes labor and materials necessary for the design, construction, and planting of a vegetated swale or bioswale. Proposal must explain how swale will capture storm water and contaminants from a paved area and divert it into a drainage system. May cover additional costs associated with the engineering of any paved area to direct runoff towards swale.

16.050

Tree Boxes and Tree Trenches: Includes labor and materials necessary for the design, construction, and planting of a tree box or tree trench implemented within five (5) meters of a paved surface to allow for collection, filtration, and retention of stormwater. Includes the “box” or “trench” structure, associated tree(s), and a soil media mix designed for rapid infiltration and pollution filtration, with tree(s) planted above.

16.060

Rain Barrels, Cisterns & Downspout Disconnection: Includes labor and materials necessary for the design and institution of a rain barrel system, cisterns, and/or downspout disconnection. Downspout disconnection requires an adequate receiving area with good infiltration, such as a garden, planter, or vegetated swale, for which costs can also be proposed for reimbursement.

16.070

Green Roofs/Rooftop Gardens: Includes labor and materials necessary for the design and construction of a green roof or rooftop garden. Reimbursement may cover costs incurred in addition to what would be necessary to institute a roof of normal infrastructure. Reimbursement may cover infrastructure costs as well as gardening costs such as soil or growing medium for garden at least 3-5” in depth, as well as plants and seeds. Proposal must explain how the garden will reduce stormwater runoff, increase biodiversity, contribute to thermal insulation to the building, and include list of native vegetation, if applicable, able to withstand rooftop environmental pressures. Proposal may also seek reimbursement for future vegetative monitoring for invasive species and costs associated with continual upkeep of garden for two (2) years after garden establishment.

16.080

Cool Roofs: Includes additional labor, materials, and infrastructure costs for planning and implementation of a “cool” roof. Costs only applicable towards Energy Star Certified Roof Products, which can be found on the Energy Star website.

16.090

Urban Trees: Includes labor and materials necessary for the planning and planting of urban trees. Site must be located within an area of a population of at least 1000 per square mile, as per US Census Bureau definition of “urban”. Funds cover difference between any trees already required as Final Plan landscaping. Degree of contamination in the soil and integrity of any soil cap/mesh layer must also be taken into consideration and explained in proposal.

16.100

Riparian Buffers: Includes labor and materials necessary for the planning and installation of riparian buffers. Applicable towards native plants to stabilize bank of waterway. Proposed buffer will only be considered if it will be at least 100 ft. wide. Proposal must demonstrate how buffer will significantly reduce stormwater runoff.

16.110

Living Shorelines: Includes labor and materials necessary for the planning and installation of a living shoreline. Proposal must demonstrate need and how implementation will provide soil stabilization, erosion control, and/or habitat creation. Proposal must include list of vegetation

chosen to support native plants and consider pre-existing vegetation on site. Proposal can include funds for adequate maintenance, including but not limited to removal of invasive, diseased, and dead vegetation, controlling waterfowl from feeding on freshly planted vegetation, and monitoring fiber logs and matting so as not to degrade before the shoreline is stabilized.

16.120

Permeable Pavement: Includes labor and materials necessary for the installation of permeable pavement. Reimbursement under this task will only cover the difference between the cost estimate of general pavement construction and permeable pavement. This is only recommended on Sites where the pavement is not a necessary cap to control groundwater infiltration and contaminant transport as per the Final Plan of Remedial Action. Consultation with DNREC Sediment and Erosion Control to determine eligibility of the use of permeable pavers will be required and is also reimbursable.

16.130

Native Vegetation or Voluntary Ecological Enhancement with Native Vegetation: Includes cost for determining proper soil amendments (i.e.: soil testing, consultation with soil scientist with UD, Dept. of Agriculture, USDA, or DNREC-FWS), selection of pre-emergent pesticides and application of pesticides, and landscaping with native vegetation, in lieu of traditional and often, invasive species, in capping remedies. Also covers the additional costs of voluntarily adding a department approved in writing ecological enhancement to the Site (i.e., native plant selection for the creation of pollinator habitat; bat boxes; beehives; warm season grasses in favor or traditional fescue, etc.)

