OVERVIEW

AGENCY: ENVIRONMENTAL PROTECTION AGENCY (EPA)

TITLE: FY18 GUIDELINES FOR BROWNFIELDS REVOLVING LOAN FUND GRANTS

ACTION: Request for Proposals (RFP)

RFP NO: EPA-OLEM-OBLR-17-08

CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NO.: 66.818

DATES: The closing date and time for receipt of proposals is **November 16, 2017**, 11:59 p.m. Eastern Time (ET). Proposals must be submitted through www.grants.gov. Proposals received after 11:59 ET on November 16, 2017 will not be considered. Please refer to Section IV.B., *Due Date and Submission Instructions*, for further instructions.

SUMMARY: The Small Business Liability Relief and Brownfields Revitalization Act ("Brownfields Law", P.L. 107-118) requires the U.S. Environmental Protection Agency (EPA) to publish guidance for grants to assess and clean up brownfield sites. EPA's Brownfields Program provides funds to empower states, communities, tribes, and nonprofits to prevent, inventory, assess, clean up, and reuse brownfield sites.

Under these guidelines, EPA is seeking proposals for **Revolving Loan Fund Grants only**. If you are interested in requesting funding for Assessment Grants and/or Cleanup Grants, please refer to announcement EPA-OLEM-OBLR-17-07 (Assessment Grant Guidelines) or EPA-OLEM-OBLR-17-09 (Cleanup Grant Guidelines) posted separately on www.grants.gov and www.epa.gov/brownfields/apply-brownfields-grant-funding.

For the purposes of these guidelines, the term "grant" refers to the cooperative agreement that EPA will award to a successful applicant. Please refer to Section II.C. for a description of EPA's anticipated substantial involvement in the cooperative agreements awarded under these guidelines.

EPA urges applicants to review the Frequently Asked Questions, which can be found at www.epa.gov/sites/production/files/2017-07/documents/fy18-arc-faqs.pdf.

In addition, prior to naming a contractor or subawardee in your proposal, please carefully review Section IV.F. of these guidelines.

FUNDING/AWARDS: The total funding available under the national competitions for Assessment, Revolving Loan Fund, and Cleanup Grants is estimated at $50 million subject to the availability of funds and other applicable considerations. EPA may expend up to 25 percent of the amount appropriated for Brownfields Grants on sites contaminated with petroleum. EPA anticipates awarding an estimated 198 grants among all three grant types. Under this competitive

opportunity, EPA anticipates awarding an estimated 15 Revolving Loan Fund Grants for an estimated $9 million.

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SECTION I. - FUNDING OPPORTUNITY DESCRIPTION

The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or the Superfund Law) was amended by the Small Business Liability Relief and Brownfields Revitalization Act (Brownfields Law) to include section 104(k), which provides federal financial assistance for brownfields revitalization, including grants for assessment, cleanup, and revolving loan funds.

A **brownfield site is defined** as real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of hazardous substances, pollutants, contaminants, controlled substances, petroleum or petroleum products, or is mine-scarred land.

A critical part of EPA's assessment and cleanup efforts is to ensure that residents living in communities historically affected by economic disinvestment, health disparities, and environmental contamination have an opportunity to reap the benefits from brownfields redevelopment. EPA's Brownfields Program has a rich history rooted in environmental justice and is committed to helping communities revitalize brownfield properties, mitigate potential health risks, and restore economic vitality.

As described in Section V. of this announcement, proposals will be evaluated based on the extent to which the applicant demonstrates: economic and environmental needs of the target area; a vision for the reuse and redevelopment of brownfield sites and the capability to achieve that vision; reasonable and eligible tasks; appropriate use of grant funding; incorporation of equitable and sustainable approaches; community engagement, partnerships and leveraged resources to complete the project; economic, environmental, health, and social benefits associated with the reuse and redevelopment of brownfield sites; and other factors.

I.A. Description of Grant

Revolving Loan Fund (RLF) Grants provide funding to a grant recipient to capitalize an RLF program. RLF programs provide loans and subgrants to eligible entities to carry out cleanup activities at brownfield sites contaminated with hazardous substances and/or petroleum.

Revolving loan funds generally are used to provide no-interest or low-interest loans for eligible brownfields cleanups and other eligible programmatic costs necessary to manage the RLF. An RLF grant recipient must use 50% or more of the awarded funds for loans. RLF grantees may not subgrant to themselves. However, the RLF grant recipient may subgrant to other coalition members. Subgrants are limited to $200,000 per site. Entities receiving RLF subgrants must own the site that is the subject of the subgrant. An RLF grant recipient cannot make a loan or a subgrant to a party potentially liable for the contamination at the brownfield site under CERCLA §107, nor may the RLF grant recipient make a loan or subgrant to clean up a site that it is potentially liable for under CERCLA §107.

Some features of the RLF Grants are:

- RLF programs are designed to operate for many years (possibly decades) and as such, they require long-term resource commitments by the RLF Grant recipients and reporting to the EPA, even after the RLF Grant is closed.
- Recipients need to have a strong understanding of real estate financing principles and approaches, including loan underwriting, loan servicing and credit analysis.
- Recipients need to have the ability to market the RLF program on an on-going basis during the performance period of the grant, and after the close out of the RLF Grant.
- Recipients commit to properly manage the program income generated by their RLF program in perpetuity, unless they terminate the agreement and return the program income to EPA.
    - Majority of program income is generated from the repayments of loans issued by the RLF program.
    - Loan repayment terms can be short- or long-term, i.e., few years to decades; hence, the program income can be generated over several years.
    - Program income must be used in accordance with the terms and conditions of the cooperative agreement. EPA prefers that the program income be used for future loans.
    - Program income must be maintained in an interest-bearing account.
    - Recipients must manage program income after closeout of the grant, including required Annual Reporting after closeout for the first five years, and every five years thereafter until the agreement is terminated. The termination of the cooperative agreement occurs when there is no remaining program income or the recipient elects to close the RLF program and return the remaining amount to EPA. Once the cooperative agreement is terminated, recipients must retain the program records for an additional three years.

Sites where hazardous substances and petroleum contamination are distinguishable must meet eligibility requirements for both types of funding. If the hazardous substances and petroleum are not easily distinguishable, the site must meet eligibility requirements for the predominant contaminant. Sites eligible for hazardous substance funding are those properties with the presence of hazardous substances, pollutants, or contaminants; sites that are contaminated with controlled substances; or sites that are mine-scarred lands. The proposal must indicate the dollar amount of funding requested for each type of contamination.

Eligible RLF applicants may apply as individual entities or as RLF Coalitions comprised of two or more entities. RLF applicants may apply for up to $1,000,000. The performance period for RLF Grants is five years. Refer to Section VI. for a list of certain grant and programmatic requirements.

RLF Coalition Grants

RLF Grant proposals may be submitted by one "lead" eligible entity on behalf of a coalition of eligible entities to create a "pool" of grant funds. (See Section III.A. for a list of entities eligible to apply for an RLF Grant). A coalition is a group of two or more eligible entities that submits one grant proposal under the name of one of the coalition participants who will be the grant recipient, if selected. Coalition members may not have the same jurisdiction (for example,

different departments in the same county) unless they are separate legal entities (for example, a city and a redevelopment agency). The grant recipient must administer the grant, be accountable to EPA for proper expenditure of the funds, and be the point of contact for the other coalition members.

Coalition members may not be members of other RLF Coalitions, nor submit an RLF proposal as an individual applicant, in the same grant competition cycle. A coalition member wishing to apply as a separate applicant must withdraw from the coalition to be eligible for individual RLF funds. RLF Coalitions may submit only one proposal with requested grant funding of up to $1,000,000.

Please note that once the "lead" eligible entity submits the proposal, it becomes the applicant, and the coalition members may not substitute another eligible entity as the lead eligible entity after the deadline for submitting proposals has passed.

A Memorandum of Agreement (MOA) documenting the coalition's site selection process must be in place prior to the expenditure of any funds that have been awarded to the coalition. The coalition members should identify and establish relationships necessary to achieve the project's goal. A process for successful execution of the project's goal, to include a description and role of each coalition member, should be established along with the MOA. The purpose of the MOA is for coalition members to agree internally on the distribution of funds and the mechanisms for implementing the cleanup work.

Cost Share Requirement

The Brownfields Law requires applicants to provide a 20 percent cost share for RLF Grants. For example, a $1,000,000 RLF Grant will require a $200,000 cost share. The cost share, which may be in the form of a contribution of money, labor, material, or services, must be for eligible and allowable costs under the grant and cannot include administrative costs, as described in the Brownfields Frequently Asked Questions (FAQs) at www.epa.gov/sites/production/files/2017-07/documents/fy18-arc-faqs.pdf. Applicants may request a waiver of the 20 percent cost share requirement based on hardship. EPA will consider hardship waiver requests on a case-by-case basis and will approve such requests on a limited basis. Refer to threshold criterion in Section III.B.4. for additional information.

RLF Grant Option Summary

	Individual Entity	**Coalition**
Maximum amount of funding request	Up to $1,000,000 for hazardous substances, or petroleum, or combination of both types of funding	
20% cost share	Required; may request hardship waiver	
Project Period	5 years	

For more information on a range of brownfields funding topics, please refer to the Brownfields FAQs at www.epa.gov/sites/production/files/2017-07/documents/fy18-arc-faqs.pdf. If you do not

have access to the Internet, you can contact your Regional Brownfields Contact listed in Section VII.

I.B. Uses of Grant Funds

In addition to direct costs associated with the cleanup of a brownfield site:

1. Grant funds may be used for direct costs associated with programmatic management of the grant, such as required performance reporting, environmental monitoring of cleanup work, and funds management.

   All costs charged to RLF Grants must be consistent with the applicable 2 CFR 200 Subpart E.

2. A local government (as defined in 2 CFR 200.64, *Local Government*, and summarized in Section III.A. of these guidelines) may use up to 10 percent of its grant funds for any of the following activities:
   a. health monitoring of populations exposed to hazardous substances, pollutants, or contaminants from a brownfield site; and
   b. monitoring and enforcement of any institutional control used to prevent human exposure to any hazardous substance, pollutant, or contaminant from a brownfield site.

3. A portion of the brownfields grant or loan may be used to purchase environmental insurance.

   See the Brownfields FAQs at www.epa.gov/sites/production/files/2017-07/documents/fy18-arc-faqs.pdf for additional information on purchasing environmental insurance.

Grant funds cannot be used for the payment of:

1. proposal preparation costs;

2. a penalty or fine;

3. a federal cost-share requirement (for example, a cost share required by other federal funds);

4. administrative costs, such as indirect costs of grant administration, with the exception of financial and performance reporting costs;

5. a response cost at a brownfield site for which the recipient of the grant or loan is potentially liable under CERCLA §107;

6. a cost of compliance with any federal law, excluding the cost of compliance with laws applicable to the cleanup; or

7. unallowable costs (e.g., lobbying) under 2 CFR Part 200, Subpart E as applicable.

See the Brownfields FAQs at www.epa.gov/sites/production/files/2017-07/documents/fy18-arc-faqs.pdf for additional information on ineligible grant activities and ineligible costs.

I.C. EPA Strategic Plan Linkage

EPA's Strategic Plan is available at https://www.epa.gov/planandbudget/strategicplan.html. The activities to be funded under this announcement will be linked to EPA's strategic plan consistent with EPAs current priorities for cleaning up contaminated sites and returning land back to communities. Applicants must explain in their proposal how their project will further these current priorities.

I.D. Measuring Environmental Results: Anticipated Outputs/Outcomes

EPA requires that grant applicants adequately describe environmental outputs and outcomes to be achieved under assistance agreements (see EPA Order 5700.7, Environmental Results under Assistance Agreements, https://www.epa.gov/sites/production/files/2015-03/documents/epa_order_5700_7a1.pdf). Applicants must include specific statements describing the environmental results of the proposed project in terms of well-defined outputs and, to the maximum extent practicable, well-defined outcomes that will demonstrate how the project will contribute to the goals and objectives described above in Section I.C.

Applicants are required to describe how funding will help EPA achieve environmental outputs and outcomes in their responses to the ranking criteria (Sections IV.C.3.2., *Program Description and Feasibility of Success* and IV.C.3.4., *Program Benefits*). Outputs and outcomes specific to each project will be identified as deliverables in the negotiated workplan if the proposal is selected for award. Grantees will be expected to report progress toward the attainment of expected project outputs and outcomes during the project performance period.

1. Outputs: The term "outputs" refers to an environmental activity, effort and/or associated work products related to an environmental goal or objective that will be produced or provided over a period of time or by a specified date. Outputs may be quantitative or qualitative but must be measurable during the project period. The expected outputs for the grants awarded under these guidelines are cleaned-up brownfield sites. Other outputs may include the number of community meetings held and/or the number of tanks pulled.

2. Outcomes: The term "outcomes" refers to the result, effect, or consequence that will occur from carrying out the activities under the grant. Outcomes may be environmental, behavioral, health-related, or programmatic; must be qualitative or quantitative; and may not necessarily be achievable during the project period. Expected outcomes of Brownfields Grants include the number of jobs created and funding leveraged through the economic reuse of sites; the number of acres made ready for reuse or acres of greenspace created for communities; and whether the project will minimize exposure to hazardous substances and other contamination.

I.E. Linking to Sustainable and Equitable Development Outcomes, and Supporting Environmental Justice

Under the Program Benefits ranking criterion in Section IV.C.3.4., applicants should discuss how their proposed Brownfield RLF program will advance and incorporate sustainable and equitable practices. The proposal will be evaluated on the extent to which it will lead to sustainable and equitable development outcomes and will address environmental justice challenges as discussed below. EPA encourages applicants to provide specific examples of how the proposed Brownfields RLF program will work to remove economic, environmental and social barriers to make sustainable and equitable brownfields reuse of the highest priority.

Linking Brownfield RLF Approaches to Sustainable and Equitable Development Outcomes
Applicants should incorporate sustainable and equitable reuse approaches into their proposed Brownfield RLF program. Sustainable and equitable approaches can ensure brownfields are reused in ways that:

- contribute to greener and healthier homes, buildings, and neighborhoods;
- mitigate environmental conditions through effective deconstruction and remediation strategies which address solid and hazardous waste, and improve air and water quality;
- improve access by residents to greenspace, recreational property, transit, schools, other nonprofit uses (e.g., libraries, health clinics, youth centers, etc.), and healthy and affordable food;
- improve employment and affordable housing opportunities for local residents;
- reduce toxicity, illegal dumping, and blighted vacant parcels; and
- retain residents who have historically lived within the area affected by brownfields.

Sustainable development practices facilitate environmentally-sensitive brownfields cleanup and redevelopment while also helping to make communities more attractive, economically stronger, and more socially diverse. While ensuring consistency with community-identified priorities, sustainable development approaches encourage brownfield site reuse in ways that provide new jobs, commercial opportunities, open-space amenities, and/or social services to an existing neighborhood. Brownfield site preparation strategies that prevent contaminant exposure through green building design, materials recycling, enable urban agricultural reuse, promote walkability to/around the site and contribute to community walkability, and on-site stormwater management through green infrastructure, among other approaches, can contribute to sustainable development outcomes.

Equitable development occurs when intentional strategies are put in place to ensure that low-income and minority communities not only participate in but also benefit from, decisions that shape their neighborhoods and regions. There are many different approaches that promote equitable development, such as ensuring a mix of housing types across a range of incomes; access to fresh food; access to jobs; and access to local capital. Programs or policies can be put in place to help ensure creation or integration of affordable housing; local or first-source hiring; minority contracting; inclusionary zoning (where a percentage of new housing is designated as affordable housing); healthy food retailers in places where they do not exist (e.g. food deserts); co-operative ownership models where local residents come together to run a community-owned, jointly owned business enterprise; rent control or community land trusts (to help keep property

affordable for residents); supportive local entrepreneurial activities; and adherence to equal lending opportunities.

