

To receive future reimbursement for eligible cleanup costs through the Agricultural Chemical Cleanup Program, it is important that you understand what is needed.

This brochure can:

- answer some of the questions you may have
- provide you with a summary of the bidding process
- explain what you need to do to stay in compliance so you will not jeopardize your reimbursement

If you have reimbursement questions not addressed in this brochure, contact our program auditor, Mae Mapes, (608) 224-4522.

Is there a deadline to submit my past cleanup costs?

Yes! To be eligible for reimbursement, ATCP 35 and the statute, Wisconsin Act 27, require that a responsible person submit their cleanup costs within three years of when the costs were incurred. Costs are 'incurred' on the date the check was issued to pay for those costs.

Do I always need three bids when hiring consultants and subcontractors?

Not necessarily. When hiring a consultant, you are only required to get three bids at the start of your project. For future work, bids are not required as long as:

- you stay with the same consulting firm
- their unit costs do not increase compared to their original bid

- they provide you with a cost estimate for the next service they will perform
- you provide us with a copy of that estimate and we approve it in writing
- you provide them with a written authorization to proceed with the work

The other times you must go out for bids when hiring a consultant are when:

- we feel the estimate for the next phase of work is unreasonable, or
- you are required to remediate groundwater at your site

When hiring other contractors, you are required to get three bids if the expected cost of that contractor's work may exceed \$3,000 over the life of the project. Similar to hiring consultants, future work with a contractor does not require bids as long as:

- you stay with the same contractor
- their unit costs do not go up compared to their original competitive bid
- they provide you with a cost estimate for the next phase of work
- you provide us with a copy of that estimate and we approve it in writing
- you provide them with a written authorization to proceed with the work

Am I required to select the lowest of the three competitive bids?

Not always. When selecting a consultant or laboratory, you are not required to select the lowest of the three competitive bids. How-

ever, if you select a firm with a bid that is substantially higher than the lowest bid, we may ask for an explanation.

When selecting contractors for services such as drilling, excavating, trucking, or landspreading, you may select any contractor but your reimbursement will be based upon the lowest bid. Contractors must bill at the rates in their bid.

What cost information should I review for my cleanup project?

When you receive three competitive bids, review them to make sure they provide you with enough details so you can compare them easily. Information such as unit costs and a good faith estimate of the cost for the next phase are items that are required under ATCP 35. The cost comparison should help you select a consultant.

After you hire a consultant, review their invoices to make sure the costs you incur are within the proposed bid for the project. When reviewing invoices, it is sometimes difficult to understand which costs relate to which tasks. When you submit a reimbursement application to us, you must link all of the invoiced costs to the bids or estimates that you received before the work was started. Therefore, you should require your consultant to do the same for you so you know that the costs you incur are in line with the bid proposals before you pay the invoice.

Am I required to submit any cost documentation to DATCP for review?

Yes. To remain eligible for reimbursement, you must submit a copy of all bids and cost estimates for the department's review, prior to the services being provided.

To remain eligible for reimbursement, you must receive our written approval prior to the services being provided for any costs that were not competitively bid. After we review the cost estimate, our approval will indicate how much you are approved to spend.

Do I have to pay a deductible for each spill cleanup I have?

Not necessarily. You only have to pay one deductible for each discharge site. Once you have paid this deductible, you can submit cleanup costs for each spill at that discharge site without paying a second deductible. There is a \$400,000 reimbursement cap for each discharge site. The 'discharge site' includes the facility as well as transportation spills. Whenever an agricultural chemical is discharged while being transported from a site owned or controlled by the same person who owns or controls the agricultural chemical, the discharge is deemed to occur at that site for reimbursement purposes. Therefore, if you have already paid the deductible for a site and you now have a transportation spill, you can submit the cleanup costs for the spill and get reimbursed for costs, less the 25 percent copayment.

What other information should I know or understand?

If you have a petroleum cleanup proceeding at the same location as your agrichemical cleanup, we recommend that you have your consultant develop a method to determine how the costs you incur for each project will be split when you submit your reimbursement applications. When this method is developed you should submit it to the department for our review.



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Cleaning Up Agricultural Chemicals

for your information...



ACCP Questions and Answers