OVERVIEW

AGENCY: ENVIRONMENTAL PROTECTION AGENCY (EPA)

TITLE: FY19 GUIDELINES FOR BROWNFIELDS CLEANUP GRANTS

ACTION: Request for Proposals (RFP)

RFP NO.: EPA-OLEM-OBLR-18-07

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

DATE: The closing date and time for receipt of proposals is **January 31, 2019**, 11:59 p.m. Eastern Time (ET). Proposals must be submitted through www.grants.gov. Proposals received after 11:59 p.m. ET on January 31, 2019 will not be considered. Please refer to the *Due Date and Submission Instructions* in Section IV.B. and Appendix 1 for further instructions.

SUMMARY: The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended by the Brownfields Utilization, Investment, and Local Development (BUILD) Act (P.L. 115-141), 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 nonprofit organizations to prevent, inventory, assess, clean up, and reuse brownfield sites.

Entities applying for Fiscal Year 2019 (FY19) Cleanup Grants may not apply for FY19 Multipurpose Grants (EPA-OLEM-OBLR-18-08).

Additionally, brownfield sites where EPA Cleanup Grant funds were previously expended may not receive additional EPA Cleanup Grant funding in FY19. A proposal for funding for a brownfield site where EPA Cleanup Grant funds were previously expended will be ineligible for funding under this competition.

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 FY19 Brownfields Frequently Asked Questions (FAQs), which can be found at https://www.epa.gov/brownfields/frequently-asked-questions-about-multipurpose-assessment-rlf-and-cleanup-grants.

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

FUNDING/AWARDS: EPA anticipates awarding an estimated 40 Cleanup Grants for an estimated $11 million, subject to the quality of proposals received, availability of funds and other applicable considerations. EPA may expend up to 25% of the amount appropriated for Brownfield Grants on sites contaminated with petroleum.

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SECTION I. – FUNDING OPPORTUNITY DESCRIPTION

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) was amended by the Small Business Liability Relief and Brownfields Revitalization Act in 2002 to include Section 104(k), which provides federal financial assistance authorities for brownfields revitalization, including grants for assessment, cleanup, and revolving loan funds. The Brownfields Utilization, Investment, and Local Development (BUILD) Act enacted in 2018 reauthorized EPA's Brownfields Program and made additional amendments to CERCLA that affect EPA's brownfield grant authorities, and ownership and liability provisions. (Note: References to CERCLA in this solicitation refer to CERCLA as amended by the 2002 Small Business Liability Relief and Brownfields Revitalization Act and the 2018 BUILD Act.)

A **brownfield site is defined** in CERCLA § 101(39) 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 Brownfields Program 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.A. of this announcement, proposals will be evaluated based on the extent to which the applicant demonstrates: a vision for the reuse and redevelopment of brownfield sites and a strategy for leveraging resources to help accomplish the vision; the environmental, social, health and economic needs and benefits of the target area; strong community engagement; reasonable and eligible tasks and appropriate use of grant funding; the capacity for managing and successfully implementing the cooperative agreement; and other factors.

I.A. Description of Grant

Cleanup Grants provide funding to carry out cleanup activities on brownfield sites owned by the applicant.

NEW:

- An applicant may only submit ONE Cleanup Grant proposal in the FY19 competition cycle.
- The maximum amount of EPA funds that will be awarded under a Cleanup Grant is $500,000. Applicants may propose to use up to $500,000 to clean up one brownfield site or to allocate up to $500,000 among multiple sites.

Applicants that exceed the number of proposals allowable for Cleanup Grants will be contacted, prior to review of any of the proposals by EPA, to determine which proposal(s) the applicant will withdraw from the competition. An applicant cannot propose an alternate site(s) if the site(s) identified in the proposal is determined by EPA to be ineligible for funding. An applicant may request up to $500,000 to address hazardous substances[1] and/or petroleum[2] contamination at one or more brownfield site(s). If the site is co-mingled with both hazardous substances and petroleum contamination and the hazardous substances and petroleum-contaminated areas of the site are distinguishable, the proposal must address both eligibility criteria and indicate the dollar amount of funding requested for each type of contamination. If the hazardous substances and petroleum are co-mingled and not easily distinguishable, the applicant must indicate which contaminant is predominant and respond to the appropriate site eligibility criteria. (Contact your Regional Brownfields Contact listed in Section VII. for more information.)