16.140

Other Innovative Technologies: Includes cost for designing and implementing other innovative green infrastructure and ecological revitalization methods which are not covered by another task in this document. Any vegetative planting involved in such projects must be in addition to the minimum landscaping required by the Final Plan of Remedial Action and must seek to provide ecological benefits through the reduction of or filtering of stormwater, provide native habitat, reduce urban heat stress, stabilize shorelines, reduce erosions, and/or other similar ecological benefits. Written pre-approval from the department is required to ensure a timely reimbursement if this task is used.

16.150

Evaluation of Green Remediation: Includes cost associated the evaluation of various green remediation technology. This cost should not exceed five-thousand dollars (\$5000) out of the twenty-five thousand (\$25,000) allowed for this section.

16.160

Sustainability Principles as described in section 7.3.1 of DNREC's Feasibility Study Guidance: Sustainability principles as they relate to evaluation of alternatives are those that allow for more efficient use of resources or minimize waste of resources. Examples include but are not limited to low energy inputs, restoration of habitats, preservation of cultural resources, land reuse, materials recycling, infrastructure reuse, reduce runoff, and permanence and protectiveness without an environmental covenant.

16.170

Other Sustainability and Green Remediation: Includes any other sustainability and green remediation related item that is not covered by another task in this section such as environmental resiliency of the remedy including vulnerability to climate-based hazard. When using this task, an explanation or summary of the activity(s) must be submitted with the reimbursement package. **Written Pre-approval from the Department is required to ensure timely reimbursement if this task is used.**

Task17— ENVIRONMENTAL JUSTICE & COMMUNITY INVOLVEMENT

*Note: It is the policy of the Delaware Department of Natural Resources and Environmental Control (DNREC) that: No person shall, on the ground of race, color, national origin, sex, age or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, the Rehabilitation Act of 1973, and all other related nondiscrimination laws and requirements.

As a recipient of federal funding, DNREC is required to comply with the rules, laws and regulations of Title VI. Title VI also applies to recipients of federal financial assistance that passes through DNREC in the form of grants, contracts or subcontracts, as well as federal financial assistance that passes through another State agency to DNREC.

DNREC's compliance with Title VI is contingent upon its employees' and contractors', sub-contractors' and sub-recipients' (of DNREC funded contracts and grants) adherence to Title VI and all applicable laws, regulations, and rules. This will require additional outreach and identification of equity focus areas and language isolation neighborhoods.

17.01

Public Meetings: Includes labor and material costs associated with the preparation and performance of public meeting. The public meeting must be related to the environmental justice issues associated with the site.

17.02

Public notifications: Includes labor and material costs associated with the preparation of public notification e.g. (flyers, emails, etc.). Translation services required for notifications are eligible under this task. The notifications must be related to the environmental justice issues associated with the site.

17.03

Training & Support for community groups: Includes labor and material costs associated with the preparation and performance of training and support activities related to the environmental justice issues associated with the site.

17.04

Technical Assistance to community groups: Includes labor and material costs associated with the preparation and performance of technical assistance activities. The technical assistance must be related to the environmental justice issues associated with the site.

17.05

Attending outreach events: Includes labor and material costs associated with attending outreach events required due to the environmental justice issues associated with the site.

17.06

Environmental Justice Screening Investigation and Mapping Tools: Includes labor and material costs associated with investigating and utilizing the Environmental Justice Mapping tools required due to the environmental justice issues associated with the site.

17.07

Equitable Development Approach: Assist communities with equitable development which is driven by priorities and values as well as clear expectations that the outcomes from development need to be responsive to underserved populations and vulnerable groups, in addition to using innovative design strategies and sustainable policies.

