

Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

To:	PST Reimbursement Standard Operating Procedures	Date:	May 23, 2008
From:	Frederick Meyers, Manager, PST Reimbursements Section		
Subject:	Remediation System Runtime Guidance		

To be eligible to receive full reimbursement for costs associated with an Operation, Maintenance, and Performance (OMP) activity, the remediation system must operate for at least 85% over the time period approved. It is recognized that system failure does sometimes occur that is out of the control of the operator, which can cause significant system downtime. To address this situation, an allowance for down time during the time repairs take place will be granted that will not be counted in the runtime calculation. In addition, if the system continually experiences operational problems, the operator will now be able to request to end the OMP Activity period and perform diagnosis and repairs, if TCEQ approval is granted. Once repairs are completed a new approval for starting the OMP Activity Period will be required.

1. **OMP Activity Period** is typically 12 months. To be eligible for full reimbursement, the system must operate for 85% of the time during the approved OMP Activity Period and have started within one month of the date the Corrective Action Response Form (CARF) was issued. This equates to 310 operating days and 55 days of system down time for a years' OMP Activity Period.
2. **Activities that cause the system to be down and are applied to the 55-day allowable down time:**
 - a. changing out carbon canisters;
 - b. periodic cleaning of system components;
 - c. weekly maintenance performed during the site visit that would include:
 - i. minor repairs or parts replacement
 - ii. filter replacement
 - d. time the system was down between site visits.
3. **System down-time that does not apply to standard 55-day down-time.**
 - a. Significant system failure that will take more than one week to repair the unit.
 - b. To qualify, a proposal for repairs must be submitted and a CARF issued, approving the work for the OMP clock to turn off.
 - c. Once the CARF is issued, the OMP clock will be reset to be "off" beginning at the time when system failure was first discovered.

4. **Situations where the OMP period can be terminated prematurely** to perform repairs or diagnose the system failures.
 - a. The point when the accumulated down time is greater than 55 days (not counting the time when the OMP clock is off); The TCEQ Project Manager (PM) must be notified and written approval be obtained in order to turn off the system.
 - b. If the operator shuts down the system without having the TCEQ PM's concurrence, any further OMP costs accrued after this time may not be reimbursable.
 - c. If the system is authorized to be shut down, a cost proposal to address the system problems and a proposal for the next OMP period must be submitted and approved within 60 days.
 - d. The system will not be allowed to be turned off if the site is a Priority 1 or 2. In these cases, application of the 85% runtime requirement may be waived by the TCEQ PM (must be in writing) and it is demonstrated that the consultant is actively working on diagnosing and repairing the system through site visits and approvals, if necessary.
5. **Tracking the OMP Clock:** The consultant will be responsible to track the downtime accrued.
6. **Required Documentation:** The consultant will be required to keep a log of all instances the system is down. This documentation is to be included in the OMP Report in an appendix. Each system down event will be documented by the following information:
 - a. To be included in the OMP Report Appendix
 - i. Estimated time and date of the failure
 - ii. Description of the cause for the system going down
 - iii. Measures taken to detect the causes for the failure
 - iv. Components ordered and/or purchased or any service technicians contracted to bring the system back online.
 - v. Time and date actual repairs made
 - vi. Time the OMP Clock was restarted
 - b. To be included in reimbursement applications:
 - i. all invoices for materials and labor used for the repairs that are greater than \$100;
 - ii. bid or quote documentation if services or parts exceed \$1,000 (three bids are required unless impractical because of the site's remote location);
 - iii. list of personnel charging time to the repairs along with time sheets of those persons.

EXAMPLES OF IMPLEMENTING THE 85% RUNTIME GUIDANCE

<i>OMP Activity Period Begins at</i>	<i>Operating Conditions During OMP Period</i>	<i>Change Order To the OMP Required or New CARF to be Issued?</i>	<i>Total Down Time Allowed During OMP Period</i>	<i>Total Length of OMP Period</i>	<i>OMP Report & Proposal Due</i>	<i>Last Date to Bill OMP Field Tasks</i>
<u>Case 1: Normal Operation</u> System runs with few mishaps. 85% runtime requirement met.						
CARF date	No significant down time. Accumulated down-time is <55 days.	No	55 days (15% of 12 months)	12 Months	End of 10 th month	End of 12 th month
<u>Case 2: Cleanup goals achieved early</u> TCEQ decides to shut off the system after eight months of operation because cleanup goals met. System runs with few mishaps over the eight months. 85% runtime requirement met.						
CARF date	System is shut down after eight months. Accumulated down-time is <36 days.	Yes TCEQ approves to turn system off after eight months.	36 days (15% of eight months).	Eight Months	30 days after system shut down.	End of 8 th Month
<u>Case 3: Major System Upgrades</u> Repairs or new equipment is installed at the beginning of the OMP period. Requires sixty days to install/repair equipment. 12 month OMP period will begin two months after CARF date. System runs with few mishaps over the 12 operational months. 85% runtime requirements met.						
CARF date plus 60 days	New equipment installed or repairs performed. Accumulated down-time is <55 days.	No	115 days (60 days plus the 55-day allowance)	14 Months	End of 12 th Month	End of 14 th Month
<i>OMP Activity</i>	<i>Operating Conditions</i>	<i>Change Order</i>	<i>Allowed Down</i>	<i>Total</i>	<i>OMP</i>	<i>Last Date to</i>

<i>Period Begins at</i>	<i>During OMP Period</i>	<i>To the OMP or New CARF Issued?</i>	<i>Time During OMP Period</i>	<i>Length of OMP Period</i>	<i>Report & Proposal Due</i>	<i>Bill OMP Field Tasks</i>
<u>Case 4: Major System Failures</u>						
A large equipment failure occurs after Month 4; requires a CARF for repairs. Repairs take 60 days including CARF approval. System runs with few mishaps over the 12 operational months. 85% runtime requirement met.						
CARF date	Equipment failure requires 60 days to repair. Accumulated downtime is <55 days.	Yes New equipment is installed.	115 days (60 days plus the 55-day allowance)	14 Months	End of 12th Month	End of 14th Month
<u>Case 5: System Downtime exceeds allowed 55 days</u>						
System has been down for a total of 55 days by Month 6 and no CARFs have been issued during the OMP period for major repairs. Operator has the option to shut the system down, end the OMP activity period, and diagnose the system failures. TCEQ approval is required to end the OMP period and a proposal to diagnose the problem(s) must be submitted. The 85% runtime requirement over the six-month period is met under these conditions. OMP-related costs accrued past the six-month period may not be reimbursable unless written concurrence from the TCEQ PM is obtained to continue operating the system.						
CARF date	Multiple system shut downs for various reasons over a six-month period.	No. Repairs are minor & made same day. System is restarted.	Up to 55 days (15% downtime)	Six Months	30 days after system shut down.	End of 6th Month
<u>Case 6: Total System Downtime exceeds Two Months</u>						
Total down time by Month 9 is 115 days (total of the allowed 55 days downtime and 60 days for an approved system repairs). Operator has the option to shut the system down, end the OMP activity period and diagnose the system failures. TCEQ approval is required to end the OMP period and a proposal to diagnose the problem(s) must be submitted. The 85% runtime requirement over the nine-month period is met under these conditions. OMP-related costs accrued past the ninth month may not be reimbursable unless written concurrence from the TCEQ PM is obtained to continue operating the system.						
CARF date	Multiple system shut downs for various reasons. A major repair was performed requiring 60 days to complete.	Yes To perform equipment repairs.	115 days (60 days plus the 55-day allowance)	Nine months	30 days after system shut down.	End of 9th Month