An applicant must be the sole owner of the site(s) that is the subject of its Cleanup Grant proposal and must own the site(s) by January 31, 2019, to be eligible to receive a Cleanup Grant. For the purposes of eligibility determinations in these guidelines only, the term "own" means fee simple title through a legal document (for example a recorded deed); unless EPA approves a different ownership arrangement. (**Note: EPA strongly recommends contacting the Regional Brownfields Contact listed in Section VII. to ensure the proposed site(s) is eligible for funding prior to submitting your proposal.**) EPA will find applicants ineligible if they do not meet the ownership requirement by January 31, 2019. If awarded a Cleanup Grant, the recipient must retain ownership of the site(s) while Brownfields Cleanup Grant funds are disbursed for the cleanup of the site(s). Refer to threshold criterion Section III.B.3. and FY19 FAQs[3] for additional information.

CERCLA requires applicants to provide a 20% cost share for Cleanup Grants. For example, a $200,000 Cleanup Grant will require a $40,000 cost share. The cost share, which may be in the form of a contribution of money, labor, material, or services, must be used for eligible and allowable costs under the grant, as described in the FY19 FAQs.

Tribes, nonprofit organizations, and government entities (with populations of 50,000 and fewer) may request a waiver of the 20% 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 the threshold criterion in Section III.B.13. for additional information.

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[1] Sites eligible for hazardous substances funding are those sites with the presence or potential presence of hazardous substances, pollutants, contaminants, sites that are contaminated with controlled substances or that are mine-scarred lands. For more information on sites eligible for hazardous substances funding, please refer to the FY19 FAQs.

[2] Sites eligible for petroleum funding are those sites that meet the definition set forth in CERCLA § 101(39)(D)(ii)(II), as further described in Section 1.3.2.in the *Information on Sites Eligible for Brownfields Funding under CERCLA § 104(k)*.

[3] *The FY19 Brownfields Frequently Asked Questions (FAQs)* are available at https://www.epa.gov/brownfields/frequently-asked-questions-about-multipurpose-assessment-rlf-and-cleanup-grants.

Cleanup Grant applicants must have an ASTM E1903-11 Phase II environmental site assessment report(s) or equivalent site investigation report(s) complete that indicates a basic understanding of what contaminants need to be cleaned up on each site, even if further Phase II assessment work is required prior to proposal submission. Refer to threshold criterion Section III.B.7. for additional information.

For more information on a range of brownfield funding topics, please refer to the FY19 FAQs.

I.B. Uses of Grant Funds

In addition to direct costs associated with the cleanup of a brownfield site, grant funds may be used for:

1. Direct costs associated with programmatic management of the grant, such as required performance reporting, cleanup oversight, and environmental monitoring of cleanup work.

   All costs charged to Cleanup Grants must be consistent with the requirements at 2 CFR Part 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 and in the Health Monitoring fact sheet[4]) may use up to 10% of its grant funds for the following activities:
   a. health monitoring of populations exposed to hazardous substances from a brownfield site; and
   b. monitoring and enforcement of any institutional control used to prevent human exposure to any hazardous substance from a brownfield site.

3. A portion of the Brownfields Grant may be used to purchase environmental insurance. (See the FY19 FAQs for additional information on purchasing environmental insurance.)

Grant funds cannot be used for the payment of:

1. Direct costs for proposal preparation;

2. a penalty or fine;

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

4. administrative costs, including all indirect costs and direct costs for grant administration in excess of five (5) percent of the total amount of EPA grant funding, with the exception of financial and performance reporting costs (which are considered allowable programmatic costs and not subject to the 5% limitation);

[4] The Health Monitoring fact sheet is available at https://www.epa.gov/brownfields/brownfields-public-health-and-health-monitoring.