Brownfield Reimbursement Application Instructions

The Brownfield Reimbursement Application package contains three basic sections:

1. Certificate of Affidavit
2. Task Summary Form
3. Supplementary

Form Section 1

Form A – Certificate of Affidavit

THE REIMBURSEMENT CHECK WILL BE ISSUED TO THE “OWNER OR OPERATOR CONDUCTING SITE REHABILITATION” LISTED ON FORM A.

The form must be included with the reimbursement package.

The party responsible for conducting site rehabilitation must include their Federal Identification Number (FIN) if they have one. If the party does not have a FIN, their Social Security Number (SS#) must be provided. Do not use a personal Social Security Number if you do not wish to have this reported to the government as personal income for tax purposes.

A check cannot be issued without a Federal Identification Number or Social Security Number.

Section 2

Form B – Task Summary Form

Summarize the total amount for each task in which reimbursement is requested on Form B. This summary form will serve as the cover sheet for the reimbursement application package. Appropriate backup documenting the amount requested must be attached to this form, including contractor or subcontractor invoices or other records showing costs actually incurred. Originals are not required to be submitted to the DNREC. However, originals must be kept on file for at least five (5) years.

A list of allowable tasks and associated task numbers is located on Pages 4 through 8 of this document. Explanations for each task are located on pages 9 through 34 of this document.

Section 3

Form C – Supplementary Form

This form is to be used for tasks that require additional justification or for tasks where reimbursement is for costs that exceed normal construction related costs due to environmental conditions onsite. Use additional sheets if necessary.

CERTIFICATION AFFIDAVIT

I certify that the attached list of invoices is for remedial work that has been completed in accordance with the DNREC approved in writing CSM-SAP or other work plans at the [Name of Site (DE- Number)]. I further certify that all data and documentation submitted as part of this reimbursement application are a true and correct representation, to the best of my knowledge, of costs actually incurred as an integral part of site remediation for environmental conditions as required by the DNREC approved in writing CSM-SAP or other work plans for the [Site Name].

Invoices submitted for the reimbursement application may also include those approved in writing activities which took place prior to approval of the CSM-SAP or other work plan, including all or portions of previous Phase I and II Environmental Site Assessments and scoping meetings.

The Undersigned Contractor warrants that he has not received any undisclosed fee, commission, percentage, gift, or other consideration as a result of his employment of a person, company, corporation, individual, or firm for purposes of conducting site remediation.

Print or type name (Contractor)

_____ Title

_____ Address

_____ Phone Number

_____ City, State, Zip

_____ EI or Social Security Number

Invoice Numbers: (Insert attached invoice numbers)

DE# _____

Invoice Number _____

Supplementary Form

Task Number **Invoice Number**

Description of Activity

Pre-approval obtained from DNREC-RS

Task Number **Invoice Number**

Description of Activity

Pre-approval obtained from DNREC-RS

Appendix A
Maximum Allowable Laboratory Charges
(effective for all samples collected after May 1, 2011)

Two options exist for coordinating confirmatory laboratory analysis of samples collected during Brownfield Investigations and associated remedies. The two options are:

- Option 1: Utilize the State of Delaware's contract and pricing.
- Option 2: Utilize another DNREC approved in writing subcontract laboratory without exceeding the State of Delaware's laboratory contract pricing.

Option 1: The consultant on the project will coordinate directly with the State's contract laboratory for bottle ware and other logistical items. It is important to inform the laboratory that the site is a State of Delaware Brownfield project, and that the State's contract is being utilized. By doing so, the State's pricing and other contract terms will be honored, and the laboratory will direct bill the State for analytical services. Because it is common practice for the DNREC-RS Laboratory to screen samples prior to choosing samples for confirmatory analysis, it is acceptable to transfer ALL samples, with Chain-of-Custody documentation, to DNREC-RS. RS will assume liability for the samples once they are delivered to the Lukens Drive office and signed over to the DNREC-RS Chemist. It is also acceptable to arrange for the contract laboratory to pick up samples from the Brownfield Site or other location, so long as screening samples are delivered to DNREC-RS. With this option, enough time (approximately 3 weeks) must be allowed in the planning of investigations for DNREC-RS to acquire a purchase order for the laboratory services to be completed. For ease of planning and coordination of the DNREC-RS screening laboratory and confirmatory laboratory, please complete the form included below and return it to the DNREC-RS Chemist or Project Officer as soon as the information can be obtained.

