



Toxics Cleanup Program

Policy 550A: Cost Recovery

Established: December 15, 1993

Revised: December 31, 2017

Contact: TCP Cost Recovery Coordinator, Financial Service Unit

References: [RCW 70.105D.030](#)
[RCW 70.105D.050](#)
[RCW 70.105D.055](#)
[WAC 173-340-550](#)
[TCP Procedure 550A Cost Recovery under a MTCA Order or Decree](#)
[TCP Procedure 550B Property Liens under RCW 70.105D.055](#)
[TCP Procedure 550C Cost Recovery under the Voluntary Cleanup Program¹](#)
[Ecology Policy 21.05 Collecting Ecology Receivables or Fees](#) [internal SharePoint]
[Ecology Policy 21.06 Writing off Agency Receivables from the Agency's Financial Records](#) [internal SharePoint]
[OFM SAAM Chapter 85.54](#)

Attachments: A – Instructions for completing eTime records

Disclaimer: This Policy is solely to guide Ecology staff, and is not intended to impose any mandatory duties or obligations on Ecology. It does not create rights, substantive, or procedural, enforceable by any party in litigation. Ecology may act at variance with this policy or change or withdraw this policy at any time.

Approved by:

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Toxics Cleanup Program

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¹ Procedure 550C is pending with publication planned for 2019. In the interim, Ecology's Cleanup Project Managers should consult TCP's internal guidance manual, *Voluntary Cleanup Program Staff User Manual* (rev. October 2015), available in the Toxics Cleanup Program Resource Library on SharePoint: http://teams/sites/TCP/ResourceLibrary1/Shared%20Documents/VCP_User_Manual_Rev_Oct_2015.doc

Policy 550A Cost Recovery

Purpose: The Model Toxics Control Act (MTCA) requires the State to seek to recover the amounts spent for investigative and remedial actions, agreed orders, enforcement orders, and consent decrees from Potentially Liable Parties (PLPs).

MTCA also authorizes the Department of Ecology (Ecology) to recover the cost of providing advice and assistance to persons who conduct remedial actions independently. The purpose of this policy is to inform Ecology staff on how to fulfill these statutory mandates and authorities related to cost recovery.

Applicability: This policy applies to all staff working on sites under MTCA, including the following types of sites:

- A. Sites where Ecology is conducting remedial actions.
- B. Sites where Ecology is supervising remedial actions conducted by PLPs under an order or decree.
- C. Sites where Ecology is reviewing remedial actions conducted independently by persons under the Voluntary Cleanup Program (VCP).

1. To the extent possible, Ecology will recover all remedial action costs incurred under MTCA and reasonably attributable to a site

Ecology will seek to recover remedial action costs incurred under MTCA and reasonably attributable to individual sites. Ecology will recover remedial actions costs by sending invoices to PLPs, prospective purchasers, or persons requesting advice under the VCP. While the timing of cost recovery or the establishment of payment plans may be considered on a case-by-case basis, the general expectation is that costs will be paid as they are incurred and interest will be collected on overdue accounts.

WAC 173-340-550 describes what these costs include and how they are calculated. These costs include:

- A. The cost of direct activities.
- B. The support costs of direct activities (overhead).
- C. Any interest charges for past due payments.

2. Cost recovery is a priority responsibility of Section Managers, Unit Supervisors, and Cleanup Project Managers

Section Managers and Unit Supervisors will consider how cost recovery will be conducted before assigning a site to Ecology staff. Prior to beginning significant work on a site, supervisors will provide staff with this policy, Procedure 550A (for sites under order or decree) or Procedure 550C Cost Recovery under the Voluntary Cleanup Program (for VCP sites)², and instructions consistent with this policy to ensure costs will be recovered. This includes providing them the site Master Index Code (MIC) or VCP account number for recording all recoverable costs, instructions for completing their timesheet and documenting site work through eTime, and an expectation for adhering to the cost recovery timeframes for billings and delinquency notifications.