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.

See the FY19 FAQs for additional information on ineligible grant activities and unallowable costs.

I.C. EPA Strategic Plan Linkage

The activities to be funded under this announcement support EPA's FY 2018-2022 Strategic Plan.[5] Awards made under this announcement will support Goal 1 – Core Mission, Objective 3 – Revitalize Land and Prevent Contamination of EPA's Strategic Plan. All proposals must be for projects that support the goal and objective.

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

EPA requires that applicants adequately describe environmental outputs and outcomes to be achieved under assistance agreements.[6] 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 goal and objective 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 in Section IV.E. Outputs and outcomes specific to each project will be identified as deliverables in the negotiated workplan if the proposal is selected for award. Recipients will be expected to report progress toward the attainment of expected project outputs and outcomes during the project performance period. Outputs and outcomes are defined as follows:

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 underground storage tanks pulled.

[5] *EPA's Strategic Plan* is available at https://www.epa.gov/planandbudget/fy-2018-2022-epa-strategic-plan.
[6] *EPA Order 5700.7, EPA's Policy for Environmental Results under EPA Assistance Agreements* is available at https://www.epa.gov/grants/epa-order-57007a1-epas-policy-environmental-results-under-epa-assistance-agreements.

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 Brownfield Grants include the number of jobs created and funding leveraged through the economic reuse of sites; the number of acres made ready for reuse; acres of greenspace created for communities; and the minimized exposure to hazardous substances and petroleum contamination.

I.E. Supporting Environmental Justice

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.[7]

Environmental justice can be supported through equitable development approaches *and* intentional strategies 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.

Applicants should discuss and provide specific examples of how the proposed Brownfields Cleanup Grant project will address environmental justice challenges in Section IV.E.

SECTION II. – AWARD INFORMATION

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

The estimated total funding available for Cleanup Grants under this solicitation is approximately $11 million and EPA anticipates awarding an estimated 40 Cleanup Grants; subject to the availability of funds, quality of proposals, and other applicable considerations. EPA may expend

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

up to 25% of the amount appropriated for Brownfield Grants on sites contaminated with petroleum.

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 Cleanup Grants is up to three years.

II.C. Substantial Involvement

The Brownfield Cleanup 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 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, including consultants, employed by the award recipient); and
- reviewing and commenting on reports prepared under the cooperative agreement (the final decision on the content of reports rests with the recipient).

SECTION III. – ELIGIBILITY INFORMATION AND THRESHOLD CRITERIA

III.A. Who Can Apply?

The following information indicates which entities are eligible to apply for a Cleanup Grant.

- 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 the FY19 FAQs.)
- Nonprofit organization described in section 501(c)(3) of the Internal Revenue Code.
- Limited liability corporation in which all managing members are 501(c)(3) nonprofit organizations or limited liability corporations whose sole members are 501(c)(3) nonprofit organizations.
- Limited liability partnership in which all general partners are 501(c)(3) nonprofit organizations or limited liability corporations whose sole members are 501(c)(3) nonprofit organizations.
- Qualified community development entity as defined in section 45D(c)(1) of the Internal Revenue Code of 1986.
- Other nonprofit organizations. (For the purposes of the Brownfields Grant Program, the term "other nonprofit organization" means any corporation, trust, association, cooperative, or other organization that is operated mainly for scientific, educational, service, charitable, or similar purpose in the public interest and is not organized primarily for profit; and uses net proceeds to maintain, improve, or expand the operation of the organization. The term includes nonprofit colleges, universities, and other educational institutions.)

III.B. Threshold Criteria for Cleanup Grants

This section contains the threshold eligibility criteria that ensure applicants are eligible to receive a Cleanup Grant and that the proposed site(s) is eligible for funding. 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 eligibility determinations for Brownfield 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, activities, or site(s), 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.

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. 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.

