





# PETROLEUM CLEANUP PARTICIPATION PROGRAM (PCPP)

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Division of Waste Management / Petroleum Restoration Program  
Florida Department of Environmental Protection

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# PETROLEUM CLEANUP PARTICIPATION PROGRAM (PCPP)



## Presentation Agenda:

- General Overview of PCPP.
- PCPP Agreement Options.



# PETROLEUM CLEANUP PARTICIPATION PROGRAM (PCPP)

## Petroleum Cleanup Participation Program (PCPP):

- PCPP is a cost-sharing (**25% obligation**) clean-up eligibility program that provides rehabilitation funding assistance to owners/responsible parties (RPs), for property currently contaminated by a petroleum discharge occurring before Jan.1, 1995. Funding cap is \$400,000 per discharge.
- As soon as a discharge comes into priority score funding range, DEP will send notice to the owner that action must take place (either complete a Limited Contamination Assessment Report (LCAR) or enter a PCPP agreement if assessment work was previously completed)).



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PCPP Agreements require owners/RPs to **elect one** of three options\* to provide their required 25% cost-sharing obligation (participation).

\*Prior to 2020, all PCPP Agreements had either a 25% copayment or had a financial analysis completed to see what amount, if any, an owner could contribute; all PCPP agreements executed prior to 2020 are still valid and should be followed.

## **25% Cost-savings:**

- Agency Term Contractor (ATC) can reduce their rates by 25%.
- Owner/RP can opt for a Risk Management Option (RMO) II as a cost savings.

## **25% Copayment**

## **25% Combination:**

- Any combination of copayments and cost savings equal to 25%.



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**PARTICIPANT AGREES TO PROCEED UNDER THE SELECTED OPTION**  
**(please select and initial only ONE option and appropriate sub-options if applicable)**

1.  Participant is providing a 25% cost savings to the Department:
- Attached as Exhibit A the agency term contractor's (ATC's) written acceptance to a reduction in its Department ATC rates.
- OR**
- Attached as Exhibit A is the Participant's executed PCPP Conditional Closure Agreement (CCA, including Attachment B Conditional Closure Agreement Contractor Recommendation) with an endpoint of RMO II. Also attach evidence of a properly recorded interim declaration of restrictive covenant.

Participant Initials \_\_\_\_\_  
**If cost savings selected**

Facility ID # \_\_\_\_\_

1

PCPP Agreement template 05/12/2022

2.  Participant is paying a 25% copayment of the cost to cleanup.

Participant Initials \_\_\_\_\_  
**If copayment selected**

3.  Participant is providing a combination of both a cost savings and copayment equal to 25% of the cost of cleanup (Attached as Exhibit A, recommended ATC's written acceptance to a reduction in its Department ATC rates and the Participant copayment percentage combination).

Participant Initials \_\_\_\_\_  
**If combination selected**



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**EXEMPT FROM COST-SHARING.**

**Florida Statute (FS) 376.3071(4)(q)** - A **state agency** that would otherwise be required to pay for an LCAR or a PCPP cost-share (state agency is the property owner or tenant, for example) **does not need to do so.**

These agreements will look different; they will indicate DEP will pay 100% of cleanup costs (up to \$400,000) plus auxiliary funds if needed.



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## FS 376.3071 (13)(c) Revisions Effective July 1, 2016.



The department may approve **supplemental funding** for the eligible discharge of up to \$100,000 for additional remediation and monitoring, if such remediation and monitoring is necessary to achieve a determination of “No Further Action” (i.e., Site Rehabilitation Completion Order (SRCO), Site Rehabilitation Completion Order with Conditions (SRCOC)).





# PETROLEUM CLEANUP PARTICIPATION PROGRAM (PCPP)

## How does this affect you?

**Storage Tank and Contamination Monitoring Database (STCM) Schedule of Pay Items (SPI):** You must review the PCPP agreement to determine what percentage cost share DEP will pay and include in the description section which option the owner/RP elected:

- **25% copayment** elected= DEP 75%.
- **25% cost savings**
  - Via ATC rate reduction= DEP 100% with comment in the description to utilize a 25% cost savings SPI.
  - Via RMO II= DEP 100% with comment in the description indicating 25% cost savings being met based on scope of RMO II (vs. RMO I) as closure endpoint.



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## How does this affect you?

**STCM SPI:** You must review the PCPP agreement to determine what percentage cost share DEP will pay and include in the description section which option the owner/RP elected:

- **25% combination**= DEP XX% with comment in the description to utilize XX% a 25% cost savings SPI. (Example: Owner willing to pay 10% and ATC willing to reduce rates 15%= DEP 90% with 15% cost savings SPI).



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## How does this affect you?

**STCM SPI:** You must review the cost share contractor recommendation sheet (or conditional closure agreement if RMO II elected) to determine how the work will be assigned to an ATC: include in the description section which option the owner/RP elected:

- DEP to select.
- Direct assign.



# PETROLEUM CLEANUP PARTICIPATION PROGRAM (PCPP)

## How does this affect you?

### Deliverable Review Letters (DRL):

- **25% copayment** elected = DRL must indicate the owners cost share due to the ATC for the task; separate letter/correspondence simultaneously sent to owner/RP indicating their cost share and requirement to provide proof of payment within 40 days.
- **25% cost savings** = no change to DRL.
- **25% combination** = DRL must indicate the owners cost share due to the ATC for the task; separate letter/correspondence simultaneously sent to owner/RP indicating their cost share and requirement to provide proof of payment within 40 days.



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## How does this affect you?

### **DRL for sites where the agreement was executed before 2020:**

- **25% copayment** = DRL must indicate the owners cost share due to the ATC for the task; separate letter/correspondence simultaneously sent to owner/RP indicating their cost share and requirement to provide proof of payment within 40 days.
- **Indigent** = no change to DRL. At the close of the discharge, you are required to notify PCPP coordinator so the department can determine if **cost recovery** will be sought. Indigent PCPP agreement is not transferable to a new owner.



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## How does this affect you?

**My owner/RP had an agreement prior to 2020 and now they want a new PCPP agreement:**

- This is allowable. Finish a PO (final invoice must be received) if one is open. Do not develop/draft a new SOW/SPI until the new PCPP agreement is executed.
- Notify the PCPP coordinator of the owner/RPs request so that they may begin the process for generating and executing a new PCPP agreement.



# PETROLEUM CLEANUP PARTICIPATION PROGRAM (PCPP)

## LINKS:

- [PCPP-Agreement](#)





# THANK YOU

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