Linking Brownfield RLF Approaches to Environmental Justice
Environmental justice can be supported through sustainable and equitable development approaches. EPA defines environmental justice as the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. EPA has this goal for all communities and persons across the nation. Environmental justice will be achieved when everyone enjoys the same degree of protection from environmental and health hazards and equal access to the decision-making process to have a healthy environment in which to live, learn, and work.[1]

SECTION II. - AWARD INFORMATION

II.A. What is the Amount of Available Funding?

The total estimated funding available under the national competition for Assessment, RLF and Cleanup Grants is estimated at $50 million subject to the availability of funds, quality of proposals, and other applicable considerations. A separate announcement is posted for the Assessment and Cleanup Grant competitions. EPA may expend up to 25 percent of the amount appropriated for Brownfields Grants on sites contaminated with petroleum. EPA anticipates awarding an estimated 198 grants among all three grant types. Under this announcement, EPA anticipates awarding an estimated 15 RLF Grants for a total amount of approximately $9 million in funding.

In addition, EPA reserves the right to award additional grants under this competition should additional funding become available. Any additional selections for awards will be made no later than six months from the date of the original selection decision. EPA reserves the right to reject all proposals and make no awards under this announcement or make fewer awards than anticipated.

In appropriate circumstances, EPA reserves the right to partially fund proposals by funding discrete portions or phases of proposed projects. To maintain the integrity of the competition and selection process, EPA, if it decides to partially fund a proposal, will do so in a manner that does not prejudice any applicants or affect the basis upon which the proposal, or portion thereof, was evaluated and selected for award.

II.B. What is the Project Period for Awards Resulting from this Solicitation?

The project period for RLF Grants is up to five years.

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[1] For more information please visit www.epa.gov/environmentaljustice.

II.C. Substantial Involvement

The Brownfield RLF Grant will be awarded in the form of a cooperative agreement. Cooperative agreements permit the EPA Project Officer to be substantially involved in overseeing the work performed by the selected recipients. Although EPA will negotiate precise terms and conditions relating to substantial involvement as part of the award process, the anticipated substantial federal involvement for this project may include:

- close monitoring of the recipient's performance to verify the results;
- collaborating during the performance of the scope of work;
- in accordance with 2 CFR 200.317 and 2 CFR 200.318, as appropriate, review of proposed procurements;
- reviewing qualifications of key personnel (EPA will not select employees or contractors employed by the award recipient);
- reviewing and commenting on reports prepared under the cooperative agreement (the final decision on the content of reports rests with the recipient);
- reviewing sites to verify they meet applicable site eligibility criteria; and
- monitoring use of program income after the cooperative agreement project period ends.

SECTION III. - ELIGIBILITY INFORMATION and THRESHOLD CRITERIA

III.A. Who Can Apply?

The following information indicates which entities are eligible to apply for a Revolving Loan Fund (RLF) Grant. Nonprofit organizations are <u>not</u> eligible to apply for an RLF Grant unless the entity is included as a "General Purpose Unit of Local Government" as defined below.

- General Purpose Unit of Local Government. [For purposes of the EPA Brownfields Grant Program, a "local government" is defined as stated under 2 CFR 200.64.: Local government means a county, municipality, city, town, township, local public authority (including any public and Indian housing agency under the United States Housing Act of 1937), school district, special district, intrastate district, council of governments (whether or not incorporated as a nonprofit corporation under state law), any other regional or interstate government entity, or any agency or instrumentality of a local government.]
- Land Clearance Authority or another quasi-governmental entity that operates under the supervision and control of, or as an agent of, a general purpose unit of local government.
- Government Entity Created by State Legislature.
- Regional Council or group of General Purpose Units of Local Government.
- Redevelopment Agency that is chartered or otherwise sanctioned by a state.
- State.
- Indian tribe other than in Alaska. (The exclusion of Alaskan Tribes from Brownfields Grant eligibility is statutory at CERCLA §104(k)(1). Intertribal Consortia, comprised of eligible Indian tribes, are eligible for funding in accordance with EPA's policy for funding intertribal consortia published in the *Federal Register* on November 4, 2002, at 67 Fed. Reg. 67181.

This policy also may be obtained from your Regional Brownfields Contact listed in Section VII.)

- Alaska Native Regional Corporation, Alaska Native Village Corporation, and Metlakatla Indian Community. (Alaska Native Regional Corporations and Alaska Native Village Corporations are defined in the Alaska Native Claims Settlement Act (43 U.S.C. 1601 and following). For more information, please refer to Brownfields FAQs at www.epa.gov/sites/production/files/2017-07/documents/fy18-arc-faqs.pdf.)

III.B. Threshold Criteria for RLF Grants

This section contains the threshold eligibility criteria that ensure applicants are eligible to receive RLF Grants. Threshold criteria are pass/fail and include certain requests for information identified below. The information you submit will be used by EPA solely to make site eligibility determinations for Brownfields Grants and is not legally binding for other purposes including federal, state, or tribal enforcement actions. Only those proposals that pass all the threshold criteria will be evaluated against the evaluation criteria in Section V.A. of this announcement.

Applicants deemed ineligible for funding consideration as a result of the threshold eligibility review will be notified within 15 calendar days of the ineligibility determination.

If a proposal is submitted that includes any ineligible tasks or activities, that portion of the proposal will be ineligible for funding and may, depending on the extent to which it affects the proposal, render the entire proposal ineligible for funding.

Your responses to these items are required and must be included as an attachment to the Narrative Proposal you submit to EPA. See Section IV.C. for a complete list of required documents that must be submitted.

EPA staff will respond to questions regarding threshold eligibility criteria, administrative issues related to the submission of the proposal, and requests for clarification about this announcement. In order to maintain the integrity of the competition process, EPA staff cannot meet with individual applicants to discuss draft proposals, provide informal comments on draft proposals, or provide advice to applicants on how to respond to ranking criteria. EPA's limitations on staff involvement with grant applicants are described in EPA's Assistance Agreement Competition Policy (EPA Order 5700.5A1).

For purposes of the threshold eligibility review, EPA, if necessary, may seek clarification of applicant information and/or consider information from other sources, including EPA files.

Proposals must substantially comply with the proposal submission instructions and requirements set forth in Section IV. of this announcement or they will be rejected. Pages in excess of the page limits described in Section IV. for the Cover Letter and Narrative Proposal, and attachments not specifically required, will not be reviewed.

In addition, proposals must be submitted through www.grants.gov as stated in Section IV. of this announcement (except in the limited circumstances where another mode of submission is specifically allowed for as explained in Appendix 2) on or before the proposal submission

deadline. Applicants are responsible for following the submission instructions in Section IV. of this announcement to ensure that their proposal is submitted in a timely manner.

Proposals received after the submission deadline will be considered late and deemed ineligible without further consideration unless the applicant can clearly demonstrate that it was late due to EPA mishandling or because of technical problems associated with www.grants.gov or relevant www.sam.gov system issues. An applicant's failure to timely submit their proposal through www.grants.gov because they did not timely or properly register in www.sam.gov or www.grants.gov will not be considered an acceptable reason to consider a late submission.

EPA will verify that the Data Universal Number System (DUNS) number listed on the application is the correct DUNS number for the applicant's organization. If the correct DUNS number is not included on the application, the application may be deemed ineligible.

1. **Applicant Eligibility**
   Provide information that demonstrates how you are an eligible entity for an RLF Grant as specified in Section III.A., *Who Can Apply?* For entities other than cities, counties, tribes, or states, attach documentation of your eligibility (e.g., resolutions, statutes, etc.).

   RLF Coalitions must document how all coalition members are eligible entities. All coalition members must submit a letter to the grant applicant (lead coalition member) in which they agree to be part of the coalition. An active Memorandum of Agreement that includes a description and role of each coalition member may serve in place of the individual coalition members' letters. Attach the document(s) to your proposal.

2. **Description of Jurisdiction**
   EPA awards RLF Grants to clean up sites that are located within the jurisdiction of the applicant as defined in the application. This does not preclude applicants from targeting specific communities or areas within the jurisdiction in their marketing, outreach, and cleanup activities. Applicants must provide a description of the boundaries of their jurisdiction (e.g., the city limits of The City of ABC).

3. **Oversight Structure and Legal Authority to Manage a Revolving Loan Fund**
   Please note that you will be required to comply with all applicable federal and state laws and ensure that the cleanup protects human health and the environment.

   a. Describe how you will oversee cleanup at sites. Indicate whether you plan to require loan or subgrant recipients to enroll in a state or tribal response program. If you do not plan to require loan or subgrant recipients to enroll in a state or tribal response program, or an appropriate state or tribal response program is not available, you will be required to consult with EPA to ensure cleanups are protective of human health and the environment. Therefore, if you do not plan to require loan or subgrant recipients to enroll in a state or tribal response program, provide a description of the technical expertise you have to conduct, manage, and oversee the cleanup and/or whether you plan to acquire additional technical expertise. If you do plan to acquire additional technical expertise, discuss how you will comply with the competitive procurement provisions of the procurement

standards of 2 CFR 200.317 through 200.326 and ensure that this technical expertise is in place prior to beginning cleanup activities.

b. Provide a legal opinion from your counsel that demonstrates:
   (1) you have legal authority to access and secure sites in the event of an emergency or default of a loan agreement or non-performance under a subgrant; and
   (2) you have legal authority to perform the actions necessary to manage a revolving loan fund. At a minimum, legal authority must include the ability to hold funds, make loans, enter into loan agreements, and collect repayments.

   This opinion must cite the relevant state law(s) or local ordinance(s) that allow you access to sites and the authority to manage an RLF. Attach your counsel's legal opinion.

   Note: For RLF Coalitions, the lead applicant must have the broader jurisdiction, authority, and/or program capacity to ensure adequate program performance of coalition members, borrowers, and/or subgrantees, if warranted.

4. Statutory Cost Share (See also Section IV.E on Leveraging)

RLF Grant recipients are required by the Brownfields Law to provide a 20 percent cost share.[1] This cost share is calculated as 20 percent of the total federal RLF funds awarded. For example, if EPA awards you $700,000 of federal cleanup funds, you must provide a cost share of an additional $140,000. The cost share may be in the form of a contribution of money, labor, material, or services from a non-federal source. If the cost share is in the form of a contribution of labor, material, or other services, it must be incurred for an eligible and allowable expense under the grant and not for ineligible expenses, such as administrative costs (see Brownfields FAQs at www.epa.gov/sites/production/files/2017-07/documents/fy18-arc-faqs.pdf for a discussion of prohibited costs).

RLF Grant applicants may petition EPA to waive the cost share requirement if it would place an undue hardship on the applicant. EPA will consider hardship waiver requests on a case-by-case basis and will approve such requests on an extremely limited basis. In considering such requests, EPA will look for indicators such as low per-capita income, unemployment rate significantly above the national average, or unemployment or economic adjustment problems resulting from severe short-term or long-term changes in economic conditions.

In your proposal:

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[1] Applicants for an RLF Grant may use fees from borrowers, interest on loans, and other "program income excluding loan principal repayment" to meet the cost share requirement. However, if an RLF Grant applicant plans to use anticipated program income for cost share, the applicant also must demonstrate how alternative sources for obtaining money, labor, material, or services can be used to meet its cost share requirement if program income is less than anticipated during the performance period of the grant. Recipients of RLF Grants may not use repayments of loan principal to meet the cost share requirement.

i) Demonstrate how you will meet the required cost share, including the sources of the funding or services, as required for this RLF grant.

ii) If you are requesting a hardship waiver of the cost share, provide an explanation for the basis of your request as part of your proposal. This explanation must be submitted on a separate page, titled "Hardship Waiver Request." Your explanation should include the following information: the unemployment rate; per capita income; data demonstrating substantial out-migration or population loss, if relevant; data demonstrating underemployment, that is, employment of workers at less than full-time or at less skilled tasks than their training or abilities permit, if relevant; information regarding military base closures or realignments, defense contractor reductions-in-force, or U.S. Department of Energy defense-related funding reductions, if relevant; local natural or other major disasters or emergencies, if relevant; information regarding extraordinary depletion of natural resources, if relevant; closure or restructuring of industrial firms and negative effects of changing trade patterns, if relevant; whether you are located in a President-Declared Disaster area (declared within 18 months of the submission date for your proposal); whether you have exhausted effective taxing (for governmental entities only) and borrowing capacity. Also, your explanation should include whether the proposed project could still proceed if the cost share waiver was not approved.

Where available, applicants must supply data derived from the most recent American Community Survey ("ACS") published by the U.S. Census Bureau. In cases where such data are not available, applicants may provide data from other sources (including data available from the Census Bureau and the Bureaus of Economic Analysis, Labor Statistics, Indian Affairs, or other federal sources). In cases where no federal data are available, applicants may submit the most recent data available through their state, tribal, or local government. Cite all sources for data provided.

Successful applicants will be notified at the time of the grant announcement if their cost share waiver request was approved. Approval of a cost share waiver does not increase the amount of funding which will be provided by EPA in the grant award. Rather, approval of the cost share waiver will relieve the applicant of the responsibility for providing the cost share amount for the grant award.

SECTION IV. - PROPOSAL SUBMISSION INFORMATION

IV.A. How to Obtain a Proposal Package

A copy of these guidelines can be obtained from the EPA Brownfields Program website at www.epa.gov/brownfields/apply-brownfields-grant-funding or through www.grants.gov.

IV.B. Due Date and Submission Instructions

Your organization's Authorized Organization Representative (AOR) must submit your complete application package electronically to EPA through www.grants.gov. Proposals must be received

no later than 11:59 p.m. ET on **November 16, 2017**. Please allow enough time to successfully submit your application package and allow for unexpected errors that may require you to resubmit. Occasionally, technical and other issues arise when using www.grants.gov.

Proposals received after 11:59 p.m. ET **November 16, 2017**, will not be considered for funding.

In order to submit a proposal[1] through www.grants.gov, you must:

1. Have an active DUNS number,
2. Have an active System for Award Management (SAM) account in www.sam.gov,
3. Be registered in www.grants.gov, and
4. Be designated as your organization's AOR.

The registration process for all of the above items **may take a month or more to complete.**

The electronic submission of your application must be made by the official representative (AOR) of your institution who is registered with www.grants.gov and is authorized to sign applications for federal assistance. Refer to Appendix 2 for specific instructions on how to apply through www.grants.gov.

After signing and successfully submitting the application package, within 24 to 48 hours the AOR should receive notification emails from www.grants.gov with the following subject lines:

1. GRANT###### Grants.gov Submission Receipt
2. GRANT###### Grants.gov Submission Validation Receipt for Application

If the AOR did not receive either notification emails listed above, contact the www.grants.gov Help Desk at 1-800-518-4726. The Help Desk is open 24/7 (except federal holidays).

After the application package is retrieved out of the www.grants.gov system by EPA, the AOR should receive the following notification emails from www.grants.gov:

3. GRANT###### Grants.gov Grantor Agency Retrieval Receipt for Application
4. GRANT###### Grants.gov Agency Tracking Number Assignment for Application

In the event that you experience difficulties transmitting the proposal through www.grants.gov, please refer to the procedures in Appendix 2.

If you do not have the technical capability to apply electronically through www.grants.gov because of limited or no Internet access which prevents you from being able to upload the required application materials to www.grants.gov, please refer to the procedures in Appendix 2.

IV.C. Content and Form of Proposal Submission

Refer to Section I.A. for information on the types of RLF Grants and amount of funding that may be requested. Each proposal must stand on its own merits based on the responses to the relevant

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[1] Note that the terms "proposal" and "application" mean the same thing for the purposes of this competition. The files that you submit through www.grants.gov as your Brownfields proposal is what is known as an application package in www.grants.gov.

criteria for the type of grant submitted and must not reference responses to criteria in another proposal.