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 Policy for Competition of Assistance Agreements.[8]

Applicants may not submit multiple proposals under this solicitation. Applicants who submit more than one proposal will be contacted by EPA prior to proposal review to determine which one(s) will be withdrawn. In addition, an applicant who applies under the solicitation may not submit a proposal for an FY19 Brownfields Multipurpose Grant.

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 exceeding the page limits described in Section IV.C. for the Narrative Information Sheet and the Narrative, and attachments not specifically required, will not be reviewed.

In addition, proposals must be submitted through www.grants.gov as stated in Section IV. and Appendix 1 of this announcement (except in the limited circumstances where another mode of submission is specifically allowed for as explained in Appendix 1) on or before the proposal submission deadline. Applicants are responsible for following the submission instructions in Section IV. and Appendix 1 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

[8] *EPA Order 5700.5A1, EPA's Policy for Competition of Assistance Agreements* is available at https://www.epa.gov/grants/epa-order-57005a1-epas-policy-competition-assistance-agreements.

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/department. If the correct DUNS number is not included on the application, the application may be deemed ineligible.

Responses to the items below are required and must be included as an attachment to the Narrative that is included in the proposal submitted to EPA. See Section IV.C. for a complete list of required documents that must be submitted.

1. **Applicant Eligibility**
   Provide information that demonstrates how you are an eligible entity for a Cleanup Grant as specified in Section III.A., *Who Can Apply?*

   - For entities that are cities, counties, tribes, or states, affirm that the organization is eligible for funding.

   - For entities other than cities, counties, tribes, or states, attach documentation of your eligibility (e.g., resolutions, statutes, etc.).

   - For nonprofit organizations, or organizations comprised of nonprofit organizations, provide documentation as an attachment to the Narrative demonstrating tax-exempt status under section 501(c)(3) of the Internal Revenue Code. Note that nonprofit organizations not exempt from taxation under section 501(c)(3) of the Internal Revenue Code must submit other forms of documentation of nonprofit status; such as certificates of incorporation as nonprofit under state or tribal law.

   - For qualified community development entities, provide documentation as an attachment to the Narrative certifying the organization's status.

2. **Previously Awarded Cleanup Grants**
   Brownfield sites where EPA Cleanup Grant funds were previously expended may not receive additional EPA Cleanup Grant funding in FY19. A proposal for funding for a brownfield site where EPA Cleanup Grant funds were previously expended will be ineligible for funding under this competition.

   Affirm that the proposed site(s) has not received funding from a previously awarded EPA Brownfields Cleanup Grant.

If you are applying for multiple sites, threshold criteria responses must include responses to items 3. – 12. for each site.

3. **Site Ownership**
To be eligible to receive a Cleanup Grant the applicant must be the sole owner of the site that is the subject of its Cleanup Grant proposal and must own the site by January 31, 2019. For the purposes of Brownfields Cleanup Grant eligibility determinations, the term "own" means fee simple title through a legal document, for example, a recorded deed; unless EPA approves a different ownership agreement. (**EPA strongly recommends contacting the Regional Brownfields Contact listed in Section VII. to ensure the proposed site is eligible for funding prior to submitting your proposal.**) EPA will find applicants ineligible if they do not meet the ownership requirement by January 31, 2019. If awarded a Cleanup Grant, the recipient must retain ownership of the site(s) while Brownfields Cleanup Grant funds are disbursed for the cleanup of the site(s).

4. **Basic Site Information**
Identify: a) the name of the site; b) the address of the site, including zip code; c) the current owner of the site; and d) if you are not the current owner, the date you plan to acquire ownership of the site (required for Cleanup Grants).

5. **Status and History of Contamination at the Site**
Identify: a) whether this site is contaminated by hazardous substances or petroleum; b) the operational history and current use(s) of the site; c) environmental concerns, if known, at the site; and d) how the site became contaminated, and to the extent possible, describe the nature and extent of the contamination.

