



MICHIGAN DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY

MUSTA Claims and Invoices

Michigan Underground Storage Tank Authority

Presentation Outline

- Claim Submittals
 - Underground Storage Tank Cleanup Fund
 - Public Highway Cleanup Program
- Invoicing Submittal and Tips
- Program Updates
- Answers to Frequently Asked Questions
- Questions from Attendees



Underground Storage Tank Cleanup Fund (MUSTA) Claim Eligibility Requirements



- Releases discovered on or after December 30, 2014
- USTs are properly registered at the time of the release

MUSTA Claim Eligibility Requirements (Continued)

- FR mechanism in place at the time of the release
- Owner at the time of the discovery of the release must file the claim



MUSTA Claim Eligibility Requirements (Continued)

- Release reporting requirements must be met:
 - Confirmed release reported within **24 hours** of discovery
 - Suspected release reported within **24 hours** of discovery
 - Suspected release upgraded within **14 days** and within **24 hours** of confirmation
- The tanks and contents indicated on the submitted claim form must match the tanks and contents on the LARA release report(s)
- Subsequent releases require additional claim submittals
 - A separate form must be completed and sent to MUSTA

Claim Submittal

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Michigan Underground Storage Tank Authority

Michigan Underground Storage Tank Authority

The Michigan Underground Storage Tank Authority (MUSTA) serves Michigan's petroleum underground storage tank owners and operators, local units of government, and country road commissions by managing the Underground Storage Tank Cleanup Fund, Legacy Release Program, and Public Highway Cleanup Program on a sound fiscal basis. We provide prompt and consistent service in assisting stakeholders in meeting their financial responsibility requirements and efficiently providing financial assistance to remediate contamination caused by releases from petroleum underground storage tanks.

Contact: Bob Reisner 517-284-5141

This page can be accessed as Michigan.gov/egleMUSTA.



Join us at the Michigan Petroleum Storage Tank Conference Series - Register now! Only \$35!

Financial Responsibility

- Financial Responsibility Guidance
- Financial Responsibility Forms

Underground Storage Tank Cleanup Fund

- Submitting an Underground Storage Tank Cleanup Fund (aka MUSTA) Claim
- USTCF Claim and Work Invoice Forms
- MUSTA Ineligible Cost Information/Bidding
- Schedule of Costs
- Professional and Technician Position Classifications

Legacy Release Program

- Legacy Release Program Forms

Public Highway Cleanup Fund

MUSTA Board of Directors

Relevant Laws and Rules

[Detailed Submittal Information Here](#)

Claim Submittal Forms

The Claim Submittal Form



MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY
UNDERGROUND STORAGE TANK AUTHORITY

UNDERGROUND STORAGE TANK CLEANUP FUND CLAIM SUBMITTAL FORM

This form is for submittal of a Claim per Section 21515(1) of Part 215, Underground Storage Tank Corrective Action Funding, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

PLEASE DO NOT SUBMIT INVOICES WITH THIS FORM. If your claim is approved, you will be provided with instructions on how to submit invoices. See the notes on page two for information regarding documentation that is required to be submitted with this form.

FACILITY INFORMATION			
FACILITY NAME:		FACILITY ID:	
STREET ADDRESS:		CITY:	COUNTY:
RELEASE INFORMATION (add additional sheets if necessary)			
RELEASE NUMBER and DATE:	TANK NUMBER:	SUBSTANCE STORED:	CAPACITY (GAL):
	TANK NUMBER:	SUBSTANCE STORED:	CAPACITY (GAL):
OWNER INFORMATION			
REGISTERED OWNER NAME WITH LARA:			
REGISTERED OWNER STREET ADDRESS:	CITY:	STATE:	ZIP CODE:
CONTACT PERSON(S):	CONTACT PHONE:	CONTACT EMAIL:	
CONSULTANT CONTACT PERSON:	PHONE NO.:	E-MAIL:	
NUMBER OF USTs OWNED OR OPERATED BY THE OWNER OR OPERATOR AND ITS AFFILIATES:			
CERTIFICATION OF OWNER OR AUTHORIZED AGENT			
I certify that the information provided above is true and accurate and that I have not and will not submit a claim or claims to an insurer or any other entity to cover expenses for which I have received reimbursement from the Underground Storage Tank Cleanup Fund.			
SIGNATURE:		DATE:	
PRINTED/TYPED NAME:		TITLE:	
<input type="checkbox"/> I have included proof of financial responsibility covering the UST(s) at the time of the discovery of the release.			