☑ Standard Form 424, Application for Federal Assistance (no page limit - see Section IV.C.1.)	
☑ Cover Letter (2-page limit, single-spaced) (see Section IV.C.2.)	
☑ Cover Letter Attachments: ○ Other Factors Checklist (located in Appendix 3), if applicable (see Section IV.C.2.g.) ○ Letter from the state or tribal environmental authority (see Section IV.C.2.h.)	
☑ The Narrative Proposal, which includes the responses to ranking criteria (15-page limit, single spaced) (see Section IV.C.3.)	
☑ Narrative Proposal Attachments: ○ Documentation indicating committed leveraged resources, if applicable (see Section IV.C.3.2.c.) ○ Letters of Commitment from all community organizations identified in the *Partnerships with Community Organizations* ranking criterion (see Section IV.C.3.3.c.ii.)	
☑ Threshold Criteria Responses Attachments: (see Section III.B.) ○ Documentation of applicant eligibility if other than city, county, state, or tribe (see Section III.B.1.) ○ Letters of commitment from each RLF Coalition member or an active Memorandum of Agreement), if applicable (see Section III.B.1.) ○ Description of Jurisdiction (see Section III.B.2.) ○ Oversight Structure and Legal Authority to Manage an RLF (see Section III.B.3) ▪ Description of cleanup oversight (see Section III.B.3.a.) ▪ Legal opinion establishing that the applicant has authority to (1) access and secure sites in the event of an emergency or default of a loan agreement or non-performance under a subgrant; and (2**)** to make loans and accept payments of fees, interest, and principal (see Section III.B.3.b.) ○ Statutory Cost Share (see Section III.B.4.) ○ Justification for RLF cost share waiver, if applicable (see Section III.B.4.)	

All proposal materials must be in English. The Cover Letter and Narrative Proposal must be typed, single-spaced, on letter-sized (8.5 x 11-inch) paper, and **use standard Times New Roman, Arial, or Calibri fonts with a 12-point font size and 1-inch margins**. While these guidelines establish the font and minimum type size requirements, applicants are advised that readability is very important.

The checklist above reflects the documents required for proposals. All proposals must contain a completed and signed SF-424*;* a Cover Letter (2-page limit, single-spaced); a Narrative Proposal, limited to 15 single spaced typed pages; and required attachments, as listed below. Extraneous materials, including photos, graphics and attachments not listed, will not be considered.

1. **Standard Form (SF) - 424, Application for Federal Assistance**
   www.grants.gov will automatically prompt applicants to submit the SF-424 form.

2. **Cover Letter**
   The cover letter shall identify the applicant and a contact for communication with EPA and address the information below. The cover letter shall not exceed two, single spaced pages. Any pages submitted over the page limit will not be considered. The cover letter must be on the applicant's official letterhead and signed by an official with the authority to commit your organization to the proposed project. Applicants are to submit separate cover letters for each proposal they submit. EPA does not consider information in cover letters to be responses to the ranking criteria. Each cover letter should be addressed to the Regional Brownfields Contact listed in Section VII. and include the items listed below.

   a. Applicant Identification Provide the name and full address of the entity applying for funds. This is the agency or organization that will receive the grant and be accountable to EPA for the proper expenditure of funds.

   b. Funding Requested
      i) Grant Type Indicate "RLF".

      ii) Federal Funds Requested $_____ and whether you are requesting a cost-share waiver (refer to funding limitations for RLF Grants).

      iii) Contamination Indicate "Hazardous Substances," "Petroleum" or both.
      Note: If both, provide a breakdown of the amount of funding you are requesting by contaminant type (e.g., for an overall grant request of $700,000, the breakdown might be $600,000 hazardous substances and $100,000 petroleum).

   c. Location City, county, and state or reservation, tribally owned lands, tribal fee lands, etc., of the brownfields community(ies) that you propose to serve. For RLF Coalition Grants, list all jurisdictions covered under the proposal.

   d. Contacts
      i) Project Director Provide name, phone number, email address, and mailing address of the Project Director assigned to this proposed project. This person should be the main point of contact for the project, and should be the person responsible for the project's day-to-day operations. The Project Director may be contacted if other information is needed.

      ii) Chief Executive/Highest Ranking Elected Official Provide the name, phone number, email address, and mailing address of the applicant's Chief Executive or highest ranking elected official. For example, if your organization is a municipal form of government, provide this information for the Mayor or County Commissioner. Otherwise, provide this information for your organization's Executive Director or President. These individuals may be contacted if other information is needed.

e. Population

i) Provide the general population of your jurisdiction and the jurisdictions of any coalition partners, if applicable.

ii) If you are not a municipal form of government, provide the population of the municipality of the identified target area(s). Tribes must provide the number of tribal/non-tribal members affected. Your jurisdiction's population can be found at www.census.gov/.

iii) Affirm whether or not your jurisdiction is located within, or includes, a county experiencing "persistent poverty" where 20% or more of its population has lived in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and the most recent Small Area Income and Poverty Estimates.

f. Other Factors Checklist Attach the "Other Factors" Checklist in Appendix 3 to the Cover Letter identifying which, if any, of the items are applicable to your proposal. The "Other Factors" Checklist does not count towards the two-page limit for this section.

g. Letter from the State or Tribal Environmental Authority
For an applicant other than a state or tribal environmental authority, attach a current letter from the appropriate state or tribal environmental authority acknowledging that the applicant plans to conduct RLF activities and is planning to apply for FY18 federal brownfields grant funds. Letters regarding proposals from prior years are not acceptable.

If you are applying for multiple types of grants, you need to receive only one letter acknowledging the relevant grant activities. However, you must provide a copy of this letter as an attachment to each proposal. Please note that general correspondence and documents evidencing state involvement with the project (i.e., state enforcement orders or state notice letters) are not acceptable. Coordinate early with your state or tribal environmental authority in order to allow adequate time for you to obtain the acknowledgment letter and attach it to your proposal.

The letter from the state or tribal authority does not count towards the two-page limit for this section.

3. The Narrative Proposal/Ranking Criteria

The narrative proposal (including citations) shall not exceed 15 single-spaced pages. Any pages submitted over the page limit will not be evaluated.

The narrative proposal must include clear, concise, and factual responses to all ranking criteria and sub-criteria in Section V. Proposals must provide sufficient detail to allow for an evaluation of the merits of the proposal. If a criterion does not apply, clearly state this. **Any criterion left unanswered may result in zero points given for that criterion.** Responses to the criteria should include the criteria number and title but need not restate the entire text of the criteria.

1. COMMUNITY NEED

This section of your proposal provides the context for your project. The needs defined in this section should provide the foundation for your later discussion of the brownfields program, planned community engagement and partnerships, and the ways the project will ultimately benefit your community.

a. Target Area and Brownfields

i. Community and Target Area Descriptions
Include a brief description of your city, town, or geographic area to provide the proposal reviewers background on its cultural and industrial history that establishes the context for your brownfield challenges.

Within this larger geographic area, identify and describe the specific target area(s) where you plan to perform RLF activities, such as a neighborhood, district, corridor, census tract, or other locality. Depending on the scope and design of your program, one or more target areas may be presented.

ii. Demographic Information and Indicators of Need
Provide and compare census-based demographic data as requested in the table below. Use additional rows or text, as needed, to include other data or information, which provide a compelling explanation for why you selected the target area. Responses should clearly identify sources of information used.

Sample Format for Demographic Information (supplement as appropriate for each target area)

	Target Area (e.g., Census Tract)	City/Town or County	Statewide	National
Population:				316,127,513[1]
Unemployment:				8.3%[1]
Poverty Rate:				15.5 %[1]
Percent Minority:				37.8%[2]
Median Household Income:				$53,889[1]
Other: *Include other relevant data as needed in additional rows*				

[1]Data are from the 2011-2015 American Community Survey 5-Year Estimates available on American FactFinder at https://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml

[2]Data are from the 2011-2015 American Community Survey 5-Year Estimates available on American FactFinder at https://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml. Note, the percent minority is derived from the HISPANIC OR LATINO AND RACE population table (i.e., the sum of the Hispanic or Latino (of any race), Black of African American alone, American Indian and Alaska Native alone, Asian alone, Native Hawaiian and Other Pacific Islander alone, Some other race alone and two or more races percentages).

For resources to gather demographic information, please go the FAQs at www.epa.gov/sites/production/files/2017-07/documents/fy18-arc-faqs.pdf

iii. Description of the Brownfields

Describe the actual brownfield sites in your target area(s) and highlight at least one site that is a priority. Include information in your description of your brownfield sites:

- proximity to residents in the target area;
- nature and extent of your brownfields (such as past land uses and site activities, potentially related environmental issues or contaminants, and current conditions); and
- real or perceived negative environmental impacts associated with the brownfield sites.

b. Welfare, Environmental, and Public Health Impacts

Please provide information on the welfare impacts in your target area(s).

i. Welfare Impacts

Discuss the welfare issues experienced by the target area. (For example: blight, safety concerns, lack of access to community services, lack of transportation services, etc.)

Please provide information on the environmental and public health impacts in your community(ies).

ii. Cumulative Environmental Issues

Excluding the brownfield sites discussed earlier, provide a summary (using available information) of other various cumulative environmental issues (e.g. siting of power plants, incinerators, industry, landfills, congested highways, or other sources of air, water and land pollution) or other environmental justice concerns which may be present (such as existing sources of pollution which overburden the residents within the target area).

iii. Cumulative Public Health Impacts

- Discuss the public health impacts from cumulative sources, including brownfield sites discussed earlier.
- Provide information describing the threats to sensitive populations who are potentially subject to environmental exposures, including exposures from brownfields. (Please refer to FAQs for information on sensitive populations at www.epa.gov/sites/production/files/2017-07/documents/fy18-arc-faqs.pdf.)

c. Financial Need

i. Economic Conditions

Describe why you, as the applicant, need this funding and are unable to draw on other sources of funding. Explain how a small population, low income, or other factors of the target area prevent you from funding this work.

Describe how local economic conditions may have been made worse due to industrial decline, plant closures, natural disasters, or other significant economic disruptions.

ii. Economic Effects of Brownfields
Describe the key economic effects of the brownfields discussed earlier on the target area (e.g. reduced tax base, lost business opportunities, depressed property values, burden on municipal services, etc.). To the extent that this discussion may include quantitative estimates and statistics, clearly cite the sources of such data.

2. PROJECT DESCRIPTION AND FEASIBILITY OF SUCCESS

This section of your proposal describes your program and how it will be implemented. This section should demonstrate the feasibility of the program you will fund with this grant, and the extent to which the grant will stimulate the availability of other funds for environmental remediation, the subsequent reuse of the brownfield sites, and revitalization of the target area(s).

Refer to Section VI.D., *Brownfields Programmatic Requirements*, for EPA's expectations of projects funded with Brownfields RLF Grants.

a. Program Description and Marketing Strategy

i. Program Description
Describe your RLF program's proposed loan and subgrant products and how your RLF program will:
- structure and maintain a competent team to ensure an effective program (for coalition proposals, implement an effective governance structure amongst coalition partners);
- select borrowers/subgrantees and projects;
- ensure projects align efforts with target area's community's land use and revitalization plans and make use of existing infrastructure;
- structure and administer loans and subgrants, and facilitate financial underwriting;
- incorporate reasonable and prudent lending practices;
- maximize resources for lending and provide gap financing to address high-risk sites in vulnerable communities;
- incorporate innovative approaches to encourage the funds to revolve and be sustained after the cooperative agreement is closed; and
- be properly maintained and report to EPA so long as program income exists, even after the 5-year project period (Note: this requires a long-term commitment of resources).

ii. Marketing Strategy
Describe your program's marketing strategy including:
- the types of applicants and projects you are targeting;
- what you have already done to gauge interest or market your program;
- specific projects and applicants that you have already identified as likely RLF loan or subgrant candidates; and
- how you will continue to market your program to ensure you reach potential borrowers/subgrantees.

b. Task Descriptions and Budget Table

i. Task Descriptions

List the tasks required to implement the proposed program, distinguishing between the work you and your contractors will be performing under each grant-funded task.

Describe and enumerate specific outputs from the project, which may include, but are not limited to, loan/subgrants awarded, cleanup plans, community involvement plans, final Analysis of Brownfields Cleanup Alternative documents, administrative records, and cleanup completion report or letter. (Refer to Section I.D.1. for an explanation of outputs.)

Provide a cost estimate for each grant-funded task. Describe the basis for how each line item cost estimate was developed under each budget category shown in the table below. Applicants requesting hazardous substances and petroleum funding in the same proposal must distinguish hazardous substances related tasks from petroleum related tasks. Where appropriate, present unit costs and quantify work products (e.g., provide loans to two eligible entities at a cost of $400,000 each for a total of $800,000). Explain all costs, especially those costs that appear to be atypical (i.e., unusually high or low).

Discuss the specific activities and tasks that will be covered by the cost share. Cost share activities must be eligible activities under the grant. (Note: The cost share is calculated as 20 percent of the total federal cleanup funds requested.)

Do not include tasks for activities that are ineligible uses of funds under EPA's RLF Grant (e.g., land acquisition; building demolition that is not necessary to clean up contamination at the site; or administrative costs, such as indirect costs). Please refer to the Brownfields FAQs at www.epa.gov/sites/production/files/2017-07/documents/fy18-arc-faqs.pdf for additional examples of ineligible uses of funds. For questions not covered by the FAQs, contact your Regional Brownfields Contact listed in Section VII.

ii. Budget Table

The table format below can be used to present how you plan to allocate EPA grant funds to the specific tasks described above. Specify the costs by budget category. INCLUDE ONLY EPA GRANT FUNDS AND REQUIRED COST SHARE IN THIS TABLE. Activities not supported by the grant (e.g. in-kind contributions) **should not** be included in the budget table.

Applicants requesting hazardous substances and petroleum funding in the same proposal must provide either two separate budget tables, or two separate line items within one budget table, which distinguish hazardous substances funds from petroleum funds.

Note: EPA encourages the use of the table format below and replacing the task

number outlined in the table with the actual title of the task.

Sample Format for Budget

Funding Type	Budget Categories	Program Tasks ($) (programmatic costs only)				
		[Task 1]	[Task 2]	[Task 3]	[Task 4]	**Total**
Hazardous Substance Funds (HS)	Personnel					
	Fringe Benefits					
	Travel[1]					
	Equipment[2]					
	Supplies					
	Contractual					
	Loans (must be at least 50% of the amount requested)					
	Subgrants					
	Other (specify) _____					
	Subtotal					
Petroleum Funds (P)	Personnel					
	Fringe Benefits					
	Travel[1]					
	Equipment[2]					
	Supplies					
	Contractual					
	Loans (must be at least 50% of the amount requested)					
	Subgrants					
	Other (specify) _____					
	Subtotal:					
Federal Funding Subtotal (HS + P)						
Cost Share[3]						
Total Budget						

[1] Travel to brownfield-related training conferences is an acceptable use of these grant funds.

[2] EPA defines equipment as items that cost $5,000 or more with a useful life of more than one year. Items costing less than $5,000 are considered supplies. Generally, equipment is not required for RLF Grants.

[3] Applicants must include the cost share in the budget even if applying for a cost share waiver. If the applicant is successful and the cost share waiver is approved, it will be removed in pre-award negotiation.

Reminder: Administrative costs, such as indirect costs, of grant administration with the exception of financial and performance reporting costs are ineligible grant activities.

c. Ability to Leverage

List other sources of funding or resources that you have, or may be seeking, to leverage to ensure:

1. the success of your RLF Program (if any additional work or services are necessary to carry out the program, such as in-kind staff hours, during the 5-year period of performance); and
2. the revitalization of brownfield sites cleaned up with this funding (e.g., additional cleanup, demolition, and redevelopment activities).