3. All consent decrees, agreed orders, and enforcement orders will contain provisions for cost recovery

Consent decrees, agreed orders, and enforcement orders will include a provision for cost recovery. Ecology and the Attorney General's Office have developed boilerplate orders and decrees that include a cost recovery provision. Those boilerplates are available through the TCP SharePoint site. The cleanup project manager must clear any modifications of the cost recovery provisions in those boilerplates through the Attorney General's Office and TCP's Cost Recovery Coordinator. If a Section Manager intends not to cost recover on a site under order or decree, the Section Manager will receive approval from the Program Manager in writing and provide a copy of the approval to the TCP Cost Recovery Coordinator.

4. Ecology will recover the costs incurred in providing advice under the Voluntary Cleanup Program from the party requesting the advice

Ecology will seek to recover the costs of providing advice under the VCP from the party requesting the advice (referred to as the "VCP Customer") unless funds are provided through a grant, settlement, or other source that covers the costs of services. To recover these costs, staff will follow the policies and procedures set forth in this policy and Procedure 550C Cost Recovery under the Voluntary Cleanup Program.

In most cases, the VCP costs are collected prior to releasing Ecology's determination. However, in some cases under VCP agreements, release of the No Further Action (NFA) opinion is time

² TCP Procedure 550C is pending with publication planned in 2019. See footnote on page 1 of this document.

sensitive due to reasons such as but not limited to potential sale of property. In these cases opinions may be released prior to payment of the final invoice at the discretion of the Cleanup Project Manager if all of the following conditions are met:

- A. All other invoices are paid.
- B. The final bill will total less than \$500.
- C. Any other staff or AG time and site logs are accounted for and received by the Fiscal Office Receivables Unit.
- D. Language is included in the NFA Opinion Letter stating that the VCP Customer remains responsible under the VCP Agreement for costs incurred by Ecology before the effective date of termination.
- E. The VCP Customer is notified that they will receive their final invoice after receiving their NFA Opinion Letter.
- F. The VCP customer has submitted all environmental sampling data in the required Environmental Information Management System (EIM) format.

For VCP, billable activities are those that are reasonably attributable to the site and the services requested by the VCP Customer. They include, but are not limited to, the following:

- A. **Meetings** with the VCP Customers, their representatives (such as consultants or attorneys), other Ecology staff (such as engineers, hydrogeologists, or toxicologists), or the Attorney General's Office. Charges may include travel time.
- B. **Communications** (by phone, e-mail, or letter) with VCP Customers, their representatives (such as consultants or attorneys), other Ecology staff (such as engineers, hydrogeologists, or toxicologists), or the Attorney General's Office. Charges may include the time required to draft letters and e-mails and transcribe phone conversations.
- C. **Document review**, including review of any previously submitted plans or reports and any other documents about the site or the remedial action planned or performed at the site, including initial investigations and site hazard assessments.

- D. **Document development**, including internal reviews and the time required to conduct any negotiations or consultations with the VCP Customer or other parties, including local governments. Documents may include, but are not limited to, written opinions and environmental covenants.
- E. **Site work**, including any environmental sampling or data analysis performed by Ecology. Charges may include travel time and laboratory costs.
- F. **Site visits**. Charges may include travel time.

5. Ecology will typically not cost recover certain remedial action costs

- A. The following remedial action costs will typically not be cost recovered:
 - i. Costs related to conducting initial investigations, site hazard assessments, initial data entry and listing of sites, and overseeing grants related to these activities. For the most part, these are costs incurred by Ecology and local health departments/districts (under a grant from Ecology) to investigate complaints, and track and prioritize sites for future work. As such, these costs are not tracked by individual site. However, if these activities involve significant site testing or other investigative costs (such as installation of soil borings or monitoring wells), independent cleanup actions proceeding under the VCP, or plans for formal actions under order or decree at the site, it is appropriate to track these costs with the intent that future cost recovery could occur.
 - ii. Costs related to administration and technical oversight of Integrated Planning Grants, Area-wide Groundwater Investigation Grants and Safe Drinking Water Grants. These are grants provided to local governments to either facilitate economic redevelopment of brownfield sites or where a local government is augmenting Ecology's responsibility to investigate and remediate contamination caused by other potentially liable persons.
 - iii. The costs for all remedial action grants and loans incurred by Ecology's grant financial managers.
 - iv. Costs related to administration and technical oversight of interagency agreements.
 - v. Remedial action costs incurred under federal grants where Ecology is under no obligation to cost recover. For example, the costs for overseeing cleanups at federal facilities where a federal grant has been provided to cover those costs.
 - vi. Litigation costs. These can only be awarded by a judge as part of certain types of litigation.

