Earl R. Pomeroy
COMMISSIONER OF INSURANCE
STATE OF NORTH DAKOTA
600 E BOULEVARD AVENUE - 5TH FLOOR
BISMARCK, NORTH DAKOTA 58505-0320
701 - 224-2440

O.J. "Bob" Olson, CIC
ADMINISTRATOR

BONDING FUND
FIRE AND TORNADO FUND
PETROLEUM TANK RELEASE COMPENSATION FUND

BULLETIN 91-4

PETROLEUM TANK RELEASE COMPENSATION FUND
REASONABLE COSTS

Chapter 299, Section 20, of the 1991 Session laws, allows only "reasonable" cleanup costs to be reimbursed by the Petroleum Tank Release Compensation Fund (Fund).

Because this is a statewide government program, reasonable costs were developed on excavation and consultant charges used throughout the State, so all tank owners are treated equally.

A track record (claims history) of claims paid from July 1, 1989 through October 1, 1991 was used to determine statewide average costs to arrive at "reasonable reimbursable costs".

This means the Fund will pay UP TO the "reasonable costs", it does not mean the Fund will always pay this amount. We are hopeful the approved landfill sites, which are charging less than this amount, will stay at their current rate.

Reasonable Landfill Dumping Fees:

The maximum reimbursable cost for dumping fees at an approved site for petroleum contaminated soil will be $13.50 per cubic yard.

Thirteen cities throughout the State of North Dakota were used to arrive at the reasonable costs for reimbursement of these fees:

Minot - Dickinson - Grand Forks - Rolla - Watford City - Wahpeton - Tioga - Sawyer - Bismarck - Valley City - Mandan - Fargo - Casselton

Reasonable Backhoe Charges:

The maximum reimbursable costs for backhoe charges will be $8.50 per cubic yard.

Backhoe charges on twenty-eight paid claims throughout the State of North Dakota were used to arrive at the reasonable costs for reimbursement.

Reasonable Loader Charges:

The maximum reimbursable amount for loader charges will be $2.50 per cubic yard.

Loader charges on sixteen paid claims throughout the State of North Dakota were used to arrive at the reasonable cost for reimbursement.

These costs are reasonable and will allow all tank owners throughout the State of North Dakota to receive equal reimbursement from the Fund.

BO/jmb