



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

Thomas S. Burack, Commissioner



Rep. Leigh A. Webb, Chairman

Oil Fund Disbursement Board

OIL FUND DISBURSEMENT BOARD POLICY STATEMENTS

PARTICIPATION IN "WEB-BASED SUBMITTALS" AND AUDITS - Adopted January 28, 2013 for owner participation, and April 22, 2013 for revision to expedited payment criteria

The Oil Fund Disbursement Board hereby authorizes the following policy regarding web-based submittal participation and audits. Odb 400 provisions will be amended accordingly, subject to rulemaking criteria.

Definitions (ref. Odb 402.01)

(a) "Web-based submittal" means a reimbursement request submitted by an owner or applicant via the department One Stop Data Provider web site <https://www2.des.state.nh.us/OnestopDataProviders/DESLogin.aspx>, or successor systems, using an application developed and maintained by the department for that purpose.

(b) "Web-based submittal with expedited payment" means a web-based submittal from an applicant that is processed for payment within 30 days.

Audits and Qualifications (ref. Odb 406.05)

(a) An owner or applicant shall allow the department, board, or designee to conduct periodic financial audits of all records related to a reimbursement request, including project cost ledgers, contractor invoices, subcontractor and vendor invoices, expense receipts, timesheets or timesheet summaries, daily work orders, inventory records and other documents as necessary to substantiate reimbursed costs.

(b) Applicants that are professional engineers, professional geologists or corrective action contractors shall maintain a separate project cost ledger for each fund-eligible project.

(c) To qualify for web-based submittals, owners or designees, and applicants shall complete training provided by the department.

(d) A trained applicant shall qualify for expedited payment if 95% of web-based submittals were complete for a continuous 3-month period after department training, and current submittals do not include repetitive completeness errors. An applicant may elect to receive expedited payment upon department notification of qualification.

(e) A qualified applicant with repetitive web-based submittal completeness errors shall be suspended from expedited payment until the applicant modifies procedures to the satisfaction of the department. The department may provide re-training as necessary to aid the applicant in correcting errors.

(f) In consultation with the department, an applicant with expedited payment shall perform annual self-audits of representative web-based submittals. The applicant shall notify the department of audit findings, and submit data and information deemed necessary by the department to correct submittal deficiencies.

(g) If an applicant self-audit or periodic financial audit under paragraph (a) finds a reimbursement request overpayment, the applicant or owner shall be liable to the fund for the overpayment amount. Interest shall be assessed as provided in RSA 336:1, II, for repayments deemed 60 days past due by the Board.

(h) If successive periodic financial audits under paragraph (a) find overpayments, an applicant shall be disqualified from expedited payment until:

(1) The applicant modifies accounting and project management practices to prevent future overpayments; and

(2) Reports the modifications made to the Board in writing and requests re-qualification for expedited payment.

(i) The board shall approve a request for expedited payment re-qualification upon determining the applicant's practice modifications are adequate to prevent future overpayments. The Board shall, through the department, provide written notification to an applicant of re-qualification within 60 days of a request.

(j) Nothing contained in this chapter shall relieve an owner or applicant from liability under RSA 146-D:7 or RSA 146-G:3.

Web-Based Submittal Process

There are four status levels for web-based reimbursement requests.

1.) **In-progress**. Applicants or owners complete web-based reimbursement request data entry for corrective action work, determine costs are correct, within budget, and reimbursable, attach required backup documentation and submit the request to DES. Requests may be started and remain In-progress as needed to complete data entry, but must be submitted within 1 year of completing corrective action.

2.) **Submitted**. Submitted requests are reviewed for completeness and correct documentation. At this level, a request can be returned to In-progress status for addressing problems identified by DES.

3.) **Accepted**. Accepted requests are in the queue for processing/payment and are pending DES action. In normal practice, they will not be returned to In-progress. Expedited requests are the highest processing priority. Non-expedited requests are reviewed by a DES project manager and are a lower processing priority, but are still a higher priority than upload and paper requests.

4.) **Approved**. Approved requests have been processed by DES, and a Notice of Reimbursement issued that is viewable through OneStop. Expedited payment requests are approved in full, subject to audit. Non-expedited payment requests may be approved in full or short-paid if problems are identified. Depending on the problem, a short-paid request may be re-submitted for additional payment within 180 days.