- B. In addition to the above, the following costs will not be recovered under the Voluntary Cleanup Program:
- i. Costs of post-cleanup remedial actions for VCP sites. These include periodic (5-year) reviews, amending or terminating an environmental covenant, Cleanup Project Manager review of invoices for VCP sites applying for an independent remedial action grant, or removing a site from the hazardous sites list. Because these costs typically occur after the VCP contract has been closed out, these activities do not lend themselves to cost recovery.
 - ii. Travel costs for transportation, lodging, and per diem.
 - iii. Reviewing the contents of the site file upon assigning a new Cleanup Project Manager to an existing (not new) VCP project.
 - iv. Completing the Site Summary Form when drafting an opinion on a proposed or completed remedial action requested by the VCP Customer.

6. Transfer of sites from the Voluntary Cleanup Program to Ecology oversight under order or decree

Before initiating negotiations for an order or decree, Ecology will generally do the following:

- A. Terminate the VCP Agreement and stop conducting and charging for work under that Agreement; and
- B. Obtain a MIC from the TCP Financial Services Unit and start charging all of Ecology's costs, including the costs of negotiating an order or decree, to that MIC.

Before entering the order or decree, Ecology will generally recover all unpaid VCP costs. However, if appropriate and approved by the Section Manager, Ecology may enter into an order or decree before recovering all unpaid VCP costs. This may be appropriate, for instance, if:

- A. The VCP Customer is not a party to the order or decree (in such cases, appropriate cost recovery will occur under the VCP Agreement); or
- B. Ecology requires payment of any unpaid VCP costs under the order or decree.

If Ecology requires payment of unpaid VCP costs under the order or decree, then Ecology will specify the unpaid amount in the order or decree and close the VCP account upon issuance of the order or decree.

7. Transfer of sites from Ecology oversight under order or decree to the Voluntary Cleanup Program

Before entering into a VCP Agreement, Ecology will generally require payment of any unpaid costs incurred under, or during negotiations for, an order or decree. However, if appropriate and approved by the Section Manager, Ecology may enter into a VCP Agreement before recovering all of those costs. This may be appropriate, for instance, if the prospective VCP Customer was not a party to, or in negotiations for, the order or decree.

8. Ecology will use a Master Index Code or VCP Site ID unique to each site to track costs incurred at sites

Before beginning significant work on a site where Ecology is expecting to conduct or supervise remedial actions, the Cleanup Project Manager will contact TCP's Financial Services Unit to request a MIC to track expenses incurred at the site. The Cleanup Project Manager uses this code to track time and other expenses incurred that are reasonably attributable to the site. An order or decree is not required to initiate cost recovery. Costs may be tracked and billed to the potentially liable parties prior to completion of the order or decree. For VCP accounts, costs are tracked by the VCP Site ID.

9. Ecology staff will complete the "Work Activity Description for Site ID / VCP and ERTS #" (Site Log) portion of their timesheet in eTime for each site worked on during each pay period

The Cleanup Project Manager and other assigned staff are responsible for tracking time spent on a site by recording their hours worked in eTime. This includes detailing their activities performed in the "Work Activity Description for Site ID / VCP and ERTS #" portion of their timesheet (formerly called the "site log"). The Cleanup Project Manager will complete a separate eTime entry for each site worked on, irrespective of whether remedial action at that site is being conducted by Ecology, supervised by Ecology under an order or decree, or conducted independently under the VCP.

If travel time is recorded for a site, the Cleanup Project Manager must submit the travel reimbursement form for the site each month to ensure all travel costs are billed to the site in a timely manner.

10. Ecology's Fiscal Office Receivables Unit maintains documentation of costs and provides itemized invoices to responsible parties

The Fiscal Office Receivables Unit is responsible for maintaining the official site billing files which document all agency costs associated with the investigative and remedial actions at each site. The Cleanup Project Managers maintain site files that document the site work and communications related to cost recovery.