6. **Brownfields Site Definition**
To be eligible for Brownfields Grant funding, sites must meet the definition of a brownfield under CERCLA § 101(39) as described in the Information on Sites Eligible for Brownfields Funding under CERCLA § 104(k).[9] The following types of properties are not eligible for Brownfields Grant funding:
   - facilities listed (or proposed for listing) on the National Priorities List (NPL);
   - 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; and
   - facilities that are subject to the jurisdiction, custody, or control of the U.S. government. (Note: Land held in trust by the U.S. government for an Indian tribe is eligible for funding.)

   Affirm that the site is: a) not listed or proposed for listing on the National Priorities List; b) not subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA; and c) not subject to the jurisdiction, custody, or control of the U.S. government. (Please refer to CERCLA §§ 101(39)(B)(ii), (iii), and (vii) and the Information on Sites Eligible for Brownfields Funding under CERCLA § 104(k).)

[9] *Information on Sites Eligible for Brownfields Funding under CERCLA § 104(k)* is available at https://www.epa.gov/brownfields/information-sites-eligible-brownfields-funding-under-cercla-ss-104k.

7. **Environmental Assessment Required for Cleanup Grant Proposals**
A written ASTM E1903-11 or equivalent Phase II environmental site assessment report (a draft report is sufficient) must be completed prior to proposal submission. Equivalent reports include site investigations or remedial action plans developed for a state cleanup program or Office of Surface Mining surveys for mine-scarred lands. Describe the type of environmental assessments conducted at your proposed site (do not attach assessment reports). Provide the date of the Phase II or equivalent report. Contact your Regional Brownfields Contact listed in Section VII. if you have questions.

8. **Enforcement or Other Actions**
Identify known ongoing or anticipated environmental enforcement or other actions related to the site for which Brownfields Grant funding is sought. Provide information on any inquiries, or orders from federal, state, or local government entities that the applicant is aware of regarding the responsibility of any party (including the applicant) for the contamination, or hazardous substances at the site, including any liens. The information provided in this section may be verified, and EPA may conduct an independent review of information related to the applicant's responsibility for the contamination or hazardous substances at the site, or the site's eligibility.

9. **Sites Requiring a Property-Specific Determination**
Certain types of sites require a property-specific determination in order to be eligible for Brownfields Grant funding. Please refer to Section 1.5 in the Information on Sites Eligible for Brownfields Funding under CERCLA § 104(k) and the information below to determine whether your site requires a property-specific determination. If your site requires a property-specific determination, then you must attach the information requested in the FY19 FAQs. If not required, affirm that the site does not need a Property-Specific Determination.

The following special classes of property require a "Property-Specific Determination" from EPA to be eligible for Brownfields Grant funding:

- 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 the Resource Conservation and Recovery Act (RCRA), the Federal Water Pollution Control Act (FWPCA), the Toxic Substances Control Act (TSCA), or the Safe Drinking Water Act (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 Leaking Underground Storage Tank (LUST) Trust Fund (see the Information on Sites Eligible for Brownfields Funding under CERCLA § 104(k) for a definition of LUST Trust Fund sites).

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 must be attached to your proposal and do not count toward the 10-page limit for the Narrative. (See the Information on Sites Eligible for Brownfields Funding under CERCLA § 104(k) for more information or contact your Regional Brownfields Contact listed in Section VII. if you think your site requires a Property-Specific Determination.)

10. Threshold Criteria Related to CERCLA/Petroleum Liability

Applicants eligible for Brownfields Grant funding cannot be liable for contamination on the site(s). The following items are intended to help EPA ensure that you are not liable under CERCLA § 107 for response costs at the site(s) designated in your Narrative, or determine, if necessary, that your site(s) is eligible for funding as a petroleum site(s). Please respond to the following items fully and in the order that they appear. Note, based on your responses, EPA may need to obtain additional information to make a determination.

If the site is contaminated with hazardous substances, please **respond to all the items under a**.

If the site is contaminated with petroleum or petroleum product, please **respond to all the items under b.**, including the requirement to provide a petroleum determination letter.