Submit the completed and signed form along with the appropriate documentation to:

Email: EGLE-MUSTA@Michigan.gov Fax: 517-241-7428
 Regular Mail: EGLE-Underground Storage Tank Authority, P.O. Box 30473, Lansing, MI 48909
 Overnight Mail: EGLE-Underground Storage Tank Authority, Constitution Hall, 6S, 525 West Allegan Street, Lansing, MI 48909

MUSTA USE ONLY

POLICY NUMBER:	ASSIGNED TO:	EQA:
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NOTES REGARDING PROOF OF FINANCIAL ASSURANCE:

Along with this form, the owner or operator must provide documentation that they maintained financial responsibility for their appropriate deductible amount at the time of the discovery of the release for which this claim is being filed. This may be a copy of an approved Request for Determination from MUSTA and/or other form of financial responsibility that were in place (including a commercial insurance policy).

At facilities where previously unknown USTs (which will not be put into use) are discovered, no proof of financial responsibility is required to be shown for the time of the discovery of a release as long as appropriate steps to close the USTs in accordance with Part 211 of Act 451 have been taken.

In either situation where proof of financial responsibility is not needed, the owner or operator should specifically explain the circumstances.

For information or assistance on this publication, please contact the Underground Storage Tank Authority, through the EGLE Environmental Assistance Center at 800-662-9278. This publication is available in alternative formats upon request.

MUSTA Claim Reimbursement Limits

- Per claim limit of \$1 million minus the appropriate deductible amount
 - \$2,000 deductible for owners and operators of 7 or less USTs
 - \$10,000 deductible for owners and operators of 8 or more USTs
- Aggregate limits for all claims for a single owner per reporting period (October 1st – September 30th)
 - \$1 million for owners and operators of 100 or fewer USTs
 - \$2 million for owners and operators of 101 or more USTs
- Aggregate limits are based on the reporting period when the release was discovered regardless of when the claim is filed or work is performed and invoiced

Legacy Release Program Claims

- A one-time allocation of \$36 million for corrective actions for releases reported prior to December 30, 2014
- The LRP is no longer accepting new claims
- The LRP will not be extended

Public Highway Cleanup Program

- Available to local units of government and county road commissions (not MDOT) for the cost of corrective actions to manage, relocate, or dispose of any media contaminated by regulated substances left in place within a public highway



Public Highway Cleanup Eligibility

- Claim must be associated with a release of refined petroleum from an underground storage tank system being managed under Part 213
- Claim is for corrective actions completed after January 24, 2018, the effective date of the program

Public Highway Cleanup Eligibility

(Continued)

- A Public Highway Institutional Control (PHIC) or Road Dedication Letter (RDL) must be in place prior to initiation of the work and submittal of the PHC Claim
 - An Ordinance may be an acceptable institutional control in some cases
 - A copy of the PHIC, RDL, or Ordinance must be submitted to MUSTA with the PHC Claim Submittal Form for PHC Claim approval

Public Highway Cleanup Funding & Reimbursement Limits

- “Program” Funding Limit: No statutory limit
- Per Claim Funding Limit: \$200,000 with no co-pay or deductible
- Claims to date: None

Invoice Submittal

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Detailed Invoice Information Here

The Invoice Submittal Form

EGLE MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY
UNDERGROUND STORAGE TANK AUTHORITY

UNDERGROUND STORAGE TANK CLEANUP FUND INVOICE SUBMITTAL FORM

Authority: Section 21515(12) of Part 215, Underground Storage Tank Corrective Action Funding, of the Natural Resources and Environmental Protection Act, 1994 PA 431, as amended.