The Fiscal Office Receivables Unit is also responsible for preparing invoices in the time frame specified in the order or decree consistent with Ecology Policy 21-05. These invoices will include cost documentation such as copies of Time Accounting Reports (including charge-out rates), summary report of the Agency Financial Reporting Systems (AFRS) information for the costs billed to the site. The invoices identify when the payments are due and any interest or past costs owed from prior invoices.

11. For sites where Ecology is conducting or supervising remedial actions, Cleanup Project Managers will review and approve invoices before issuance by the Fiscal Office Receivables Unit

The Cleanup Project Manager will approve all invoices before they are sent to the PLP or other responsible persons. See Procedure 550A for the specific steps in preparing, reviewing, and approving of invoices.

12. Ecology will implement a site-specific strategy to recover costs if a PLP or VCP customer does not make timely payment of Ecology costs

If a PLP/VCP Customer fails to make a timely payment of an invoice according to the timeframes established by this policy as in accordance with Ecology Policy 21-05, and all attempts to collect the debt via phone, email, or delinquency notice have been unsuccessful, Ecology will implement a site-specific strategy to recover its costs. All efforts by the Cleanup Project Manager to contact a PLP/VCP Customer to collect on delinquent accounts must be documented on their timesheets under the "Work Activity Description for Site ID / VCP and ERTS #" ("Site Log"). If the Cleanup Project Manager sends emails to the PLP/VCP Customer, they must retain a copy according to the standard Ecology retention period.

When developing such a strategy, Ecology should consider the options available under this policy. Before pursuing those options, the Cleanup Project Manager should consult with their supervisor, TCP's Cost Recovery Coordinator, or the AAG if appropriate. Optional strategies may include:

A. Contacting the registered agent to request payment

All corporations, limited liability companies, and registered limited partnerships in Washington State must have a registered agent (RCW 23B.05.010, RCW 25.10.040 and RCW 25.15.020). A registered agent is responsible for receipt of important legal and tax documents. Contacting the registered agent can be especially helpful when a business is no longer operating. The registered agent for a company can be found on the Washington Secretary of State's website under <https://www.sos.wa.gov//corps/>.

B. Working with other State agencies to apply refunds towards Ecology's costs

Other state agencies such as the Departments of Revenue, Labor and Industries, and Employment Security may owe PLP/VCP Customers money in the form of a refund. It may be possible to intercept these refunds to help pay outstanding Ecology costs. TCP's Cost Recovery Coordinator may work with these other agencies and the Attorney General's Office to determine if this is a viable option.

C. Use of a collection agency under RCW 19.16.500³

Ecology has the authority under RCW 19.16.500 to use a collection agency to recover unpaid remedial action costs. The Fiscal Office Receivables Unit maintains a contract with a collection agency for this purpose. The costs of the collection agency are charged to the PLP/VCP Customer. Ecology should not use the collection agency for sites where remedial action is being conducted under a consent decree.

Cleanup Project Managers will consult with their supervisors prior to requesting that delinquent accounts be sent to collections.

Before using the collection agency, Ecology should first attempt to contact the PLP/VCP Customer to determine if there has been a change to the contact and attempt to gain payment. If that attempt fails, Ecology must send the PLP/VCP Customer a delinquency notice by certified mail, return receipt requested, and wait at least thirty (30) calendar days prior to sending the account to collections. A collection agency should be given a limited period of time to attempt to collect the debt (generally no longer than two years) and in a manner consistent with the Fiscal Office contract with the collection agency. The collection agency should not be used to recover receivables due from the federal government, other governments, other funds, or other agencies. (See SAAM 85.54.50, and Ecology Administrative Policy 21-05).

³ To use this option, delinquencies must exceed the dollar threshold specified in the collection agency contract. Contact Ecology's fiscal staff or the TCP Cost Recovery Coordinator for the current dollar threshold.

Use of Collections for VCP Accounts: If the account balance (not just the past due charges) is less than \$50, Ecology will not send the account to a collection agency. In this case, Ecology will deem the account balance uncollectible, write off the amount owed, and terminate the VCP Agreement. Ecology will not send VCP Customers opinion letters for accounts not fully paid. Ecology does not allow VCP Customers to reenter the VCP until they have fully paid their past due accounts.