Attach documentation that substantiate secured commitments of leveraged funding.

Sample Format for Leveraging Resources (supplement as appropriate using additional rows or text).

Source	**Purpose/Role**	**Amount ($)**	**Status** (Secured resource with attached documentation, pending, or potential resource)
E.g. City of X, Community Development Dept.	*In-kind services towards the management of the cooperative agreement*	*$10,000*	*Secured resource*
E.g., Local developer	*Funding to remediate sites A & B*	*$100,000*	*Pending resource*

If you are not yet able to identify sources of leveraged funding needed for this program, then provide a recent example where you, or your project partners, have successfully leveraged resources to achieve an environmental or revitalization goal of your community (preferably related to a brownfield site or related project). See the Brownfields FAQs at www.epa.gov/sites/production/files/2017-07/documents/fy18-arc-faqs.pdf for more information on how to demonstrate leveraging commitments.

***Note**:* Selected applicants are expected to abide by their proposed leveraging commitments during the EPA grant performance period; failure to do so may affect the legitimacy of the award. See also discussion of leveraging and voluntary cost share in Section IV.E.

Leveraging commitments are not the cost share match; do not include these leveraged resources in the budget table.

3. COMMUNITY ENGAGEMENT AND PARTNERSHIPS

This section of your proposal explains how your proposed community engagement plan will meet the needs of the community in the target area identified in the Community Need (Section IV.C.3.1.) portion of your proposal. It identifies the stakeholders and coordination needed with partners to achieve the benefits discussed in the Program Benefits section (Section IV.C.3.4.).

a. Engaging the Community

- Discuss your plan for involving the community in the target area and other stakeholders (such as neighborhood organizations, citizen groups, borrowers, and

developers) in the planning and implementation of your program (which may include project planning, cleanup decisions and reuse planning).

- Discuss how you will seek out and consider concerns that local residents may have with regard to health, safety, and community disruption potentially posed by the proposed cleanup activities.

- Describe how you will ensure the proposed cleanup activities are conducted in a manner that is protective of the sensitive populations and nearby residents identified earlier.

- Describe your plan for communicating the progress of your project to community members. Also, describe how the identified communication plans are appropriate and effective for the community(ies) in the target area(s).

  Note: Applicants may address this criterion by various means that show meaningful public engagement where information is shared and views and input are actively solicited, including public meetings, webinars, use of media, and Internet forums.

b. Partnerships with Government Agencies

i. Local/State/Tribal Environmental Authority
Identify and provide information on the agency that oversees the relevant brownfields, voluntary cleanup or similar program at the local/state/tribal level (i.e., the environmental agency and/or health agency), and describe the role(s) they will have to ensure your cleanup meets applicable standards or otherwise is protective of human health and the environment.

ii. Other Governmental Partnerships
Identify and provide information on other relevant federal, state, and/or local governmental agencies with which you will partner during your RLF program (e.g., DOT, HUD, a health agency), and describe the role(s) and relevancy they will have to ensure your brownfield project is successful.

c. Partnerships with Community Organizations

i. Community Organization Descriptions & Roles
Include a description of each community organization involved in your program, as well as their role in and commitments to the planning and implementation of the program.

If there are no community organizations in your community, then state this and discuss how the community is engaged and will continue to be involved in your project.

Note: Community organizations do **not** include local government departments, the local planning department/district/office, local contractors, the mayor's office, or other elected officials. See FAQs at www.epa.gov/sites/production/files/2017-07/documents/fy18-arc-faqs.pdf for more information about community organizations.

The number of partners is not as important as the contributions and the relevance of their organization.

EPA may conduct reference checks to ensure that organizations identified are supportive and involved with the brownfield project.

ii. Letters of Commitment

Attach to the proposal current letters from all of the community organizations you have discussed. These letters must discuss their support for the program, and describe and affirm their roles and commitments to the planning and implementation of the program.

If there are no community organizations in your community, then provide documentation to demonstrate that the community is engaged and will continue to be involved in your project. This can be done by attaching support or commitment letters from residents, letters from residents to the editors of local newspapers, attendance lists at public meetings concerning the project, comments from local citizens received on the plans and implementation of the program, etc.

Note: Letters of commitment and supporting documentation must be addressed to the applicant and be included with the applicant's proposal package. Letters sent directly to EPA will not be considered.

Subawards to Community Organizations: If you intend to fund a community organization with a subaward[1], please review Section IV.F. carefully.

d. Partnerships with Workforce Development Programs

Describe planned efforts to promote local hiring and procurement or link members of the community to potential employment opportunities in brownfields assessment, cleanup, or redevelopment related to your proposed projects. Such efforts may include, but are not limited to, partnering with local workforce development entities or Brownfields job training grantees. A list of Brownfields job training grantees is available in the Brownfields Grant Fact Sheet Tool at cfpub.epa.gov/bf_factsheets/.

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[1] Funding may be used to provide subawards of financial assistance, which includes using subawards to fund partnerships, provided the recipient complies with applicable requirements for subawards including those contained in 2 CFR Part 200 and EPA's Subaward Policy (https://www.epa.gov/grants/epa-solicitation-clauses#contractssubawards).

4. PROGRAM BENEFITS

This section of your proposal describes the anticipated outcomes and benefits expected from your program in the context of the needs you discussed in the Community Need section (Section IV.C.3.1.).

a. Welfare, Environmental, and Public Health Benefits

Describe the future welfare, environmental, and public health benefits anticipated from this program and how these benefits will address the challenges and sensitive populations discussed in the Community Need section of your narrative (Section IV.C.3.1.).

Additionally, describe how this RLF Grant will increase sustainable and equitable development opportunities that help remove economic, environmental, and social barriers, and advance environmental justice within the jurisdiction.

b. Economic and Community Benefits

Relative to challenges identified in the Community Need section and your program proposed in the Program Description section, discuss potential outcomes and the economic benefits, non-economic benefits, and other community benefits (be specific and provide quantitative estimates when possible), which may be achieved through the redevelopment of sites cleaned up under this Program, and how these benefits align with community revitalization plans.

Economic benefits may include increased employment and expanded tax base. Non-economic and community benefits may include areas redeveloped for uses such as parks, recreation areas, greenways, environmental buffers and other not-for-profit, governmental or charitable organization spaces.

5. PROGRAMMATIC CAPABILITY AND PAST PERFORMANCE

This section of your proposal demonstrates that your organization ("the applicant"/lead coalition member) has programmatic capability (experience, knowledge and resources, or ability to obtain them) and a reasonable approach necessary to ensure successful completion of all required aspects of this program and grant.

a. Audit Findings

Describe any adverse audit findings. If you have had problems with the administration of any grants (e.g., compliance reporting, expenditure of funds), please describe how you have corrected, or are correcting, the problems. If you have not, please affirm that you have not had any adverse audit findings. Respond to this criterion regardless of whether or not you have had a federal or non-federal assistance agreement. (*Failure to address this section may result in zero points for this factor*.)

b. Programmatic Capability

Describe the organizational structure you will utilize to ensure sound financial management and program management including cleanup activities that are conducted appropriately, timely and successful expenditure of funds, and completion of all technical, administrative and financial requirements of the program and grant. Specifically describe how key program roles – such as that of the financial and/or program manager, Qualified Environmental Professional (QEP), and other team members will work together to successfully implement your program, as described Program Description (Section IV.C.3.2.a.i.). Include a brief discussion of the key staff including their roles, expertise, qualifications, and experience.

Describe the system(s) you have in place to appropriately acquire any additional expertise and resources (e.g. contractors or subawardees) required per grant requirements to successfully implement the program and its loan and subgrant candidate projects. Please refer to Section IV.F. regarding contractors and subawards.

c. Measuring Environmental Results: Anticipated Outputs/Outcomes

Discuss how you plan to track, measure and evaluate your progress in achieving project/program outcomes, outputs and project/program results. (Refer to Section I.D.1. for an explanation of outputs.)

d. Past Performance and Accomplishments

If you have ever received an EPA Brownfields Grant (including Assessment, Cleanup, Revolving Loan Fund, and 128(a) grants, but excluding Targeted Brownfields Assessments, Area-Wide Planning grants, Environmental Workforce Development & Job Training grants, and subawards from another Brownfields grantee), please respond to **item i.** below.

If you have never received an EPA Brownfields Grant, but have received other federal or non-federal assistance agreements (such as a grant or cooperative agreement), please respond to **item ii.** below.

If you have never received any type of federal or non-federal assistance agreements, please indicate this in response to **item iii.** below.

i. <u>Currently or Has Ever Received an EPA Brownfields Grant</u>
Identify and provide information regarding each of your current and most recent EPA brownfields grant(s) (but no more than five). Demonstrate how you successfully managed the grant(s), and successfully performed all phases of work under each grant by providing information on the items listed below.

1. <u>Accomplishments</u>
   Describe the accomplishments (including specific outputs and outcomes) of your grant funded program, including at minimum, the number of sites

assessed and/or cleaned up. Discuss whether these outputs and outcomes were accurately reflected in the Assessment, Cleanup and Redevelopment Exchange System (ACRES) at the time of this proposal submission, and if not, please explain why.

2. Compliance with Grant Requirements
   Discuss your compliance with the workplan, schedule and terms and conditions. Include whether you have made, or are making, progress towards achieving the expected results of the grant in a timely manner. If not, discuss what corrective measures you took, or are taking, and how the corrective measures were effective, documented and communicated.

   Discuss your history of timely and acceptable quarterly performance and grant deliverables, as well as ongoing ACRES reporting.

   For all open EPA Brownfields grant(s) indicate the grant period (start and end date), if there are funds remaining, and the plan to expend funds by the end of the grant period.

   For all closed EPA Brownfields grant(s), indicate if there were funds remaining at the time of closure, the amount of remaining funds, and a brief explanation of why the funds were not expended.

– OR –

ii. Has Not Received an EPA Brownfields Grant but has Received Other Federal or Non-Federal Assistance Agreements

Identify and describe each of your current and/or most recent federally and non-federally funded grants (no more than five) that are most *similar in size, scope, and relevance to the proposed project*. Demonstrate how you successfully managed the grant(s), and successfully performed all phases of work under each grant by providing the following information.

1. Purpose and Accomplishments
   Describe the awarding agency/organization, amount of funding, and purpose of the grant(s) you have received.

   Discuss the accomplishments (including specific outputs and outcomes) of the project supported by these grants, including specific measures of success for the project supported by each type of grant received.

2. Compliance with Grant Requirements
   Describe your compliance with the workplan, schedule and terms and conditions. Include whether you made, or are making, progress towards achieving the expected results of the grant in a timely manner. If not, discuss

what corrective measures you took, or are taking, and how the corrective measures were effective, documented and communicated.

Discuss your history of timely and acceptable reporting, as required by the awarding agency/organization.

– OR –

iii. <u>Has Never Received Any Type of Federal or Non-Federal Assistance Agreements</u>
Affirm that your organization has never received any type of federal or non-federal assistance agreement (grant). (*Failure to indicate anything in response may result in zero points for this factor.*)

4. Threshold Criteria Responses
Review Section III.B., Threshold Criteria for RLF Grants and attach responses to your proposal.

IV.D. Voluntary Cost Share/Leveraging

Leveraging is generally when an applicant proposes to provide its own additional funds/resources or those from third-party sources to support or complement the project they are awarded under the competition which are above and beyond the EPA grant funds awarded. Any leveraged funds/resources, and their source, must be identified in the proposal. Leveraged funds and resources may take various forms as noted below.

Voluntary cost share is a form of leveraging. Voluntary cost sharing is when an applicant voluntarily proposes to legally commit to provide costs or contributions to support the project when a cost share is not required or when it is beyond the required cost share requirements. Applicants who propose to use a voluntary cost share must include the costs or contributions for the voluntary cost share in the project budget on the Standard Form 424. If an applicant proposes a voluntary cost share, the following apply:

- A voluntary cost share is subject to the match provisions in the grant regulations (2 CFR 200.306).
- A voluntary cost share may only be met with eligible and allowable costs.
- The recipient may not use other sources of federal funds to meet a voluntary cost share unless the statute authorizing the other federal funding provides that the federal funds may be used to meet a cost share requirement on a federal grant.
- The recipient is legally obligated to meet any proposed voluntary cost share that is included in the approved project budget. If the proposed voluntary cost share does not materialize during grant performance, then EPA may reconsider the legitimacy of the award and/or take other appropriate action as authorized by 2 CFR 200 and/or 1500, as applicable.

Other leveraged funding/resources that are not identified as a voluntary cost share. This form of leveraging may be met by funding from another federal grant, from an applicant's own resources, or resources from other third party sources. This form of leveraging should not be

included in the budget and the costs need not be eligible and allowable project costs under the EPA assistance agreement. While this form of leveraging should not be included in the budget, the grant workplan should include a statement indicating that the applicant is expected to produce the proposed leveraging consistent with the terms of the announcement and the applicant's proposal. If applicants propose to provide this form of leveraging, EPA expects them to make the effort to secure the leveraged resources described in their proposals. If the proposed leveraging does not materialize during grant performance, then EPA may reconsider the legitimacy of the award and/or take other appropriate action as authorized by 2 CFR Parts 200 or 1500.

IV.E. Additional Provisions for Applicants Incorporated Into the Solicitation

Additional provisions that apply to this solicitation and/or awards made under this solicitation, including but not limited to those related to confidential business information, contracts and subawards under grants, and proposal assistance and communications, can be found in the EPA Solicitation Clauses at www.epa.gov/grants/epa-solicitation-clauses. These, and the other provisions that can be found at the website link, are important, and applicants must review them when preparing proposals for this solicitation. If you are unable to access these provisions electronically at the website above, please communicate with the EPA contact listed in this solicitation to obtain the provisions.

SECTION V. - PROPOSAL REVIEW INFORMATION

V.A. Evaluation Criteria

If your proposal passes the threshold eligibility review (see Section III.B.), your responses and the information you provide in response to Section IV.3. (Narrative Proposal/Ranking Criteria) will be evaluated per the criteria below and scored by a national evaluation panel. Your proposal may be assigned up to 100 points.

Criteria (Maximum Points per Criterion)

1. COMMUNITY NEED (17 Points)

Your proposal will be evaluated on the quality and extent to which it:

- demonstrates a compelling picture of need in the community, and specifically, the identified target area(s); and
- makes a clear connection between the public health, welfare, environmental, and/or economic challenges faced by the community and/or target area and the presence of brownfield sites and other cumulative environmental issues.

RLF Coalition proposals should demonstrate how the grant will serve coalition partners.

Specifically, your proposal will be evaluated on:

1.a. Target Area and Brownfields (6 points)

1.a.i. Community and Target Area Descriptions (2 points)
The depth and degree of brownfield challenges confronting your city/town/geographic area and the specific area where you plan to perform RLF activities.

1.a.ii. Demographic Information and Indicators of Need (2 points)
The relevancy of the data sources used and the extent to which they conclusively demonstrate the compelling need of the community, based on demographic information on your target area(s) as compared to larger geographic areas (e.g. city, county, state, and national).

1.a.iii. Description of the Brownfields (2 points)
The extent of impacts, including negative environmental impacts, due to actual brownfield sites in your target area(s), and the degree to which you prioritized the sites in close proximity to residents within the target area(s).

1.b. Welfare, Environmental, and Public Health Impacts (6 points)

1.b.i. Welfare Impacts (2 points)
The severity of the welfare issues experienced by the target area, and the degree to which these issues connect to the presence of brownfield sites.

1.b.ii. Cumulative Environmental Issues (2 points)
The extent to which the community experiences various cumulative environmental issues or other environmental justice concerns which may be present, and the degree to which these issues/concerns impact the community.