Option 2: The consultant on the project will coordinate with a DNREC approved in writing laboratory of their choosing and submit documentation for reimbursement as usual. The difference, however, is that DNREC will not reimburse for analytical services in excess of the maximum allowable charges in the price list included below, unless otherwise pre-approved in writing in writing by the Department. If analytical services from another laboratory are less expensive than the State's contract pricing, then a mark-up will be allowed, not to exceed 10%, and not to exceed the maximum allowable charges included below, unless otherwise pre-approved in writing in writing by the Department. The consultant will still need to coordinate with the DNREC-RS screening laboratory to ensure that their samples will be screened within allowable holding times.

The maximum allowable charges listed herein include the following:

Laboratory analysis, organic library search, report production and electronic data deliverables (EDD) production as defined in the HSCA SOPCAP, MS/MSD analysis, bottle ware and bottle ware delivery, sample pick-up and any other routine laboratory procedures as defined in the HSCA SOPCAP.

Contract Laboratory Form

Site Name: _____

DE# _____

Project Officer: _____

Number of Samples (including QA/QC) soil _____ groundwater _____

sediment _____ soil vapor _____

Date of Sampling: _____

Analysis: _____

Special Analysis Outside of TAL/TCL:

Turn-Around Time: _____

DNREC-RS Screening Laboratory Dates Scheduled and Confirmed: Lab

pickup from DNREC-RS or Consultant:

STATE OF DELAWARE
Department of Natural Resources and Environmental Control

All lines must be filled in with a price quote. All prices will include:

Dilutions, state specified matrix spike and matrix spike duplicates, reanalysis, reinjections, re-extractions, blanks, blank spikes, LCS, bottle ware, pH, total solids, preparation/extraction fee, EQulS electronic data deliverables, library search, deliverables package in accordance with the HSCA, and any other quality assurance/quality control requirements as defined in the Standard Operating Procedures for Chemical Analytical Programs under Hazardous Substance Cleanup Act (SOPCAP).

Volatiles per SOPCAP of HSCA by GC/MS	Solid:	\$ <u>50.00</u>
	Aqueous:	\$ <u>50.00</u>
Semivolatiles per SOPCAP of HSCA by GC/MS	Solid:	\$ <u>105.00</u>
	Aqueous:	\$ <u>105.00</u>
Pesticides/PCB per SOPCAP of HSCA by GC ECS	Solid:	\$ <u>95.00</u>
	Aqueous:	\$ <u>95.00</u>
Inorganics per SOPCAP of HSCA	Solid:	\$ <u>75.00</u>
	Aqueous:	\$ <u>75.00</u>
Acid Extractables by GC/MS Only:	Solid:	\$ <u>75.00</u>
	Aqueous:	\$ <u>75.00</u>
Base Neutrals by GC/MS Only:	Solid:	\$ <u>75.00</u>
	Aqueous:	\$ <u>75.00</u>
PCB Only:	Solid:	\$ <u>50.00</u>
	Aqueous:	\$ <u>50.00</u>
Pesticides Only:	Solid:	\$ <u>55.00</u>
	Aqueous:	\$ <u>55.00</u>
Mercury Analysis	Solid:	\$ <u>18.00</u>
	Aqueous:	\$ <u>18.00</u>
Cyanide Analysis	Solid:	\$ <u>15.00</u>

STATE OF DELAWARE
Department of Natural Resources and Environmental Control

Aqueous: \$ 15.00

STATE OF DELAWARE
Department of Natural Resources and Environmental Control

Petroleum Hydrocarbon per Massachusetts or Equivalent requirements:

(Eurofins Lancaster) Solid VPH:	\$ <u>55.00</u>
(Eurofins Lancaster) Aqueous VPH:	\$ <u>55.00</u>
(Eurofins Lancaster) Solid EPH:	\$ <u>100.00</u>
(Eurofins Lancaster) Aqueous EPH:	\$ <u>100.00</u>
Sample Pickup at any State of Delaware Superfund Location:	\$ <u>0.00</u>
HSCA Methanol Field Preservation Setups:	\$ <u>10.00</u>
PFAS Drinking water: Method 537.1 (Eurofins Lancaster) (See Note 1)	\$ <u>195.00</u>
PFAS Groundwater: (Eurofins Burlington)	\$ <u>220.00</u>
PFAS soil: (Eurofins Burlington)	\$ <u>220.00</u>
PCB by Method 680 or equivalent:	\$ <u>360.00</u>
Semivolatiles Library Search:	\$ <u>10.00</u>
Volatiles Library Search:	\$ <u>10.00</u>
Polyaromatic Hydrocarbons (PAH) by GC/MS or HPLC:	\$ <u>80.00</u>
Semivolatiles Preparation:	\$ <u>25.00</u>
Pesticide/PCB Preparation:	\$ <u>25.00</u>
TAL Digestion:	\$ <u>15.00</u>
Only One (1) Semivolatile by GC/MS:	\$ <u>75.00</u>
Only One (1) Volatile by GC/MS:	\$ <u>50.00</u>
Only One (1) Pesticide by GC/MS:	\$ <u>55.00</u>
One (1) to Ten (10) Semivolatile by GC/MS:	\$ <u>75.00</u>
One (1) to Ten (10) Volatiles by GC/MS:	\$ <u>50.00</u>
One (1) to Ten (10) Pesticides by GC/MS:	\$ <u>55.00</u>
Only One (1) Metal:	\$ <u>12.75</u>

STATE OF DELAWARE
Department of Natural Resources and Environmental Control
One (1) to Five (5) Metals: \$ 42.50

STATE OF DELAWARE
Department of Natural Resources and Environmental Control

Phenols (EPA 420.1):	\$ <u>19.00</u>
GC Analysis for Volatiles (Soil or Water):	\$ <u>50.00</u>
GC Analysis for One (1) TCL (Soil or Water):	\$ <u>49.00</u>
GC Analysis for One (1) to Ten (10) Volatiles (Soil or Water):	\$ <u>50.00</u>
Chlorinated Herbicides:	\$ <u>110.00</u>
Toxaphene (soil or water):	\$ <u>55.00</u>
Chlordane (soil or water):	\$ <u>55.00</u>
GC Analysis for BTEX (Soil or Water):	\$ <u>38.25</u>
GC/MS Analysis for BTEX (Soil or Water):	\$ <u>45.00</u>
Sulfate (EPA 375.4):	\$ <u>14.00</u>
Gasoline Range Organics:	\$ <u>45.00</u>
Diesel Range Organics:	\$ <u>50.00</u>
Ph:	\$ <u>10.00</u>
TCLP Volatiles (Extraction included):	\$ <u>69.70</u>
TCLP Semi volatiles (Extraction included):	\$ <u>102.00</u>
TCLP Pesticides (Extraction included):	\$ <u>62.90</u>
TCLP Herbicides (Extraction included):	\$ <u>110.00</u>
TCLP Metals (Extraction included):	\$ <u>69.70</u>
COD (EPA 410.1):	\$ <u>16.00</u>
BOD (EPA 405.1):	\$ <u>16.00</u>
TOX: (Water - 9020) (Eurofins Savannah (See Note 2)	\$ <u>100.00</u>
Hexavalent Chromium (Soil & Water)	\$ <u>45.00</u>
Nitrate/Nitrite:	\$ <u>25.00</u>
Total Organic Carbon:	\$ <u>20.00</u>
Total Dissolved Solids (EPA 160.1):	\$ <u>10.00</u>