D. Use of its lien authority under RCW 70.105D.055

Ecology has the authority under RCW 70.105D.055 to file a lien against the real property at the site to recover remedial action costs, including oversight costs. Under certain circumstances, such liens can take priority over most other liens, placing Ecology first in line to receive funds if the property is sold, refinanced, or subject to foreclosure. Before filing a lien under this RCW, Ecology must satisfy certain procedural requirements. The Ecology Cleanup Project Manager will ensure these procedures in RCW 70.105D.055 are followed. Additional information on these procedures can be found on TCP's SharePoint site.

The Cleanup Project Manager sends all original copies of liens to Ecology's Fiscal Office, and sends a copy to the TCP Cost Recovery Coordinator. Ecology keeps all original liens in the Fiscal Office fire-proof safe.

E. Use of its enforcement authority under RCW 70.105D.050

At sites where Ecology has issued an order, the Attorney General's Office has the authority under RCW 70.105D.050 to file an action in court to recover remedial action costs incurred under that order. Any PLP who refuses, without sufficient cause, to comply with the order is also liable for:

- i. Up to three times the amount of any costs incurred by the State as a result of its refusal to comply.
- ii. A civil penalty up to twenty-five thousand dollars for each day it refuses to comply.

At sites where Ecology has issued a consent decree, an action has already been filed in court. Therefore, the Attorney General's Office does not need to file another action to enforce the decree.

F. Writing off the debt in accordance with Ecology Policy 21-06

Under the limited circumstances specified in Ecology Policy 21-06 Writing off Agency Receivables from the Agency Financial Records, Ecology may write off unpaid remedial action costs. The procedures for writing off costs are also specified in that policy. In general, for the last bill on a site, TCP will consider writing off costs when the cost of recovery exceeds the amount of the delinquency. Ecology should only use this option rarely and only as a last resort, after using all reasonable means to recover Ecology's costs.

The Cleanup Project Manager or Section Manager must consult the Attorney General's Office before Ecology makes a write-off decision under certain circumstances, please consult with Policy 21-06 prior to considering a write-off.

13. The TCP management team will routinely review the program's cost recovery activities and status

The TCP Management Team will review the status of cost recovery on a quarterly basis. This includes a discussion of cost recovery and enforcement strategies for sites where payments are delinquent and collection efforts have not been productive.

References

Ecology. (rev. 2008). *Ecology Administrative Policy 21-06: Writing off agency receivables from the agency's financial records*. Olympia, WA: Washington State Department of Ecology, Fiscal Office. Retrieved from Ecology's internal SharePoint site:

<http://teams/sites/EXEC/policies/PolicyDocuments/POL21-06.pdf> and
<http://teams/sites/EXEC/policies/PolicyDocuments/Forms/ChaptersCollapsed.aspx>

Ecology. (2012). *Toxics Cleanup Program Procedure 550B: Property liens under RCW 10.105D.055*. (Ecology Publication No. 12-09-046). Olympia, WA: Washington State Department of Ecology, Toxics Cleanup Program. Retrieved from:

<https://fortress.wa.gov/ecy/publications/SummaryPages/1209046.html>

Ecology. (rev. 2015). *Ecology Administrative Policy 21-05: Collecting Ecology receivables or fees*. Olympia, WA: Washington State Department of Ecology, Fiscal Office. Retrieved from Ecology's internal SharePoint site:

<http://teams/sites/EXEC/policies/PolicyDocuments/POL21-05.pdf> and
<http://teams/sites/EXEC/policies/PolicyDocuments/Forms/ChaptersCollapsed.aspx>

Ecology. (2015). *Toxics Cleanup Program Procedure 550A: Cost recovery under a MTCA order or decree*. (Ecology Publication No. 15-09-059). Olympia, WA: Washington State Department of Ecology, Toxics Cleanup Program. Retrieved from:

<https://fortress.wa.gov/ecy/publications/SummaryPages/1509059.html>

Ecology. (rev. 2016). *Toxics Cleanup Program Policy 550C: Cost recovery under the Voluntary Cleanup Program*. (Ecology Publication No. 06-09-123). Olympia, WA: Washington State Department of Ecology, Toxics Cleanup Program. Retrieved from:

<https://fortress.wa.gov/ecy/publications/SummaryPages/0609123.html>

Hazardous Waste Cleanup—Model Toxics Control Act. WASH. REV. CODE § Chapter 70.105D RCW. (2013). Retrieved from: <http://apps.leg.wa.gov/RCW/default.aspx?cite=70.105D>