PLEASE REFER TO THE NOTES AT THE BOTTOM OF THE INSTRUCTIONS PAGE BEFORE SUBMITTING AN INVOICE

MUSTA CLAIM NO.	FACILITY ID:	FACILITY NAME:
CLAIMANT NAME:		FEDERAL TAX ID NO. OF CLAIMANT:
CLAIMANT ADDRESS:	CITY:	STATE: ZIP CODE:
CLAIMANT CONTACT PERSON:		PHONE NO. E-MAIL:
CONSULTANT NAME:		FEDERAL TAX ID NO. OF CONSULTANT:
CONSULTANT CONTACT PERSON:		PHONE NO. E-MAIL:
WORK INVOICE NO.:	FINAL INVOICE (Yes/No):	DATES OF SERVICE:
DESCRIPTION OF ACTIVITIES COMPLETED DURING THE DATES OF SERVICE:		
DESCRIPTION OF HOW ACTIVITIES COMPLETED ARE CONSISTENT WITH ACHIEVING SITE CLOSURE:		

For each cost contained on a consultant or contractor's invoice, the appropriate code from the [MUSTA Schedule of Costs](#) must be provided adjacent to the charge on the invoice. For items not on the MUSTA Schedule of Costs, place "NL" adjacent to the charge on the invoice.

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Consultant or Contractor	Description of Activity/Charges	Amount
Add rows or attach additional sheet if necessary		
		INVOICE TOTAL

CERTIFICATION

I certify that the information provided above is true and accurate and that I have and will not submit a claim or claims to an insurer or any other entity to cover expenses for which I will seek reimbursement from the Underground Storage Tank Cleanup Fund.

CONSULTANT SIGNATURE: DATE:

CLAIMANT SIGNATURE: DATE:

Please submit completed form, invoices, and the supporting backup documentation to:

Email: EGLE.MUSTA@Michigan.gov Fax: 517-241-7428

Regular Mail: EGLE-Underground Storage Tank Authority, P.O. Box 30473, Lansing, MI 48909
Overnight Mail: EGLE-Underground Storage Tank Authority, Constitution Hall, 6S, 525 West Allegan Street, Lansing, Michigan 48909

ADMINISTRATION USE ONLY

POLICY NUMBER: ASSIGNED TO: EQA:

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MUSTA is a reimbursement program

Submitting an Invoice

- Invoices are to be submitted to:
EGLE-MUSTA@michigan.gov
- Submitting Large files – FTP Site/DropBox
 - Separate invoices from supporting reports
 - Let us know when and what you have uploaded
- Claimant/SIGMA/Invoice Form must match

Payment & Invoice Submittal Tips

(applicable to MUSTA, LRP, and PHC invoices)

- Must be submitted on the form provided by MUSTA and signed by the claimant and the consultant
- The claimant must be registered in the state's accounting system (SIGMA). The registration in SIGMA must have the same payee (claimant), tax ID number, and address as that shown on the invoice submittal form
- *Failure to do this results in lengthy delays in payments*

Payment & Invoice Submittal Tips

(Continued)

- Instructions and Notes for completing an Invoice are located on the Invoice Submittal Form
- Invoice must be legible and the math correct
- Provide all charges on the MUSTA Invoice
 - Do not short-change yourself

Details Often Overlooked

- The box on the form “DESCRIPTION OF ACTIVITIES COMPLETED DURING THE DATES OF SERVICE:”



What did you do?

- The box on the form “DESCRIPTION OF HOW ACTIVITIES COMPLETED ARE CONSISTENT WITH ACHIEVING SITE CLOSURE:”

What progress was made?

Include These Items

Invoice must include all supporting documentation, examples include:

- Waste Manifests/Landfill Tickets
- Subcontractor Invoices
- Relevant Reports
- Receipts (Hotel, Equipment, Supplies, etc.)
- Laboratory Chains of Custody
- Map of site indicating release location (or release discovery location), sample locations (MWs, SBs, VPs, etc.)
- Map of excavation details (if relevant)



Cost Guidance Documents

- Schedule of Costs
- Professional and Technician Position Classifications
- Bidding Requirements
- List of Ineligibles

Eligibility of Costs and Activities

- Costs must be reasonable and necessary
- Costs must meet MUSTA Schedule of Costs



Eligibility of Costs and Activities

(Continued)

- Certain activities require competitive bidding, including but not limited to:
 - Removal of contaminated soil and liquid (detail on following slides)
 - Installation of treatment systems
 - Drilling of large-diameter wells
 - Laser-Induced Fluorescence and similar technologies
 - Mobile laboratories
 - Surveying services greater than \$2,000