1.b.iii. Cumulative Public Health Impacts (2 points)
The extent to which the community experiences public health impacts from cumulative sources and brownfield sites identified in the proposal, and the degree to which these sources impact the community.

The extent to which sensitive populations are potentially subject to environmental exposure, including brownfields.

1.c. Financial Need (5 points)

1.c.i. Economic Conditions (2 points)
The degree to which this funding is needed, the extent of the applicant's inability to draw on other sources of funding, and the degree of significant economic disruptions that have impacted the local economic conditions.

1.c.ii. Economic Effects of Brownfields (3 points)
The extent to which the brownfields in the target area have negatively affected the economy, and the relevancy of data sources used for this analysis.

2. PROGRAM DESCRIPTION AND FEASIBILITY OF SUCCESS (30 Points)

Your proposal will be evaluated on the quality and extent to which it demonstrates:

- how well your RLF program will further the target community's land use and revitalization plans or vision;
- a reasonable approach and methodology to achieve RLF program goals and expend funds in a timely and effective manner;
- a realistic basis for program costs; and
- the availability of, and access to, sufficient resources to ensure that projects funded by RLF loans and subgrants achieve their planned cleanup and redevelopment goals.

Specifically, your proposal will be evaluated on:

2.a. RLF Program Description and Marketing Strategy (15 points)

2.a.i. Program Description (10 points)
The degree to which the project demonstrates a well-defined strategy and a viable plan to develop and implement a successful RLF program.

The degree to which there is a sound methodology for selecting borrowers/subgrantees, and the extent to which the cleanup projects align with target area(s) community land use and revitalization plans and make use of existing infrastructure.

The extent to which loan analysis and executing loan agreements are understood. The comprehensiveness of your approach to structure and administer loans and subgrants, and facilitate financial underwriting that incorporates reasonable and prudent lending practices.

The degree to which the RLF program will be preserved, including an appropriate and reasonable plan or strategy to revolve the funds, even after the cooperative agreement is closed.

2.a.ii. Marketing Strategy (5 points)
The effectiveness of program marketing approach that will result in the targeted types of cleanup projects and utilize the RLF funds within the five year grant project period.

The degree to which local needs and available market are understood, including the basis for marketing to specific applicants and the process for identifying potential cleanup projects.

The extent to which approaches designed to attract potential borrowers/subgrantees are innovative and appropriate.

2.b. Task Descriptions and Budget Table (10 points)

2.b.i. Task Descriptions (7 points)
The extent to which the activities and tasks support the overall project and the approach to implementing the proposed program is reasonable.

The eligibility of proposed tasks under EPA's RLF Grant Program.

The appropriateness of the budget and how efficiently the grant funds will be used.

- The extent to which the majority of grant funds and cost share are allocated for tasks directly associated with issuing loans and subgrants and the associated environmental cleanup.
- The degree to which grant funds are allocated towards the loan pool to preserve the longevity and sustainability of the RLF Program.
- ***An RLF Coalition proposal*** will be evaluated to the extent the grant funds will address sites located in each coalition member's jurisdiction.

The extent to which the cost estimates are clearly explained, realistic, and are presented for each **grant-funded** task.

The extent to which you clearly explain and differentiate between the work you and your contractors will be performing under each grant-funded task and how you will allocate hazardous substances and petroleum funding (when requested in the same proposal).

The quality of the specific project outputs, how closely the outputs correlate with the described project, and the likelihood that the outputs identified will be achieved.

2.b.ii. Budget Table (3 points)
The degree to which the budget table only includes eligible and allowable EPA RLF Grant funds and cost share activities, clearly distinguishes any hazardous substances funds from petroleum funds (when appropriate), adds up correctly, and clearly correlates with work discussed in the Task Descriptions section.

2.c. Ability to Leverage (5 points)

If any additional work or services are necessary to carry out the RLF program, the extent to which identified leveraged resource(s) contributes to the successful completion of the cooperative agreement during the 5-year period of performance.

The relevancy and degree to which the leveraged resource(s) will contribute towards the successful redevelopment of sites cleaned up with this funding will also be evaluated.

Note, proposals with secured, significant, and relevant leveraged funding for the RLF Program/candidate project(s) may earn full points for this criterion. Proposals without secured, significant, and relevant leveraged funding will not receive full points for this criterion.

3. COMMUNITY ENGAGEMENT AND PARTNERSHIPS (20 Points)

Your proposal will be evaluated on the quality and extent to which it:

- demonstrates actions or plans to effectively involve and inform the target community and relevant stakeholders;
- identifies the relevancy of the local/state/tribal environmental authority to the project;
- identifies roles of other relevant governmental partnerships; and
- identifies the relevant roles of community organizations and affirms their involvement in the project through commitment letters.

Specifically, your proposal will be evaluated on:

3.a. Engaging the Community (8 points)

The extent to which the proposal includes a high-quality plan for involving the community and other stakeholders in the target area in the planning and implementation of your program. The degree to which your plan will enable you to:

- effectively achieve meaningful community engagement;
- effectively seek out and consider concerns that local residents may have with regard to health, safety, and community disruption potentially posed by the proposed cleanup activities;
- ensure the proposed cleanup activities are conducted in a manner that is protective of the sensitive populations and nearby residents identified earlier; and

- conduct effective and appropriate outreach to ensure the community(ies) in the target area are aware and involved in the progress of the project.

3.b. Partnerships with Government Agencies (5 points)

3.b.i. Local/State/Tribal Environmental Authority (3 points)
The degree to which you are effectively engaging and partnering with the agency that oversees the relevant brownfields, voluntary cleanup or another similar program at the local/state/tribal level, and the extent to which the partnership will contribute to the success of your RLF program.

3.b.ii. Other Governmental Partnerships (2 points)
The inclusion of all relevant partners and degree to which you are effectively engaging and partnering with federal, other state, and/or local governmental agencies that may be relevant to your RLF program, the relevancy of their roles, and the extent these partnerships will contribute to the success of your RLF program.

3.c. Partnerships with Community Organizations (5 points)

3.c.i. Community Organization Descriptions & Roles (3 points)
The inclusion of all relevant partners and the relevancy of the organizations' contributions to your project, how varied and specific their roles in and commitments are to the planning and implementation of the project, and the extent these partnerships will contribute to the success of your RLF program.

If there are no community organizations in your community, the strength and meaningfulness of your engagement with the community throughout the project.

3.c.ii. Letters of Commitment (2 points)
The extent to which letters are included from each community organization listed in the narrative and affirm the organization's support, role, and commitment to the planning and implementation of the project.

If there are no community organizations in your community, the extent to which there is a clear description and documentation of how the community is engaged and will continue to be involved in your project such as support letters from residents, letters from residents to the editors of local newspapers, attendance lists at public meetings concerning the project, comments from local citizens received on the plans and implementation of the project, etc.

3.d. Partnerships with Workforce Development Programs (2 points)

The degree to which your plan will promote local hiring, local procurement or will link members of the community to potential employment opportunities in brownfields assessment, cleanup, or redevelopment related to your proposed projects in a meaningful way.

4. PROJECT BENEFITS (13 Points)

Your proposal will be evaluated on the quality and extent to which it:

- demonstrates the potential of the RLF program, to realize significant outcomes and benefits to the public health, welfare and environment of the community;
- increases sustainable and equitable development opportunities that help to remove economic, environmental and social barriers;
- contributes to the community plan for the revitalization of brownfield sites; and
- stimulates economic or non-economic benefits.

Specifically, your proposal will be evaluated on:

4.a. Welfare, Environmental, and Public Health Benefits (8 points)

The extent to which your project improves the welfare, environmental, and public health of the community, as anticipated from the outcomes of the RLF program, including the degree to which the benefits:

- address challenges and sensitive populations you discussed in the Community Need section of your narrative; and
- contribute to increased sustainable, equitable and environmentally just redevelopment within the jurisdiction.

4.b. Economic and Community Benefits (5 points)

The quality of the specific program outcomes; the degree to which outcomes include quantitative and qualitative measures; the extent to which these outcomes address the challenges identified in the Community Need section and correlate with the described projects/program; and the likelihood the outcomes will be achieved through the redevelopment of sites cleaned up under this grant.

5. PROGRAMMATIC CAPABILITY AND PAST PERFORMANCE (20 Points)

Your proposal will be evaluated on the quality and extent to which it demonstrates:

- resolution of any audit findings;
- the ability of your organization (as the applicant/lead coalition member) to successfully manage and complete the project, considering your programmatic and administrative capacity;
- a reasonable plan to track and measure project progress; and
- successful performance under past and/or current federally and/or non-federally funded assistance agreements.

Specifically, your proposal will be evaluated on:

5.a. Audit Findings (2 points)

The degree to which the applicant has any adverse audit findings and how they have corrected, or are correcting, the findings.

5.b. Programmatic Capability (10 points)

The efficiency and effectiveness of your organizational structure to:

- ensure the timely and successful expenditure of funds;
- complete all technical, administrative and financial requirements of the RLF grant;
- acquire any additional expertise and resources (e.g. contractors or sub-awardees) required to successfully complete the project; and
- comply with reporting requirements and proper management of program income after the grant has closed.

The degree of expertise, qualifications, and experience of key staff, and the degree to which the proposed team members have sufficient professional experience and relevant qualifications to run the RLF program.

5.c. Measuring Environmental Results: Anticipated Outputs and Outcomes (2 points)

The adequacy of your plan to track, measure and evaluate your progress in achieving project outcomes, outputs and project results.

5.d. Past Performance and Accomplishments (6 points)
In evaluating an applicant's response to this criterion, in addition to the information provided by the applicant, EPA may consider relevant information from other sources including information from EPA files and/or from other federal or non-federal grantors to verify or supplement information provided by the applicant.

5.d.i. Currently or Has Ever Received an EPA Brownfields Grant (6 points)

The degree to which your organization has demonstrated ability to successfully manage past EPA Brownfield Grant(s) and successfully perform of all phases of work under each grant.

5.d.i.1. Accomplishments (3 points)
The quality of the accomplishments (including specific outputs and outcomes) of your grant funded program, including at minimum, the number of sites assessed and/or cleaned up, and whether these outputs and outcomes were accurately reflected in the Assessment, Cleanup and Redevelopment Exchange System (ACRES) at the time of this proposal submission, and if not, why.

5.d.i.2. Compliance with Grant Requirements (3 points)
The extent of compliance with the workplan, schedule and terms and conditions, and whether progress was made, or is being made, towards achieving the expected results of the grant in a timely manner. If expected results were not achieved, whether the measures taken to correct the situation were reasonable and appropriate.

A demonstrated history of timely and acceptable quarterly performance and grant deliverables, as well as ongoing ACRES reporting.

The likelihood all remaining funds will be expended by the end of the period of performance.

The extent to which funds from any open EPA Brownfield grant(s) can support the tasks/activities described in this proposal.

For all closed EPA Brownfields grants, the accuracy of your description of funds that remained at the time of closure, including the amount and the reasons these funds were not expended during the period of performance.

– OR –

5.d.ii. Has Not Received an EPA Brownfields Grant but has Received Other Federal or Non-Federal Assistance Agreements (6 points)

The degree to which your organization has demonstrated its ability to successfully manage federal or non-federal grant(s), and perform of all phases of work under each grant.

5.d.ii.1. Purpose and Accomplishments (3 points)
The extent to which similar past federal or non-federal grants are identified (in terms of size, scope and relevance) and the degree to which sufficient information is provided to make that determination.

The quality of the accomplishments (including specific outputs and outcomes) of the project supported by these grants, including specific measures of success for the project supported by each type of grant received.

5.d.ii.2. Compliance with Grant Requirements (3 points)
The extent of compliance with the workplan, schedule and terms and conditions, and whether progress was made, or is being made, towards achieving the expected results of the grant in a timely manner. If expected results were not achieved, whether the measures taken to correct the situation were reasonable and appropriate.

A demonstrated history of timely and acceptable reporting, as required by the awarding agency/organization.

– OR –

5.d.iii. Has Never Received Any Type of Federal or Non-Federal Assistance Agreements (3 points)

Whether you clearly affirm that your organization has never received any type of federal or non-federal assistance agreement (grant).

V.B. Considerations and Other Factors

In making final selection recommendations from among the most highly ranked applicants, EPA's Selection Official may consider the following factors if appropriate. In their proposals, applicants should provide a summary on whether and how any of these other factors apply:

- fair distribution of funds between urban and non-urban areas, including an equitable distribution to "micro" communities (those communities with populations of 10,000 or less). EPA strongly encourages non-urban communities, including "micro" communities, to apply;
- the jurisdiction is located within, or includes, a county experiencing "persistent poverty" where 20% or more of its population has lived in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and the most recent Small Area Income and Poverty Estimates;
- the distribution of funds among EPA's ten Regions and among the states and territories;
- compliance with the 25 percent statutory petroleum funding allocation;
- whether the applicant is a federally-recognized Indian tribe or United States territory or whether the project is assisting a tribe or territory;
- whether target brownfield sites are impacted by mine-scarred land;
- demonstrated firm leveraging commitments for facilitating brownfield project completion by identifying in the proposal the amounts and contributors of resources including documentation that ties directly to the project; and/or
- whether the applicant is a recipient of an EPA Brownfields Area-Wide Planning grant.

V.C. Review and Selection Process

Timely submitted proposals will initially be reviewed by the appropriate EPA Regional Office to determine compliance with the applicable threshold criteria for RLF Grants (Section III.B.). All proposals that pass the threshold criteria review will be evaluated by national evaluation panels chosen for their expertise in the range of activities associated with the brownfield RLFs. The national evaluation panels will be composed of EPA staff and potentially other federal agency representatives. Eligible proposals will be evaluated based on the criteria described in Section V.A. and ranking lists of applicants will be developed.

For selection purposes, EPA's Office of Brownfields and Land Revitalization (OBLR) will prepare two ranked lists of proposals.

One list will be comprised of "new applicants" defined as:

- applicants who have never received an EPA Brownfields Assessment, RLF or Cleanup Grant, or
- applicants who were awarded a Brownfields Assessment, RLF or Cleanup Grant that closed in 2009 or earlier.

A second list will be comprised of "existing and recent recipients" defined as:

- applicants who have an open Brownfields Assessment, RLF or Cleanup Grant, or
- applicants who were awarded a Brownfields Assessment, RLF or Cleanup Grant that closed in 2010 or later.

The Agency intends to use approximately 50% of the total amount of funding available under this announcement for grants to "new applicants." This percentage is an estimate and is subject to change based on funding levels, the quality of proposals received and other applicable considerations.

The Office of Brownfields and Land Revitalization (OBLR) will provide both lists to the Selection Official, who is responsible for further consideration of the proposals and final selection of grant recipients. Proposals will be selected for award based on their evaluated point scores, the availability of funds, and as appropriate, the other factors described in Section V.B.

V.D. Additional Provisions For Applicants Incorporated Into the Solicitation

Additional provisions that apply to this solicitation and/or awards made under this solicitation including the clause on Reporting and Use of Information Concerning Recipient Integrity and Performance can be found in the EPA Solicitation Clauses at www.epa.gov/grants/epa-solicitation-clauses. These, and the other provisions that can be found at the website link, are important, and applicants must review them when preparing proposals for this solicitation. If you are unable to access these provisions electronically at the website above, please communicate with the EPA contact listed in this solicitation to obtain the provisions.

SECTION VI. - AWARD ADMINISTRATION INFORMATION

VI.A. Award Notices

EPA Regions will notify applicants who fail threshold eligibility requirements within 15 calendar days of the Agency's determination of ineligibility. EPA will notify applicants who are not selected for award based on the evaluation criteria and other factors within 15 calendar days of EPA's final decision on selections for this competition.

