

BOARD RELOCATES OFFICE

On June 23rd, the Board began operations out of its new location at 50 West Broad Street, Suite 1500 in Columbus. Because of the low office occupancy rate in downtown Columbus, the Board was able to take advantage of the “tenant’s market” and lease additional space and nicer accommodations at the historic LeVeque Tower at a cost considerably lower than at its previous location.

The Board’s telephone numbers have remained the same (phone 614-752-8963; fax 614-752-8397) as has the mailing address at P.O. Box 163188, Columbus, OH 43216-3188. If you are overnighting mail, it should be addressed to the Petroleum UST Board, 50 West Broad Street, Suite 1500, Columbus, OH 43215.

You are welcome to come and visit us!

UNDOCUMENTED COSTS

As reported in the last edition of the “Pipeline”, the Board amended rule 3737-1-09. The amended rule provides that all costs for which documentation has been requested and which remain undocumented after 90-days from the date of the letter requesting documentation shall not be reimbursed, regardless of whether documentation is provided after the 90 day period.

This amendment was enacted because many times costs were not documented and repeated attempts to obtain the information proved futile. This resulted in several claims remaining either unsettled or unnecessary appeals being filed.

The Board’s staff has identified those claims where documentation has been requested in the past. It has and will continue sending reminder letters requesting documentation and putting owners on notice of the 90-day limit for submitting documentation.

If you receive a request for additional information to document costs, protect your right to reimbursement by responding with cost documentation within the 90-day period required by the amended rule.

ELIGIBILITY APPLICATION

The Board slightly revised its Application for Eligibility to reflect previously imposed leak detection requirements and to gather information about subrogation (the Board’s right to pursue third-partys who caused releases).

The application now states that leak detection records **may be requested** for tanks and piping for 12 months prior to the discovery of the release. This possible requirement was first announced approximately one year ago and although it will not be imposed for each application, the Board reserves the right to request these records in the event any question arises, during the eligibility review, concerning leak detection.

Some owners have already begun to submit these records with their applications. This will significantly speed up the review process.

The Board is also asking that, if eligibility has been granted for a prior release at a site, an owner submit the claim number given to that release. This should prevent duplicate information from being required or inadvertently submitted with a new application.

Also, based upon the new subrogation rule, an owner must disclose whether another party may have caused or contributed to the release for which eligibility is sought. If this question is answered in the affirmative, an owner must attach a statement that provides the details of the incident.

As required in the past, **the owner must sign** the Application for Eligibility.