If the site is co-mingled with hazardous substances and petroleum contaminants, determine whether the predominant contaminant is hazardous substances or petroleum, and respond to the corresponding items (as noted above).

If the site is contaminated with hazardous substances and petroleum, and the hazardous substances and petroleum contaminated areas of the site are distinguishable, **respond to all the items under a. and b.**, including the requirement to provide a petroleum determination letter.

a. Property Ownership Eligibility – Hazardous Substance Sites

For sites contaminated by hazardous substances, persons, including government entities, who may be found liable for the contamination under CERCLA § 107 are not eligible for grants. Liable parties may include all current owners and operators, former owners and operators of the site at the time of disposal of hazardous substances, and parties that arranged for, or contributed to, the disposal or treatment of hazardous substances on the

site. Therefore, even owners who did not cause or contribute to the contamination may be held liable.[10]

To be eligible for a Brownfields Grant to address hazardous substances at a brownfield property, eligible entities must demonstrate that they:

- Are exempt from CERCLA liability; or
- Qualify for funding because the property was publicly owned and acquired prior to January 11, 2002; or
- Meet the requirements for asserting an affirmative defense to CERCLA liability through one of the landowner liability protections (e.g., the bona fide prospective purchaser liability protection per CERCLA § 101(40)).

Please review sections i., ii., and iii. below and **only provide responses to the section that pertains to your circumstance.**

i. EXEMPTIONS TO CERCLA LIABILITY

(1) Indian Tribes

EPA has not considered Indian tribes to be liable under CERCLA and, therefore, tribes are exempt from demonstrating that they meet the requirements of a CERCLA liability defense to be eligible for a Brownfields Grant.

Affirm the applicant is an Indian tribe and is therefore exempt from demonstrating that they meet the requirements of a CERCLA liability defense.

(2) Alaska Native Village Corporations and Alaska Native Regional Corporations

Alaska Native Village Corporations and Alaska Native Regional Corporations that acquired title to property from the U.S. Government under the Alaska Native Claims Settlement Act are excluded from the CERCLA definition of 'owner/operator' and are therefore exempt from CERCLA liability for any previous contamination at the property provided that the Alaska Native Village Corporation or Alaska Native Regional Corporation did not cause or contribute to the contamination. Entities that satisfy these conditions are eligible for a Brownfields Grant.

Note, Alaska Native Village Corporations and Alaska Native Regional Corporations that purchased the subject property must respond to section ii. or section iii. below as appropriate.

[10] Note that under Section 7 of the BUILD Act, a government entity that acquired property before January 11, 2002 is eligible for Brownfields Grant funding even if it does not qualify as a BFPP, so long as the entity did not cause or contribute to the release or threat of release of a hazardous substance at the property.

Provide the following to demonstrate that the Alaska Native Village Corporation or Alaska Native Regional Corporation is exempt from CERCLA liability:

(a) Describe in detail the circumstances of the acquisition.
(b) Provide the date on which property was acquired.
(c) Identify whether you caused or contributed to any release of hazardous substances at the site.

(3) <u>Property Acquired Under Certain Circumstances by Units of State and Local Government</u>

State and local units of government that acquired ownership or control of a property by any of the circumstances listed below <u>and</u> did not cause or contribute to any contamination at the property, are exempt from liability for any previous contamination at that property and, therefore, do **not** have to demonstrate that they meet the requirements of a CERCLA liability defense to be eligible for a Brownfields Grant. Such circumstances include:

- Seizure or in connection with any law enforcement activity;
- Bankruptcy;
- Tax delinquency;
- Abandonment; or
- Other circumstances where title to the property was acquired by virtue of the government's function as sovereign.