EPA anticipates notification to successful applicants will be made via telephone, email, or postal mail by Spring 2018. The notification will be sent to the original signer of the proposal or the project contact listed in the proposal. This notification, which informs the applicant that its proposal is selected and is being recommended for award, is not an authorization to begin work. The official notification of an award will be made by the Regional Grants Management Official for regional awards. Applicants are cautioned that only a grants officer is authorized to bind the Government to the expenditure of funds; selection does not guarantee an award will be made. For example, statutory authorization, funding or other issues discovered during the award process may affect the ability of EPA to make an award to an applicant. The award notice, signed by an EPA grants officer, is the authorizing document and will be provided through email or postal mail. The successful applicant may need to prepare and submit additional documents and forms (e.g., workplan), which must be approved by EPA, before the grant can officially be awarded. The time between notification of selection and award of a grant can take up to 90 days or longer.

VI.B. Administrative and National Policy Requirements

1. Funding will be awarded as a cooperative agreement. The applicants whose proposals are selected will be asked to submit a cooperative agreement application package to their EPA Regional Office. This package will include the application (Standard Form 424), a proposed workplan, a proposed budget, and other required forms. An EPA Project Officer will work with you to finalize the budget and workplan. It is EPA's expectation that the selected applicants will complete the award process within six months of the announcement.

2. Approved cooperative agreements will include terms and conditions (including any applicable Davis Bacon requirements) that will be binding on the grant recipient. Terms and conditions specify what grantees must do to ensure that grant-related and Brownfields Program-related requirements are met. Applicants also will be required to submit progress reports in accordance with grant regulations found in 2 CFR 200.328.

VI.C. Reporting Requirements

During the life of the cooperative agreement, recipients are required to submit progress reports to the EPA Project Officer within 30 days after each reporting period. The reporting period (i.e., quarterly, annually) is identified in the terms and conditions of the cooperative agreement. These reports cover work status, work progress, difficulties encountered, an accounting of financial expenditures, preliminary data results, anticipated activities, and any changes of key personnel involved with the project. Site-specific accomplishments are reported on Property Profile Forms and can be submitted electronically to EPA's ACRES reporting system. Information provided in the quarterly reports and submitted in ACRES helps EPA monitor the community's progress with implementing their project and also directly supports the continuation of the Brownfields Program by highlighting measurable site-specific accomplishments to the public and Congress.

At the end of the cooperative agreement, a final project report also is required. The final report will summarize accomplishments, expenditures, outcomes, outputs, lessons learned, and any other resources leveraged during the project and how they were used.

VI.D. Brownfields Programmatic Requirements

Brownfields grantees must comply with all applicable federal and state laws to ensure that the assessment and cleanup protect human health and the environment. Brownfields grantees also must comply with the program's technical requirements, which may include, but are not limited to, the following requirements below.

1. <u>Quality Assurance (QA) Requirements</u>
   When environmental samples are collected as part of any brownfields cooperative agreement (e.g., assessment and site characterization, cleanup verification sampling, post-cleanup confirmation sampling), recipients shall submit to EPA for approval a <u>Quality Assurance Project Plan</u> (QAPP) prior to the collection of environmental samples. The QAPP must document quality assurance practices sufficient to produce data adequate to meet project objectives and minimize data loss. Compliance with the Quality Assurance requirements is an eligible use of funds for RLF Grants.

2. Historic Properties or Threatened and Endangered Species
If historic properties or threatened or endangered (T&E) species may be impacted by the assessment or cleanup of a site, the requirements of the National Historic Preservation Act (NHPA) or the Endangered Species Act (ESA) may apply, respectively. Grantees are required to consult with EPA prior to conducting any on-site activity (such as invasive sampling or cleanup) that may affect historic properties or T&E species to ensure that the requirements of Section 106 of NHPA and Section 7(a)(2) of the ESA are met. Grantees should plan for these consultation requirements.

3. Environmental Cleanup Responsibilities
Cleanup and RLF grant recipients must complete the following mandatory activities in connection with cleanups conducted with brownfields funding. These activities are all eligible costs.

EPA anticipates that the majority of the cleanups will be performed through state voluntary cleanup programs (VCPs). As such, the state programs may call the documents listed below by different names. It is EPA's intent that documents generated to meet the state's VCP requirements can serve to meet the mandatory requirements listed below provided they cover the same elements and include the necessary information.

a. Analysis of Brownfield Cleanup Alternatives (ABCA)

Prepare an **analysis of brownfield cleanup alternatives**, considering site characteristics, surrounding environment, land-use restrictions, potential future uses, and cleanup goals. The ABCA must be signed by an authorized representative of the grant recipient and the ABCA must include:

i) information about the site and contamination issues (e.g., exposure pathways, identification of contaminant sources, etc.), cleanup standards, applicable laws, alternatives considered, and the proposed cleanup;
ii) effectiveness, ability to implement, and the cost of the proposed cleanup;
iii) evaluate the resilience of the remedial options to address potential adverse impacts caused by sea level rise, increased frequency and intensity of flooding and/or extreme weather events, etc.;
iv) an analysis of reasonable alternatives, including the alternative of taking no action. For cleanup of brownfield petroleum-only sites, an analysis of cleanup alternatives must include considering a range of proven cleanup methods including identification of contaminant sources, exposure pathways, and an evaluation of corrective measures. The cleanup method chosen must be based on this analysis; and
v) the grantee may consider the degree to which the alternatives reduce greenhouse gas discharges, reduce energy use or employ alternative energy sources, reduce volume of wastewater generated/disposed, reduce volume of materials taken to landfills, and recycle and re-use materials generated during the cleanup process to the maximum extent practicable.

b. Community Relations and Public Involvement in Cleanup Activities

Recipients must prepare a **site-specific community relations plan** describing how the recipient plans to satisfy the public involvement requirements below. The plan must be submitted to EPA before providing notice to the general community regarding the ABCA. At a minimum, public involvement for cleanup activities requires:

i) **notice of the ABCA's** or its equivalent's **availability** to the general community and the opportunity for the public to provide comments (written or oral) on the ABCA;
ii) preparation of **written responses** to significant and appropriate **comments**, and documentation of any changes to the cleanup plan; and
iii) preparation of an **administrative record** and **notification** to the public of its **availability** for inspection at a location convenient to the targeted population and general public. The administrative record must contain the documents that form the basis for the selection and implementation of a cleanup plan. Documents in the administrative record shall include the ABCA, site investigation reports, the cleanup plan, cleanup standards used, responses to public comments, and verification that shows that cleanups are complete.

c. Implementation and Completion of Cleanup Activities

Recipients **shall ensure the adequacy of each cleanup** in protecting human health and the environment as it is implemented. Regarding occupational safety and health, brownfields cleanups must comply with either all applicable General Industry standards (29 CFR Part 1910) or all applicable Construction standards (29 CFR Part 1926), depending on work operations at the site. In addition, if a site is determined to be a "hazardous waste site," that site must comply with the Hazardous Waste Operations and Emergency Response (HAZWOPER) standard 29 CFR. §1910.120.

In the event of an incomplete cleanup, the recipient shall ensure that the site is secure and notify the appropriate state agency and the U.S. EPA to ensure an orderly transition should additional activities become necessary.

Recipients shall ensure that the **successful completion** of the cleanup is properly **documented**. This must be done through a final report or letter from a qualified environmental professional, or other documentation provided by a state or tribe that shows the cleanup is complete. This documentation needs to be included as part of the administrative record.

4. <u>Sufficient Progress</u>
EPA will evaluate whether the recipient has made sufficient progress 2 years from the date of award. For purposes of the RLF Grants, "sufficient progress in implementing a cooperative agreement" means that the grantee has made loan(s) and/or subgrant(s). Alternatively, sufficient progress may also be demonstrated by a combination of all the following: hiring of all key personnel, the establishment and advertisement of the RLF, and the development of one or more potential loans/subgrants. If EPA determines that the recipient has not made sufficient progress, the recipient must implement a corrective action plan approved by EPA.

Failure to comply with the reporting requirements may result in an early termination of the grant and return of grant funds to EPA.

5. Collection of Post-Grant Information
   Under the Government Performance and Results Act, EPA reports on the many benefits of brownfields funding. One such measure provides information on additional resources leveraged as a result of using Brownfields Grant funds. These leveraged, non-EPA funds may include additional cleanup funds or redevelopment funding from other federal agencies, state, tribal, and local governments, or private organizations. As many of these activities occur beyond the grant period, please note that EPA may contact you well after the grant period of performance to collect this information.

   In addition, RLF grant recipients are also required to report annually for the first five years, and thereafter every five years to EPA after closeout of the cooperative agreement as long as program income exists.

6. Protection of Nearby and Sensitive Populations
   Grantees are required to protect all nearby populations, including sensitive populations in the target community from contaminants during cleanup work conducted on brownfield sites under this grant. Activities include implementing procedures necessary to mitigate any potential exposure from the contamination.

VI.E. Use of Funds

An applicant that receives an award under this announcement is expected to manage assistance agreement funds efficiently and effectively and make sufficient progress towards completing the project activities described in the workplan in a timely manner. The assistance agreement will include terms and conditions implementing this requirement.

VI.F. Disputes

Assistance agreement competition-related disputes will be resolved in accordance with the dispute resolution procedures published in 70 FR (Federal Register) 3629, 3630 (January 26, 2005) which can be found in the EPA Solicitation Clauses at www.epa.gov/grants/epa-solicitation-clauses. Copies of these procedures may also be requested by contacting the person listed in Section VII. of the announcement.

VI.G. Additional Provisions for Applicants Incorporated Into the Solicitation

Additional provisions that apply to this solicitation and/or awards made under this solicitation, including but not limited to those related to DUNS, SAM, copyrights, disputes, and administrative capability, can be found in the EPA Solicitation Clauses at www.epa.gov/grants/epa-solicitation-clauses. These, and the other provisions that can be found at the website link, are important, and applicants must review them when preparing proposals for this solicitation. If you are unable to access these provisions electronically at the website above, please communicate with the EPA contact listed in this solicitation to obtain the provisions.

SECTION VII. – AGENCY CONTACTS – Regional Brownfields Contacts

REGIONAL CONTACTS & STATES		ADDRESS
EPA Region 1 **Frank Gardner** Gardner.Frank@epa.gov **Phone** (617) 918-1278	**CT, ME, MA, NH, RI, VT**	5 Post Office Square Suite 100, Mail code: OSRR7-2 Boston, MA 02109-3912
EPA Region 2 **Lya Theodoratos** Theodoratos.Lya@epa.gov **Phone** (212) 637-3260	**NJ, NY, PR, VI**	290 Broadway; 18th Floor New York, NY 10007
EPA Region 3 **Felicia Fred** Fred.Felicia@epa.gov **Phone** (215) 814-5524	**DE, DC, MD, PA, VA, WV**	1650 Arch Street Mail Code 3HS51 Philadelphia, PA 19103
EPA Region 4 **Barbara Alfano** Alfano.Barbara@epa.gov **Phone** (404) 562-8923	**AL, FL, GA, KY, MS, NC, SC, TN**	Atlanta Federal Center 61 Forsyth Street, S.W. 10th FL Atlanta, GA 30303-8960
EPA Region 5 **Jan Pels** Pel.Jan@epa.gov **Phone** (312) 886-3009	**IL, IN, MI, MN, OH, WI**	77 West Jackson Boulevard Mail Code SE-7J Chicago, IL 60604-3507
EPA Region 6 **Paul Johnson** Johnson.Paul@epa.gov **Phone** (214) 665-2246	**AR, LA, NM, OK, TX**	1445 Ross Avenue Suite 1200 (6SF-VB) Dallas, TX 75202-2733
EPA Region 7 **Susan Klein** Klein.Susan@epa.gov **Phone** (913) 551-7786	**IA, KS, MO, NE**	11201 Renner Blvd Lenexa, KS 66219
EPA Region 8 **Danny Heffernan** heffernan.daniel@epa.gov **Phone** (303) 312-7074	**CO, MT, ND, SD, UT, WY**	1595 Wynkoop Street (EPR-B) Denver, CO 80202-1129
EPA Region 9 **Noemi Emeric-Ford** Emeric-Ford.Noemi@epa.gov **Phone** (213) 244-1821	**AZ, CA, HI, NV, Pacific Island Territories**	75 Hawthorne Street, SFD6-1 San Francisco, CA 94105
EPA Region 10 **Susan Morales** Morales.Susan@epa.gov **Phone** (206) 553-7299 **Fax** (206) 553-0124	**AK, ID, OR, WA**	1200 Sixth Avenue, Suite 900 Mailstop: ECL-112 Seattle, WA 98101

Appendix 1
Information on Sites Eligible for Brownfields Funding Under CERCLA §104(k)

1.1. Introduction

The information provided in this Appendix will be used by EPA in determining the eligibility of any property for brownfields grant funding. The Agency is providing this information to assist you in developing your proposal for funding under CERCLA §104(k) and to apprise you of information that EPA will use in determining the eligibility of any property for brownfields grant funding.

This information is used by EPA solely to make applicant and site eligibility determinations for Brownfields grants and is not legally binding for other purposes including federal, state, or tribal enforcement actions.

1.2. General Definition of Brownfield Site

The Brownfields Law defines a "Brownfield Site" as:
"...real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant." Brownfield sites include all "real property," including residential, as well as commercial and industrial properties.

1.3. Additional Areas Specifically Eligible for Funding

The Brownfields Law also identifies three additional types of properties that are specifically eligible for funding:

1. Sites contaminated by **controlled substances**.
2. Sites contaminated by **petroleum or a petroleum product**.
3. **Mine-scarred lands**.

See below for guidance on determining the scope of each of these three types of sites. Applicants should identify properties included within their funding proposals that fall within the scope of any of the following three areas.

1.3.1. Contamination by Controlled Substance

Sites eligible for funding include real property, including residential property, that is contaminated by a controlled substance. A "controlled substance" is defined under the Controlled Substances Act as "a drug or other substance, or immediate precursor, included in Schedule I, II, III, IV, or V of Part B of this title (21 USC Section 812). The term does not include distilled spirits, wine, malt beverages, or tobacco..." For example, sites eligible for brownfields funding may include private residences formerly used for the manufacture and/or

distribution of methamphetamines or other illegal drugs where there is a presence or potential presence of controlled substances or pollutants, contaminants, or hazardous substances (e.g., red phosphorous, kerosene, acids).

1.3.2. Contamination by Petroleum or Petroleum Product

Petroleum-contaminated sites must meet certain requirements to be eligible for brownfields funding. Petroleum is defined under CERCLA as "crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance under that section."

For a petroleum-contaminated site(s) that otherwise meets the definition of a brownfield site to be eligible for funding, EPA or the state must determine:

1. The site is "relatively low risk" compared with other "petroleum-only" sites in the state; and
2. There is no viable responsible party.
3. The site will not be assessed, investigated, or cleaned up by a person that is potentially liable for cleaning up the site.
4. The site must not be subject to a corrective action order under the Resource Conservation and Recovery Act (RCRA) §9003(h).

Site-specific assessment or cleanup grant proposals for petroleum-contaminated sites must provide information in their proposal indicating whether the site meets each of the criteria listed above. If EPA awards an applicant a revolving loan fund grant, the state or EPA must make the same determinations for site(s) that will be cleaned up under a loan or subgrant. These criteria are explained below.

Please note that states may, but are not required to, use this guidance to determine whether sites contaminated by petroleum or petroleum products are eligible for brownfields grant funding. States may apply their own laws and regulations, if applicable, to eligibility determinations under this section.

Note: A petroleum eligibility determination by EPA or a state under CERCLA section 101(39)(D) for the purpose of brownfields funding does not release any party from obligations under any federal or state law or regulation, or under common law, and does not impact or limit EPA or state enforcement authorities against any party.

