

PETROLEUM UST RELEASE COMPENSATION BOARD

CLAIM FILING DEADLINES

Purpose

This Claim Filing Deadlines document was prepared as a guide to assist stakeholders with the timely submittal of Claim Reimbursement Applications. Pursuant to Ohio Administrative Code (O.A.C.) 3737-1-12, a Claim Reimbursement Application for costs incurred in conducting corrective action (CA) is required to be filed with the Board's office within one year from the completion of a program task as described in the rule. In general, the completion date is the date the associated program task report is required to be submitted to the Bureau of Underground Storage Tank Regulations (BUSTR), a bureau within the State Fire Marshal's (SFM) office, as set forth in the SFM CA rule O.A.C. 1301:7-9-13 and outlined in the tables in this document.

Extending a Deadline

Pursuant to the O.A.C., claim filing deadlines may be extended only if the SFM has approved a *timely* filed (i.e., prior to the original due date for completion) written request for an extension of time to complete the program task. Program task completion dates specified in correspondence issued by the SFM do *not* act to shorten or extend the deadline for filing a claim application, unless the SFM has approved a timely filed written request for an extension.

SFM Additional Information Request (AIR) Letters

Costs incurred for responding to an AIR letter are due one year from the completion date specified by the SFM in the AIR letter; or if no completion date is specified, one year from the date of the original AIR letter.

CLAIM FILING DEADLINES - 1999 SFM CA Rule

| PROGRAM TASKS | FILING DEADLINE |
|--|---|
| For program tasks performed under 3/31/99 SFM rule | One year from: |
| 1. Immediate Response Action | Date release required to be reported to SFM |
| 2. Free Product Removal (FPR) | Date last FPR Report submitted or if no FPR Report required, date release required to be reported |
| 3. Tier 1 Evaluation | Date Tier 1 Evaluation Notification required to be submitted to SFM ¹ |
| 4. Tier 2 Evaluation | Date Tier Evaluation report required to be submitted to SFM ² |
| 5. Tier 3 Evaluation | Date Tier 3 Evaluation report required to be submitted to SFM |
| 6. Remedial Action Plan (RAP) Implementation | Date SFM issues a No Further Action (NFA) determination |
| 7. Monitoring Plan | Date SFM issues a No Further Action (NFA) determination |
| 8. None of the above | Earliest of: completion date specified by SFM, date SFM issues NFA, or date work was completed |

¹ Due to SFM 180 days from the date a release was determined per O.A.C. 1301:7-9-13(F) or the rule election/transition date

² Due to SFM 2 years from submission of the Tier 1 report

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CLAIM FILING DEADLINES - 2005, 2012, and 2017 SFM CA Rules

| PROGRAM TASKS | FILING DEADLINE |
|---|--|
| For program tasks performed under 3/1/05, 7/1/12, or 9/1/17 SFM rules | One year from: |
| 1. Immediate Corrective Action | Date release required to be reported to SFM |
| 2. Free Product Removal (FPR) | Date last FPR Report submitted or if no FPR Report required, date release required to be reported |
| 3. Tier 1 Source Investigation | Date Tier 1 Delineation Notification, Tier 1 Notification or Tier 1 Evaluation Report required to be submitted to SFM ³ |
| 4. Tier 1 Delineation | Date Tier 1 Investigation Report required to be submitted to SFM ⁴ |
| 5. Tier 2 Evaluation | Date Tier 2 Evaluation Report required to be submitted to the SFM ⁵ |
| 6. Tier 3 Evaluation | Date Tier 3 Evaluation Report required to be submitted to SFM |
| 7. Interim Response Action (IRA) | Date IRA Report required to be submitted to SFM ⁶ |
| 8. Remedial Action Plan (RAP) Preparation | Date RAP required to be submitted to SFM ⁷ |
| 9. RAP Implementation and Monitoring Plan | Date SFM issues a No Further Action (NFA) determination |
| 10. None of the above | Earliest of: completion date specified by SFM, date SFM issues NFA, or date work was completed |

ELECTING/TRANSITIONING FROM PREVIOUS CA RULES TO 2017 SFM CA RULE

| | |
|---|--|
| Electing or transitioning from previous SFM rule to 9/1/17 rule | Filing Deadline - One year from: |
| 1. For incomplete program tasks | Date of election or mandatory transition |
| 2. For completed program tasks | Date program task required to be completed |

³ Due to SFM within 90 days of one of the five occurrences listed in O.A.C. 1301:7-9-13(H)(3)(a)

⁴ Due to SFM within one year of one of the four occurrences listed in O.A.C. 1301:7-9-13(I)(3)(a)

⁵ Due to SFM 1 ½ years (18 months) from the approval of Tier 1 Investigation Report

⁶ Due to SFM 60 days from the completion date of IRA activities

⁷ Due to SFM 90 days from the approval of a Tier Report