Model Toxics Control Act—Cleanup Regulation. WASH. ADMIN CODE § Chapter 173-340 WAC. (2013). Retrieved from: <http://apps.leg.wa.gov/wac/default.aspx?cite=173-340>

Washington State Legislature. (n.d.). *WAC 173-340-550: Payment of remedial action costs*. Retrieved from: <http://app.leg.wa.gov/WAC/default.aspx?cite=173-340-550>

Washington State Office of Financial Management. (n.d.). *State administrative & accounting manual: Chapter 85—Accounting Procedures: Receivables*. Retrieved from: <https://ofm.wa.gov/sites/default/files/public/legacy/policy/85.htm>

Attachment A

Instructions for Completing eTime Records

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INSTRUCTIONS FOR COMPLETING eTime RECORDS

For each pay period, the Cleanup Project Manager (and any other staff working on the site for the Cleanup Project Manager) will complete an eTime record using the following steps:

STEP 1 – Identify Billable Charges

Billable activities are those that are reasonably attributable to the site and, for VCP projects, the services requested by the VCP Customer. They may include, but are not limited to, the following:

- Investigations**, including any work performed by, or on behalf of, Ecology to investigate the site or to oversee the investigation of the site by PLPs/VCP Customers or others. (Note: Do not include the cost of initial investigations or site hazard assessments unless significant sampling expense was incurred.)
- Interim actions and cleanup actions**, including any work performed by, or on behalf of, Ecology to clean up the site or to oversee the cleanup of the site by PLPs/VCP Customers or others.
- Post-cleanup actions**, including monitoring and inspections, any work performed to de-list the site, periodic reviews, and amending or terminating environmental covenants.
- Meetings** with PLPs/VCP Customers, their representatives (such as consultants or attorneys), other Ecology staff, or the Attorney General's Office.
- Communications** (by phone, e-mail, or letter) with PLPs/VCP Customers, their representatives (such as consultants or attorneys), other Ecology staff, the public, or the Attorney General's Office. Charges may include the time required to draft letters and e-mails and transcribe phone conversations. *It is particularly important to document all phone calls and e-mails soliciting payment of invoices as this establishes a foundation for future legal action.*
- Document review** and comment, including review or comment on remedial action plans or reports and any other documents about the site or the remedial action planned or performed at the site.
- Document development**, including development of orders and decrees, remedial action plans and reports, and any other documents about the site or the remedial action planned or conducted at the site. Charges may include internal reviews and the time required to conduct any negotiations with the PLP/VCP Customer or other parties, including local governments.

- Data management activities**, including managing environmental data in EIM and administrative information in Integrated Site Information System (ISIS). Note: Do not include the cost of staff covered by the agency or program overhead rate, including ISIS data coordinators and EIM system support staff.
- Permits**, including preparation and review of the permit and technical support documents, and related public involvement and notices. Note: If the applicant has paid a permit fee to Ecology to cover Ecology's costs, do not include these costs in billable activities.
- Site visits**.
- Public involvement activities**, including preparing focus sheets and public notices, publication costs, communications with the public, and participation in hearings and meetings.
- Travel** costs related to any of the activities above, including travel time, transportation, lodging, and per diem. (VCP Customers are only billed for the travel time.) Please submit travel reimbursement forms monthly.
- Assistant Attorney's General costs** will be provided separately through the use of site logs and will be added to the cost recovery bill for each site.

Non-billable activities are those that support the Toxics Cleanup Program but are not reasonably attributable to a specific site or, for VCP projects, the services requested by the VCP Customer. These costs are factored into the overhead rate. They include, but are not limited to:

- Financial management activities** (billing for remedial actions), including the time required for completing time sheets/entering data into eTime, reviewing invoices, and contacting PLPs/VCP Customers with delinquent accounts to recover unpaid costs.
- Staff and committee meetings that are not site-specific**, including travel costs and the time required to review materials for the meetings.
- Equipment and supplies that are not site-specific**, such as office supplies, computers, and safety equipment.
- Policy or guidance development**, including the time required to draft or review and comment on policy or guidance documents.
- Responding to public disclosure requests, even if site-specific**, including the time required for collecting or organizing documents and the cost of copying documents.