<u>"Relatively Low Risk"</u>
Applicants whose brownfield site(s) include properties or portions of properties contaminated with petroleum or petroleum products must provide information in their proposal indicating that the property represents a relatively low risk (compared to other petroleum-only sites). EPA's view is that the following types of petroleum-contaminated sites are high-risk sites, or are <u>not</u> of "relatively low risk":

1. "High risk" sites currently being cleaned up using LUST Trust Fund monies.
2. Any petroleum-contaminated site that currently is subject to a response under the Oil Pollution Act (OPA).

Note: Any site that does not fall under any of the provisions listed above would be considered to be of relatively low risk for purposes of determining eligibility for a brownfields grant.

"A Site for Which There is No Viable Responsible Party"
EPA or the state is required to determine that there is no viable responsible party that can address the petroleum contamination at the site. If EPA, or the state, identifies a party that is responsible for the activities contemplated by the grant proposal, and that party is financially viable, then the site is not eligible for funding and EPA cannot award the grant. This analysis is twofold - EPA or the state must first determine whether a responsible party exists and, if a responsible party is identified, then determine whether that party is viable for the activities identified in the grant proposal. Applicants are responsible for providing information in their proposal that demonstrates that the activities for which they seek funding have no viable responsible party.

A petroleum-contaminated site may be determined to have no responsible party if the site was last acquired (regardless of whether the site is owned by the applicant) through tax foreclosure, abandonment, or equivalent government proceedings, and that the site meets the criteria in (1) below. Any petroleum-contaminated site not acquired by a method listed above will be determined to have a responsible party if the site fails to meet the criteria in both (1) and (2) below.

1. No responsible party has been identified for the site through:
   a. an unresolved judgment rendered in a court of law or an administrative order that would require any party (including the applicant) to conduct the activities (including assessment, investigation or cleanup) contemplated by the grant proposal;
   b. an unresolved enforcement action by federal or state authorities that would require any party (including the applicant) to conduct the activities (including assessment, investigation, or cleanup) contemplated by the grant proposal; or
   c. an unresolved citizen suit, contribution action, or other third party claim brought against the current or immediate past owner for the site that would, if successful, require the activities (including assessment, investigation, or cleanup) contemplated by the grant proposal to be conducted.

2. The current and immediate past owner did not dispense or dispose of, or own the subject property during the dispensing or disposal of, any contamination at the site, did not exacerbate the contamination at the site, and took reasonable steps with regard to the contamination at the site.[1] For purposes of the grant program and these Guidelines only, the current owner is the entity that will own the property at the time of proposal submission. For RLF Grants, the current owner must be the applicant.

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[1] For purposes of determining petroleum brownfield grant eligibility, "reasonable steps with regard to contamination at the site" includes, as appropriate: stopping continuing releases, preventing threatened future releases, and preventing or limiting human, environmental, or natural resource exposure to earlier petroleum or petroleum product releases. Reasonable steps are discussed in more detail on pages 9-12 of EPA's March 6, 2003, "*Common Elements*" guidance.

If no responsible party is identified above, then the petroleum-contaminated site may be eligible for funding. If a responsible party is identified above, EPA or the state must next determine whether that party is viable. If any such party is determined to be viable, then the petroleum-contaminated site is not eligible for funding.

If there is a responsible party for the site, the applicant should explain in its application what steps it took to determine a responsible party's financial status, and why the information presented indicates that the responsible party is not viable. A state making the "viable responsible party" determination for the applicant may use the standards contained in this Appendix or its own standard. If a state is not making the determination or a tribe is the applicant, EPA will follow the standard set forth in this Appendix. Note that any viability determination made by EPA is for purposes of the CERCLA Section 104(k) grant program only.

EPA will consider a party to be viable if the party is financially capable of conducting the activity (i.e., assessment, investigation, or cleanup) identified in the grant proposal.

Generally, EPA will consider ongoing businesses or companies (corporations, LLCs, partnerships, etc.) and government entities to be viable. EPA will generally deem a defunct or insolvent company and an individual responsible party to be not viable. EPA will apply these assumptions to its petroleum grant viability determinations, unless there is information suggesting that the assumption is not appropriate in a particular case (e.g., if there is information that an individual has adequate financial resources to address contamination at a site, or if there is information indicating an ongoing business is not, in fact, viable). An applicant should indicate if one of the above assumptions applies and provide support for the assertion. In circumstances not covered by one of the above assumptions, the applicant should explain why the responsible party is not viable.

An applicant seeking to determine the financial status (i.e., the viability) of a responsible party should consider consulting the following resources and any other resources it may deem to be useful to make this determination:

1. **Responsible Party**: Ask the responsible party for its financial information (tax returns, bank statements, financial statements, insurance policies designed to address environmental liabilities, etc.), especially if the responsible party is still associated with the site or is the applicant, and, therefore, will receive the benefit of the grant. An applicant that is a responsible party and claiming it is not viable should provide conclusive information, such as an INDIPAY or MUNIPAY analysis, on its inability to pay for the assessment or cleanup.

2. **Federal, State, and Local Records**: Federal, state, and local (i.e., county and city) records often provide information on the status of a business. An applicant that is a state or local government should at the very least search its own records for information on a responsible party. Examples of such resources include regulatory records (e.g., state hazardous waste records), Secretary of State databases, and property/land records.

3. **Public and Commercial Financial Databases**: Applicants also may obtain financial data from publicly available and commercial sources. Listed below are examples of sources for

financial data that applicants may consider. Please note that some commercial sources may charge fees. EPA does not endorse the use of any specific sources, and EPA will accept reliable data from other sources as part of a proposal for funding.

Examples of sources: Lexis/Nexus, Dun & Bradstreet reports, Hoover's Business Information, Edgar Database of Corporate Information, Thomas Register of American Manufacturers, The Public Register, Corporate Annual Reports, Internet search engines (e.g. Google, Ask).

"Cleaned Up by a Person Not Potentially Liable"
Brownfields funding may be awarded for the assessment and cleanup of petroleum-contaminated sites provided they meet the requests below.

1. The applicant has not dispensed or disposed of or owned the property during the dispensing or disposal of petroleum or petroleum product at the site, and
2. The applicant did not exacerbate the contamination at the site and took reasonable steps with regard to the contamination at the site.

"Is not subject to any order issued under §9003(h) of the Resource Conservation and Recovery Act (RCRA)"
Proposals that include requests for an assessment or direct cleanup grant to address petroleum-contaminated sites must not be subject to a corrective action order under RCRA §9003(h). If EPA awards an applicant a revolving loan fund grant, the state or EPA must make the same determination for site(s) that will be cleaned up under a loan or subgrant.

1.3.3. Mine-Scarred Lands

Mine-scarred lands are eligible for brownfields funding. EPA's view is that "mine-scarred lands" are those lands, associated waters, and surrounding watersheds where extraction, beneficiation, or processing of ores and minerals (including coal) has occurred. For the purposes of this section, the definition of extraction, beneficiation, and processing is the definition found at 40 CFR 261.4(b)(7).

Mine-scarred lands include abandoned coal mines and lands scarred by strip mining.

Examples of coal mine-scarred lands may include, but are not limited to:

- abandoned surface coal mine areas;
- abandoned deep coal mines;
- abandoned coal processing areas;
- abandoned coal refuse areas;
- acid or alkaline mine drainage; and
- associated waters affected by abandoned coal mine (or acid mine) drainage or runoff, including stream beds and adjacent watersheds.

Examples of non-coal hard rock mine-scarred lands may include, but are not limited to:

- abandoned surface and deep mines;
- abandoned waste rock or spent ore piles;

- abandoned roads constructed wholly or partially of waste rock or spent ore;
- abandoned tailings, disposal ponds, or piles;
- abandoned ore concentration mills;
- abandoned smelters;
- abandoned cyanide heap leach piles;
- abandoned dams constructed wholly or partially of waste rock, tailings, or spent ore;
- abandoned dumps or dump areas used for the disposal of waste rock or spent ore;
- acid or alkaline rock drainage; and
- waters affected by abandoned metal mine drainage or runoff, including stream beds and adjacent watersheds.

1.4. Sites Not Eligible for Brownfields Funding

The following three types of properties are not eligible for brownfields funding under the Brownfields Law, even on a property-specific basis. Applicants should not include these types of sites in the funding proposals.

1) Facilities listed or proposed for listing on the National Priorities List (NPL).
2) Facilities subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA.
3) Facilities that are subject to the jurisdiction, custody, or control of the U.S. government. Facilities owned by, or under the custody or control of, the federal government are not eligible for brownfields funding. EPA's view is that this exclusion may not extend to:
   a. privately-owned, Formerly Used Defense Sites (FUDS);
   b. privately-owned, Formerly Utilized Sites Remedial Action Program (FUSRAP) properties; and
   c. other former federal properties that have been disposed of by the U.S. government.

Note that land held in trust by the U.S. government for an Indian tribe is not excluded from funding eligibility. In addition, eligibility for brownfields funding does not alter a private owner's ability to cost recover from the federal government in cases where the previous federal government owner remains liable for environmental damages.

1.5. Particular Classes of Sites Eligible for Brownfields Funding Only With Property-Specific Determinations

The following special classes of property are generally ineligible brownfield sites unless EPA makes a "Property-Specific Determination" and determines they are eligible for funding. These include:

- properties subject to planned or ongoing removal actions under CERCLA;
- properties with facilities that have been issued or entered into a unilateral administrative order, a court order, an administrative order on consent, or judicial consent decree or to which a permit has been issued by the United States or an authorized state under RCRA, FWPCA, TSCA, or SDWA;

- properties with facilities subject to RCRA corrective action (§3004(u) or §3008(h)) to which a corrective action permit or order has been issued or modified to require the implementation of corrective measures;
- properties that are land disposal units that have submitted a RCRA closure notification or that are subject to closure requirements specified in a closure plan or permit;
- properties where there has been a release of polychlorinated biphenyls (PCBs) and all or part of the property is subject to TSCA remediation; and
- properties that include facilities receiving monies for cleanup from the LUST Trust Fund.

EPA's approval of Property-Specific Determinations will be based on whether or not awarding a grant will protect human health and the environment and either promote economic development or enable the property to be used for parks, greenways, and similar recreational or nonprofit purposes. Property-Specific Determination requests should be attached to your proposal and do not count toward the 15-page limit. See the Brownfields FAQs at www.epa.gov/sites/production/files/2017-07/documents/fy18-arc-faqs.pdf for more information on how to prepare and submit a Property-Specific Determination.

1.5.1. Facilities Subject to CERCLA Removal Actions

Properties (including parcels of properties) where there are removal actions may not receive funding, unless EPA makes a property-specific determination of funding eligibility.

EPA's view is that a removal may be identified by the occurrence of one of the following events, whichever occurs first in time: EPA issues an action memo; EPA issues an Engineering Evaluation/Cost Analysis approval memo; EPA mobilizes onsite; EPA issues a notice of federal interest to one or more potentially responsible parties (PRPs), which in emergencies may be made verbally; or EPA takes other actions that are consistent with a removal.

Once a removal action is complete, a property is eligible for brownfields funding without having to obtain a property-specific funding determination. EPA's view is that, solely for the purposes of eligibility to receive brownfields funding, a removal is complete when the actions specified in the action memorandum are met, or when the contractor has demobilized and left the site (as documented in the "pollution report" or POLREP). Applicants applying for brownfields funding for sites at which removal actions are complete must include documentation of the action being complete with their funding proposal.

Parcels of facilities not affected by removal action at the same property may apply for brownfields funding and may be eligible for brownfields funding on a property-specific basis. Property-specific funding decisions will be made in coordination with the on-scene coordinator (OSC) to ensure that all removals and cleanup activities at the property are conducted in safe and protective manners and to ensure that the OSC retains the ability to address all risks and contamination.

Please note that if a federal brownfields-funded site assessment results in identifying the need for a new removal action, the grantee may continue to expend brownfields funds on additional grant-

related activities. However, any additional expenditure of federal brownfields funds and any additional site assessment activities should be conducted in coordination with the OSC for the site.

1.5.2. Facilities to which a permit has been issued by the United States or an authorized state under the Resource Conservation and Recovery Act (RCRA), the Federal Water Pollution Control Act, the Toxic Substances Control Act, or the Safe Drinking Water Act

Generally, in cases where a property or a portion of a property is permitted under the Resource Conservation and Recovery Act, Section §1321 of the Clean Water Act, the Safe Drinking Water Act, and/or the Toxic Substances and Control Act, the property, or portion of the property, may not receive funding without a property-specific determination. Therefore, applicants should review the following guidance regarding which types of permitted facilities may not receive funding unless EPA makes a property-specific determination to provide funding. Applicants should note that the exclusion for permitted facilities does not extend to facilities with National Pollutant Discharge Elimination System (NPDES) permits issued under the authorities of the Federal Water Pollution Control Act, but is limited to facilities issued permits under the authorities of the Oil Pollution Act (i.e., §1321 of FWPCA).

In cases where one or more portions of a property are not eligible for funding, the applicant should identify the specific permit and situation that causes the property to be excluded. In addition, the applicant must include, within the proposal, documentation that federal brownfields funding for the assessment or cleanup of the property will further the goals established for property-specific funding determinations as described in the Brownfields FAQs at www.epa.gov/sites/production/files/2017-07/documents/fy18-arc-faqs.pdf.

In some cases, a facility may not have a permit or order because it is not in compliance with federal or state environmental laws requiring that it obtain a permit or the facility has failed to notify EPA of its regulatory status. Such facilities are not eligible for brownfields funding. For example, a RCRA treatment unit operator is required to obtain a permit and/or notify EPA of its operation. An operator that fails to fulfill those obligations will likely not have a permit or order as EPA will be unaware of its existence. Therefore, it is EPA's view that such facilities are ineligible to receive brownfields funds as a result of their failure to comply with a basic regulatory requirement. Additional guidance on the eligibility of RCRA-permitted facilities, including facilities under administrative or court orders, including corrective action orders, is provided in the Brownfields FAQs at www.epa.gov/sites/production/files/2017-07/documents/fy18-arc-faqs.pdf.

1.5.3. RCRA Sites

RCRA Facilities that are Eligible for Funding

EPA's view is that the following types of RCRA facilities are eligible for brownfields funding and do not require Property-Specific Determinations:

a. RCRA interim status facilities that are not subject to any administrative or judicial order or consent decree;
b. RCRA interim status facilities that are subject to administrative or judicial orders that do **not** include corrective action requirements or any other cleanup provisions (e.g., RCRA §3008(a) orders without provisions requiring the owner/operator to address contamination); and

c. parcels of RCRA facilities that are not under the scope of a RCRA permit or administrative or judicial order.

RCRA Facilities that Require Property-Specific Determinations
EPA's view is that the following types of RCRA facilities **may not receive funding without a property-specific determination**:

a. RCRA-permitted facilities;
b. RCRA interim status facilities with administrative orders requiring the facility to conduct corrective action or otherwise address contamination, including facilities with orders issued under the authorities of RCRA §3008(a), §3008(h), §3013, and §7003;
c. facilities under court order or under an administrative order on consent or judicial consent decree under RCRA or CERCLA that require the facility to conduct corrective action or otherwise address contamination at the facility; and
d. land disposal units that have notified EPA or an authorized state of their intent to close and have closure requirements specified in closure plans or permits.

1.5.4. Land disposal units that have filed a closure notification under Subtitle C of RCRA and to which closure requirements have been specified in a closure plan or permit

RCRA hazardous waste landfills that have submitted closure notifications, as required under 40 CFR 264.112(d) or 265.112(d), generally will not be funded. This may include permitted facilities that have filed notification of closure and for which EPA and/or an authorized state is proceeding with final closure requirements for the facility. For interim status facilities, this is done through approval of a closure plan submitted with closure notification. For permitted facilities, this is routinely done as a modification to the permit, requested by the facility at the time of closure notification.

Please note that RCRA hazardous waste landfills that have submitted closure notifications may be eligible for brownfields funding with a Property-Specific Determination.