Soil Removal, Transport, and Disposal

- Soil must be considered a Source of contamination the removal of which is necessary to achieve restricted closure
- Bidding is not required provided conditions comply with Note 4 of the Schedule of Costs, including:
 - Initial response action initiated within 21 days of reporting of the confirmed release
 - The amount of soil removed does not exceed 200 tons per tank(s) for which the release was reported with a maximum of 500 tons.
 - Complies with the Schedule of Costs

Soil Removal, Transport, and Disposal (Continued)

- Competitive bidding is required for quantities greater than 200/500 tons and any quantity excavated after 21 days of the reporting of the confirmed release.
- Quantities greater than 1,500 tons requires pre-approval from MUSTA
(List of Ineligibles, Item 27)



Liquid Recovery, Transport, and Disposal

- Bidding is not required provided conditions comply with Note 4 of the Schedule of Costs, including:
 - Initial response action initiated within 21 days of reporting of the confirmed release
 - The amount of liquid removed does not exceed 5,000 gallons
 - Complies with the Schedule of Costs
- Competitive bidding is required for quantities greater than 5,000 gallons and any quantity recovered after 21 days of reporting of the confirmed release

Ineligible Costs

Include, but are not limited to:

- Work performed by the owner or operator or their employees
- Costs related to the testing, repair, removal, or installation of UST systems
- Site restoration costs
- Costs arising from corrective actions performed in excess of those required to obtain a restricted closure based on the land use at the time of the release
- Costs that have been or will be submitted or that have been paid pursuant to an insurance policy or other 3rd party

Main Reasons for Denied Costs

- Ineligible expenses such as UST removals, expenses incurred prior to reporting of release, site restoration
- Not having solicited competitive bids when required
- Markup on non-subcontractor charges
- Corrective actions not related to release(s) covered by an approved MUSTA Claim



Professional Classification and Labor Rate Updates

- Effective for work performed after August 31, 2019
- Professional 2 and 3 classifications have been combined
 - Professional 2 labor rate has been eliminated
 - The new rate for Professional 3 is \$107.00 per hour
- Professional 4 labor is limited to 4 hours of eligible services per calendar-month

Updating of Schedule of Costs

- Each year the Schedule of Costs document is reviewed and updated as necessary
- Review process includes the direct involvement of consultants
- If you are a consultant and you have not been randomly selected to participate, please email your suggestions to us

Frequently Asked Questions

- *Question:* Are costs to reimburse an off-site property owner for allowing a restrictive covenant eligible for reimbursement?
- *Answer:* Yes. However, a reasonable cost has not been established by the MUSTA Board so these are handled on a case-by-case basis.

Frequently Asked Questions

- *Question:* How much soil may be removed without bidding as part of an initial response action?
- *Answer:* Up to 200 tons per tank as indicated on the claim (maximum 500 tons per facility) provided that actions meet the definition of an initial response per the Schedule of Costs Notes.

Frequently Asked Questions

- *Question:* What do we do if an item is not on the Schedule of Costs?
- *Answer:* Identify the item on the invoice as “NL”. Charges will be reimbursed at rates determined to be reasonable by the MUSTA Administrator.

Frequently Asked Questions

- *Question:* Can an approved USTCF claim be transferred?
- *Answer:* Yes, an owner or operator with an approved MUSTA claim who sells or transfers the property that is subject of the approved claim may assign or transfer the approved claim to the new owner. The Transfer of Claim Submittal Form can be found on the MUSTA webpage.

Sources of MUSTA Information

- MUSTA Webpage
- Sign up for our Email list at:
Michigan.gov/EGLEConnect



More Sources

- Call Us If You Have Questions!



MUSTA Environmental Quality Analysts (EQAs)

- Nikolas Hertrich, hertrichn@Michigan.gov; (517) 284-5059
- Lisa Noblet, nobletL1@Michigan.gov; (517) 284-5183
- Roy Hoin, hoinr@Michigan.gov; (517) 284-6232

When in Doubt...

If you have any questions on the implementation of the Fund or eligibility of work and/or costs

please feel free to call or email Bob Reisner:



(517) 284-5141

reisnerr@michigan.gov

Thank You!

MUSTA greatly appreciates your attendance and looks forward to working with you to make the Underground Storage Tank Cleanup Fund, Legacy Release Program, and Public Highway Cleanup Program successful.

Michigan Department of
Environment, Great Lakes, and Energy

800-662-9278

Michigan.gov/EGLE



Follow us at: Michigan.gov/EGLEConnect