STATE OF DELAWARE
Department of Natural Resources and Environmental Control

Most Current SW846 Methods with QA results and no supporting documentation for :

Semivolatiles:	\$ <u>90.00</u>
Volatiles:	\$ <u>45.00</u>
Pesticides/PCB's:	\$ <u>80.00</u>
Inorganics including cyanide:	\$ <u>70.00</u>
Hourly Rate for two-man sampling team for Groundwater and soil monitoring:	\$ <u>130.00</u>
Dioxins/Furans Analysis by 1613b: (Eurofins Lancaster) (See Note 3)	\$ <u>385.00</u>
PCBs by 1668a: (Eurofins Lancaster) (See Note 4)	\$ <u>500.00</u>

Summa Canister or equivalent Analysis for VOCs (TO-15 or equivalent), including rental and sampling equipment: (Eurofins Burlington)

	\$ <u>190.00</u>
PAHs + Alkylated Homologs for Surface Water (EPA 8270/1625)	\$ <u>325.00</u>
PAHs + Alkylated Homologs for Sediment (EPA 8270 SIM)	\$ <u>325.00</u>
PAHs + Alkylated Homologs in Fish Tissue (EPA 8270/1625)	\$ <u>350.00</u>
Organochlorine Pesticides in Surface Water (EPA 1699) (SGS AXYS) (4 sample minimum) (See Note 5)	\$ <u>1,128.00</u>
TOC/BC for Sediments (Eurofins Burlington)	\$ <u>120.00</u>
Bulk Density for Sediments (ASTM 2937) (Eurofins Burlington)	\$ <u>35.00</u>
Specific Gravity of Solids (Eurofins Burlington)	\$ <u>40.00</u>
% of Moisture in Sediment (Eurofins Burlington)	\$ <u>12.00</u>
Grain Size of Sediment (Sieve) (Eurofins Burlington) (See Note 6)	\$ <u>60.00</u>
PCBs in Fish Tissue (EPA 1668) (Eurofins Lancaster) (See Note 7)	\$ <u>500.00</u>
Dioxins and Furans in Fish Tissue (EPA 1613) (Eurofins Lancaster)	\$ <u>385.00</u>
Organochlorine Pesticides in Fish Tissue (EPA 1613)	\$ <u>130.00</u>

STATE OF DELAWARE	
Department of Natural Resources and Environmental Control	
(8081B LL) (Eurofins Pittsburgh)	
Total Mercury in Fish Tissue (EPA 1631) (Eurofins Canton)	\$ <u>105.00</u>
Methyl Mercury in Fish Tissue (EPA1630) (Eurofins Canton)	\$ <u>200.00</u>
% lipid in Fish Tissue (Eurofins Burlington)	\$ <u>40.00</u>
TOTAL PRICE:	\$ <u>9 612.80</u>

STATE OF DELAWARE

Price Notes: Department of Natural Resources and Environmental Control

1. PFAS Drinking Water by 533 (Eurofins Lancaster) \$ 225.00 per sample.
2. TOX/EOX Soil - (Hampton Clarke Veritech) \$ 80.00 per sample
3. Dioxins/Furans Analysis by 1613B (Eurofins Lancaster) with Total Homologs \$ 465.00 per sample
4. PCBs by 1668A (Eurofins Lancaster) with 209 Congeners \$ 625.00 per sample

S. Organochlorine Pesticides in Surface Water (EPA 1699) (SGS AXVS) 62 Compound List (4 sample minimum) \$ 1,457.00 per sample

6. Grain Size of Sediment (Sieve+ Hydrometer) (Eurofins Burlington) \$ 100.00 per sample
7. PCB's in Fish Tissue (EPA 1668) (Eurofins Lancaster) with 209 Congeners \$ 6 2 5 . 0 0 per sample