1.5.5. Sites Contaminated with PCBs

The Brownfields Law excludes from funding eligibility portions of facilities where there has been a release of PCBs that are subject to remediation under TSCA.

EPA's view is that all portions of properties **are eligible** for brownfield site assessment grants, except where EPA has initiated an involuntary action with any person to address PCB contamination. Also, it is EPA's view that all portions of properties **are eligible** for cleanup and RLF grants, except where EPA has an ongoing action against a disposer to address PCB contamination. However, any portion of a property where EPA has initiated an involuntary action with any person to address PCB contamination and portions of properties where EPA has an ongoing action against a disposer to address PCB contamination will require a Property-Specific Determination to be eligible for brownfields funding, including:

- there is a release (or disposal) of any waste meeting the definition of "PCB remediation waste" at 40 CFR 761.3; **and**
- at which EPA has initiated an involuntary action with any person to address the PCB contamination. Such involuntary actions could include:

- enforcement action for illegal disposal;
- Regional Administrator's order to characterize or remediate a spill or old disposal (40 CFR 761.50(b)(3));
- penalty for violation of TSCA remediation requirements;
- superfund removal action; or
- remediation required under RCRA §3004(u) or §3004(v).

PCBs may be remediated under any one of the following provisions under TSCA:

a. section 761.50(b)(3), the directed characterization, remediation, or disposal action;
b. section 761.61(a), the self-implementing provision;
c. an approval issued under §761.61(c), the risk-based provision;
d. section 761.61(b) to the level of PCB quantification (i.e., 1 ppm in soil);
e. an approval issued under §761.77, the coordinated approval provision;
f. section 761.79, the decontamination provision;
g. an existing EPA PCB Spill Cleanup Policy; or
h. any future policy or guidance addressing PCB spill cleanup or remediation specifically addressing the remediation of PCBs at brownfield sites.

1.5.6. LUST Trust Fund Sites

The Brownfields Law requires a Property-Specific Determination for funding at those sites (or portions of properties) for which assistance for response activity has been obtained under Subtitle I of RCRA from the LUST Trust Fund. EPA's view is that this provision may exclude UST sites where money is being spent on actual assessment and/or cleanup of UST/petroleum contamination.

However, in cases where the state agency has used LUST Trust Fund money for state program oversight activities on an UST site, but has not expended LUST Trust Funds for specific assessment and/or cleanup activities at the site, the site would be eligible for brownfields funding and does not need a Property-Specific Determination. Such sites may receive brownfields funding on a property-specific basis, if it is determined that brownfields funding will protect human health and the environment and the funding will promote economic development or enable the creation of, preservation of, or addition to greenspace (see guidance on documenting eligibility for property-specific funding determinations provided in the Brownfields FAQs at www.epa.gov/sites/production/files/2017-07/documents/fy18-arc-faqs.pdf).

Examples of sites receiving LUST Trust Fund monies that EPA would consider to be good candidates to receive Brownfields Grants or loans include:

a. all UST fields pilots (50 pilots);
b. sites (or portions of properties) where an assessment was completed using LUST Trust Fund monies and the state has determined that the site is a low-priority UST site, and therefore, additional LUST Trust Fund money cannot be provided for the cleanup of petroleum contamination, but the site still needs some cleanup and otherwise is a good candidate for economic revitalization; and
c. sites (or portions of properties) where LUST Trust Fund money was spent for emergency activities, but then the site was determined to be ineligible for further expenditures of LUST

Trust Funds, yet the site needs additional funding for continued assessment and/or cleanup that will contribute to economic revitalization of the site.

1.6. Eligible Response Sites/Enforcement Issues

The Brownfields Law limits EPA's enforcement and cost recovery authorities at "eligible response sites" where a response action is conducted in compliance with a state response program. Section 101(40) of CERCLA defines an "eligible response site" by referencing the general definition of a "brownfield site" in §101(39)(A) and incorporating the exclusions at §101(39)(B). The Law places further limitations on the types of properties included within the definition of an eligible response site, but grants EPA the authority to include within the definition of eligible response site, and on a property-specific basis, some properties that are otherwise excluded from the definition. Such property-specific determinations must be based upon a finding that limits an enforcement will be appropriate, after consultation with state authorities, and will protect human health and the environment and promote economic development or facilitate the creation of, preservation, or addition to a park, a greenway, undeveloped property, recreational property, or other property used for nonprofit purposes. While the criteria appear similar to those for determining eligibility for funding on a property-specific basis, the determinations are distinct, will be made through a separate process, and may not be based on the same information requested in this document for property-specific funding determinations.

Also, please note that in providing funding for brownfield sites, and given that a limited amount of funding is available for Brownfields Grants, EPA's goal is to not provide brownfields funding to sites where EPA has a planned or ongoing enforcement action. While EPA does not intend that the existence of a planned or ongoing enforcement action will necessarily disqualify a site from receipt of brownfields funding, EPA does believe it is necessary that EPA be aware of the existence of any such action in making funding decisions. As a result, EPA will conduct an investigation to evaluate whether a site is, or will be, subject to an enforcement action under CERCLA or other federal environmental statutes. EPA is requesting that applicants identify ongoing or anticipated environmental enforcement actions related to the brownfield site for which funding is sought.

Appendix 2
www.grants.gov Proposal Submission Instructions

A. Requirement to Submit Through www.grants.gov and Limited Exception Procedures

Applicants, except as noted below, must apply electronically through www.grants.gov under this funding opportunity based on the www.grants.gov instructions in this announcement. If an applicant does not have the technical capability to apply electronically through www.grants.gov because of limited or no Internet access which prevents them from being able to upload the required application materials to www.grants.gov, the applicant must contact OGDWaivers@epa.gov or the address listed below in writing (e.g., by hard copy, email) at *least 15 calendar days prior to the submission deadline under this announcement* to request approval to submit their application materials through an alternate method.

Mailing Address:
OGD Waivers
c/o Amanda Schulz
USEPA Headquarters
William Jefferson Clinton Building
1200 Pennsylvania Ave., N.W.
Mail Code: 3903R
Washington, DC 20460

Courier Address:
OGD Waivers
c/o Amanda Schulz
Ronald Reagan Building
1300 Pennsylvania Ave., N.W.
Rm # 51209
Washington, DC 20004

In the request, the applicant must include the following information:

- Funding Opportunity Number (FON)
- Organization Name and DUNS
- Organization's Contact Information (email address and phone number)
- Explanation of how they lack the technical capability to apply electronically through www.grants.gov because of 1) limited Internet access or 2) no Internet access which prevents them from being able to upload the required application materials through www.grants.gov.

EPA will only consider alternate submission exception requests based on the two reasons stated above and will timely respond to the request -- all other requests will be denied. If an alternate submission method is approved, the applicant will receive documentation of this approval and further instructions on how to apply under this announcement. Applicants will be required to submit the documentation of approval with any initial application submitted under the alternative method. In addition, any submittal through an alternative method must comply with all applicable requirements and deadlines in the announcement including the submission deadline and requirements regarding proposal content and page limits (although the documentation of approval of an alternate submission method will not count against any page limits).

If an exception is granted, it is valid for submissions to EPA for the remainder of the entire calendar year in which the exception was approved and can be used to justify alternative submission methods for application submissions made through December 31st of the calendar year in which the exception was approved (e.g., if the exception was approved on March 1, 2017,

it is valid for any competitive or non-competitive application submission to EPA through December 31, 2017). Applicants need only request an exception once in a calendar year and all exceptions will expire on December 31st of that calendar year. Applicants must request a new exception from required electronic submission through www.grants.gov for submissions for any succeeding calendar year. For example, if there is a competitive opportunity issued on December 1, 2017, with a submission deadline of January 15, 2018, the applicant would need a new exception to submit through alternative methods beginning January 1, 2018.

Please note that the process described in this section is only for requesting alternate submission methods. All other inquiries about this announcement must be directed to the Regional Brownfields Contact listed in Section VII. Queries or requests submitted to the email address identified above for any reason other than to request an alternate submission method will not be acknowledged or answered.

B. Submission Instructions

The electronic submission of your application must be made by the Authorized Organization Representative (AOR) of your institution who is registered with www.grants.gov and is authorized to sign applications for federal assistance. For more information on the registration requirements that must be completed in order to submit an application through www.grants.gov, go to www.grants.gov and click on "Applicants" on the top of the page and then go to the "Get Registered" link on the page. If your organization is not currently registered with www.grants.gov, please encourage your office to designate an AOR and ask that individual to begin the registration process as soon as possible. Please note that the registration process also requires that your organization have a DUNS number and a current registration with the System for Award Management (SAM) and the process of obtaining both could take a month or more. Applicants must ensure that all registration requirements are met in order to apply for this opportunity through www.grants.gov and should ensure that all such requirements have been met well in advance of the submission deadline. Registration on www.grants.gov, www.sam.gov, and DUNS number assignment is FREE.

Applicants need to ensure that the AOR who submits the application through www.grants.gov and whose DUNS number is listed on the application is an AOR for the applicant listed on the application. Additionally, the DUNS number listed on the application must be registered to the applicant organization's SAM account. If not, the application may be deemed ineligible.

To begin the application process under this grant announcement, go to www.grants.gov and click on "Applicants" on the top of the page and then "Apply for Grants" from the dropdown menu and then follow the instructions accordingly. Please note: to apply through www.grants.gov, you must use Adobe Reader software and download the compatible Adobe Reader version. For more information about Adobe Reader, to verify compatibility, or to download the free software, please visit https://www.grants.gov/web/grants/applicants/adobe-software-compatibility.html.

You may also be able to access the application package for this announcement by searching for the opportunity on www.grants.gov. Go to www.grants.gov and then click on "Search Grants" at the top of the page and enter the Funding Opportunity Number, **EPA-OLEM-OBLR-17-08**, or

the CFDA number that applies to the announcement **(CFDA 66.818)**, in the appropriate field and click the "Search" button.

Please note that www.grants.gov is strongly encouraging users to sign up for and use their "Workspace" feature when applying for opportunities. www.grants.gov will be phasing out the "legacy" application process, so EPA recommends that all applicants begin using "Workspace" as soon as possible so they are prepared when the "legacy" application process is no longer available.

Proposal Submission Deadline: Your organization's AOR must successfully submit your complete application package electronically to EPA through www.grants.gov **no later than November 16, 2017, 11:59 p.m. ET**. Please allow for enough time to successfully submit your application process and allow for unexpected errors that may require you to resubmit.

Please submit *all* of the application materials described below using the www.grants.gov application package that you downloaded using the instructions above. For additional instructions on completing and submitting the electronic application package, click on the "Show Instructions" tab that is accessible within the application package itself.

Applications submitted through www.grants.gov will be time and date stamped electronically. If you have not received a confirmation of receipt from EPA (not from www.grants.gov) within 30 days of the proposal deadline, please contact Jerry Minor-Gordon at minor-gordon.jerry@epa.gov. Failure to do so may result in your proposal not being reviewed.

Application Materials

The following forms and documents are mandatory under this announcement.

1. Application for Federal Assistance (Standard Form 424)
2. Cover Letter and Narrative Proposal. See Section IV.C. for details on the content of the Cover Letter and Narrative Proposal, and the associated page limits – use Project Narrative Attachment form to submit the documents.
3. Required Attachments. See Section IV.C. of this announcement – use Other Attachments form to submit the documents.

C. Technical Issues with Submission

1. Once the application package has been completed, the "Submit" button should be enabled. If the "Submit" button is not active, please call www.grants.gov for assistance at 1-800-518-4726. Applicants who are outside the U.S. at the time of submittal and are not able to access the toll-free number may reach a www.grants.gov representative by calling 606-545-5035. Applicants should save the completed application package with two different file names before providing it to the AOR to avoid having to re-create the package should submission problems be experienced or a revised application needs to be submitted.

2. Submitting the application. The application package must be transferred to www.grants.gov

by an AOR. The AOR should close all other software before attempting to submit the application package. Click the "submit" button of the application package. Your Internet browser will launch and a sign-in page will appear. **Note: Minor problems are not uncommon with transfers to www.grants.gov. It is essential to allow sufficient time to ensure that your application is submitted to www.grants.gov BEFORE the due date identified in Section IV. of this solicitation.** The www.grants.gov support desk operates 24 hours a day, seven days a week, except federal holidays.

A successful transfer will end with an on-screen acknowledgment. For documentation purposes, print or screen capture this acknowledgment. If a submission problem occurs, reboot the computer – turning the power off may be necessary – and re-attempt the submission.

Note: www.grants.gov issues a "case number" upon a request for assistance.

3. Transmission difficulties. If transmission difficulties that result in a late transmission, no transmission, or rejection of the transmitted application are experienced, and following the above instructions do not resolve the problem so that the application is submitted to www.grants.gov by the deadline date and time, follow the guidance below. The Agency will make a decision concerning acceptance of each late submission on a case-by-case basis. All emails, as described below, are to be sent to Jerry Minor-Gordon (minor-gordon.jerry@epa.gov) with the FON in the subject line. If you are unable to email, contact Jerry Minor-Gordon (202-566-1817). Be aware that EPA will only consider accepting applications that were unable to transmit due to www.grants.gov or relevant www.sam.gov system issues or for unforeseen exigent circumstances, such as extreme weather interfering with Internet access. Failure of an applicant to submit timely because they did not properly or timely register in www.sam.gov or www.grants.gov is not an acceptable reason to justify acceptance of a late submittal.

   (a) If you are experiencing problems resulting in an inability to upload the application to www.grants.gov, it is essential to call www.grants.gov for assistance at 1-800-518-4726 before the application deadline. Applicants who are outside the U.S. at the time of submittal and are not able to access the toll-free number may reach a www.grants.gov representative by calling 606-545-5035. Be *sure* to obtain a case number from www.grants.gov. If the problems stem from unforeseen exigent circumstances unrelated to www.grants.gov, such as extreme weather interfering with Internet access, contact Jerry Minor-Gordon (202-566-1817).

   (b) Unsuccessful transfer of the application package: If a successful transfer of the application cannot be accomplished even with assistance from www.grants.gov due to electronic submission system issues or unforeseen exigent circumstances, send an email message to minor-gordon.jerry@epa.gov prior to the application deadline. The email message must document the problem and include the www.grants.gov case number as well as the entire application in PDF format as an attachment.

   (c) www.grants.gov rejection of the application package: If a notification is received from www.grants.gov stating that the application has been rejected for reasons other than late

submittal promptly send an email to Jerry Minor-Gordon (minor-gordon.jerry@epa.gov) with the FON in the subject line within one business day of the closing date of this solicitation. The email should include any materials provided by www.grants.gov and attach the entire application in PDF format.

Please note that successful submission through www.grants.gov or via email does not necessarily mean your application is eligible for award.

Appendix 3
RLF Other Factors Checklist

Name of Applicant: _____

Please identify (with an ***X***) which, if any of the below items apply to your community or your project as described in your proposal. To be considered for an Other Factor, you must include the page number where each applicable factor is discussed in your proposal. EPA will verify these disclosures prior to selection and may consider this information during the selection process. If this information is not clearly discussed in your narrative proposal or in any other attachments, it will not be considered during the selection process.

Other Factor	**Page #**
None of the Other Factors are applicable.	
Community population is 10,000 or less.	
The jurisdiction is located within, or includes, a county experiencing "persistent poverty" where 20% or more of its population has lived in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and the most recent Small Area Income and Poverty Estimates.	
Applicant is, or will assist, a federally recognized Indian tribe or United States territory.	
Target brownfield sites are impacted by mine-scarred land.	
Applicant demonstrates firm leveraging commitments for facilitating brownfield project completion, by identifying in the proposal the amounts and contributors of resources and including documentation that ties directly to the project.	
Applicant is a recipient of an EPA Brownfields Area-Wide Planning grant.	