- Training**, including general staff training (such as diversity training); TCP all staff conferences; and specific training for TCP staff on site management; financial management; data management; policy, technical and legal issues; and safety.
- Personnel activities**, such as meetings with your supervisor that are not site-specific, evaluations by your supervisor, and activities associated with union representation.
- Holidays and leave**, including sick, annual, and other forms of leave. **Note:** Exchange time earned from working overtime at a specific site should be billed to the site when it is earned.

For VCP projects, what billable activities should not be charged to VCP Customers?

Ecology has decided that, as a matter of policy, the Cleanup Project Manager should not charge following billable activities to VCP Customers:

- Travel costs other than time**, including transportation, lodging, and per diem. *For example, when visiting or working at a site, charge the VCP Customer for your time traveling to and from the site, but not the cost of transport (such as a rental car), lodging, or per diem.*
- Reviewing the contents of the site file** upon assigning a new Cleanup Project Manager to an existing (not new) VCP project.
- Conducting post-cleanup remedial actions**, including:
 - Removing the site from the Hazardous Sites List (HSL), if listed.
 - Periodically reviewing the cleanup, including confirmational monitoring reports.
 - Amending or terminating a covenant, unless as part of another VCP project.
 - Rescinding an NFA opinion.

STEP 2 – DOCUMENTING BILLABLE CHARGES

By the end of each pay period, the Cleanup Project Manager completes eTime records for each site or VCP project worked on during that period. Follow these steps to document billable charges.

- Cleanup Project Managers create a separate daily eTime entry with the hours worked for each site or VCP project during a pay period. Work on multiple sites or VCP projects is not combined on a single eTime Entry.
- Cleanup Project Managers do not include time for non-billable work on the eTime entry with billable work. Billable and non-billable activities are entered as separate line items.
- The Cleanup Project Managers include the following information under the “Work Activity Description for Site ID / VCP and ERTS #” section of the daily time record to identify the site(s) worked on and to provide details about the work performed for each site:
 - Cleanup Site Identification number (CSID)
 - Site name.
 - Facility Site number.
 - MIC number.
 - VCP Site ID (if applicable).
 - Description of the activity
- For each activity conducted during the pay period, eTime records will identify the following:
 - Date of the activity.
 - Hours spent on the activity.
 - Description of the activity.
- Cleanup Project Managers provide a sufficient level of detail to allow the reader to know the work being performed. Detailed information is necessary to justify the costs charged to the PLP or VCP Customer.
- For Ecology-conducted and Ecology-supervised cleanups, Cleanup Project Managers enter the MIC assigned to the site on the eTime entry under the MIC column. Note that some sites may have more than one MIC assigned. Cleanup Project Managers make sure the correct MIC is entered. Cleanup Project Managers contact the TCP Operating Budget Analyst in the Financial Services Unit for MIC information.
- For cleanups conducted independently under the VCP, Cleanup Project Managers enter their region’s code for billable VCP work and the VCP Site ID.

- Cleanup Project Managers record hours worked using tenths of an hour (for example 2.3 hours). Do not use hundredths of an hour (for example 2.25 hours).
 - A best management practice is to enter time on a daily basis as you work to ensure eTime records accurately reflect your site work. At a minimum, make notes when you shift work between projects so when you enter your eTime record you can adequately document your time and work performed.
 - Use the following as a guide when completing your detailed site or project-specific work information:
 1. For document development, identify the document prepared.
 2. For document review, identify the document reviewed (name, author, date issued).
 3. For meetings, identify:
 - The subject of the meeting.
 - Names of those attending the meeting.
 - Where the meeting occurred. If not at Ecology, then note that the time recorded includes your travel time.
 - If you have billable site- or project-specific travel costs, such as per diem, automobile, or hotel expenses, make sure to provide your travel receipts to the Fiscal Office Receivables Unit for inclusion on your cost recovery invoice.
 4. For other communications, identify:
 - The subject of the communication.
 - With whom you communicated.
 - The method of communication (for example, by phone).

However, when describing meetings or communications with the Attorney General's Office, keep the description sufficiently general to protect attorney-client privilege.

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