Provide the following to demonstrate that the State or local government is exempt from CERCLA liability:

(a) Describe in detail the circumstances (from the list above) under which the property was acquired.
(b) Provide the date on which the property was acquired.
(c) Identify whether all disposal of hazardous substances at the site occurred before you acquired the property and whether you caused or contributed to any release of hazardous substances at the site.
(d) Affirm that you have not, at any time, arranged for the disposal of hazardous substances at the site or transported hazardous substances to the site.

ii. EXCEPTIONS TO MEETING THE REQUIREMENTS FOR ASSERTING AN AFFIRMATIVE DEFENSE TO CERCLA LIABILITY

(1) <u>Publicly Owned Brownfield Sites Acquired Prior to January 11, 2002</u>

Under Section 7 of the BUILD Act, if an applicant (such as a state or local government) acquired a property prior to January 11, 2002, the applicant is eligible for a Brownfields Grant and may use grant funds to address contamination at the property, even if the entity does not qualify as a bona fide prospective purchaser, provided the applicant did not cause or contribute to contamination at the property.

Provide the following information to demonstrate that the applicant qualifies for the BUILD Act Section 7 exception:

(a) Describe in detail the circumstances under which the property was acquired.
(b) Provide the date on which the property was acquired.
(c) Identify whether all disposal of hazardous substances at the site occurred before you acquired the property and whether you caused or contributed to any release of hazardous substances at the site.
(d) Affirm that you have not, at any time, arranged for the disposal of hazardous substances at the site or transported hazardous substances to the site.

iii. LANDOWNER LIABILITY PROTECTIONS FROM CERCLA LIABILITY

To be eligible to expend Brownfields Grant funding at a site owned by an eligible entity (including state, local government, nonprofit organizations, etc.), the applicant must establish that it is a bona fide prospective purchaser (BFPP), contiguous property owner (CPO), or innocent landowner (ILO), as defined in CERCLA, unless the applicant qualifies for one of the categories noted earlier in this section of the guidelines.

Applicants asserting that they meet the BFPP, CPO, or ILO liability protection must review EPA's Landowner Liability Protections[11] webpage and contact the Regional Brownfields Contact listed in Section VII. to determine which eligibility criteria apply. For more comprehensive guidance on the landowner liability protections, see EPA's Interim Guidance Regarding Criteria Landowners Must Meet in Order to Qualify for Bona Fide Prospective Purchaser, Contiguous Property Owner, or Innocent Landowner Limitations on CERCLA ("Common Elements").[12]

(1) Bona Fide Prospective Purchaser Liability Protection

Although the statute limits eligibility for the BFPP liability protection to entities that acquire property after January 11, 2002, a Brownfields Grant applicant, for grant purposes only, is eligible for a grant without meeting the requirements of this liability protection as long as the applicant can make the demonstration outlined above in Section III.B.10.a.ii. Additionally, an entity may be eligible for grant funds even if it acquired a site prior to January 11, 2002 provided the applicant can demonstrate it performed environmental due diligence that was customary at time and did not cause or contribute to the contamination. For further information, please see FY19 FAQs on All Appropriate Inquiries and the Brownfields All Appropriate Inquiries[13] webpage.

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[11] The *Landowner Liability Protections* are available at https://www.epa.gov/enforcement/landowner-liability-protections.

[12] *The "Common Elements"* guidance is available at https://www.epa.gov/enforcement/interim-guidance-common-elements-landowner-criteria-qualify-bfpp-cpo-or-ilo-superfund. Please note, the "Common Elements" Guidance is currently being updated and a revised version is anticipated in FY19.

[13] The *Brownfields All Appropriate Inquiries* webpage is available at https://www.epa.gov/brownfields/brownfields-all-appropriate-inquiries.

Applicants that acquired property after January 11, 2002 and are asserting the BFPP liability protection (the most common liability protection) must demonstrate that they complied or are complying with all of the requirements listed below.

- The owner must have acquired title to a property after January 11, 2002.
- The owner must have conducted all appropriate inquiries (AAI) prior to acquiring the property. AAI, typically met by conducting a Phase I Environmental Site Assessment using the ASTM E1527-13 (or ASTM E2247-16) standard practice, must be conducted or updated within one year prior to the date the property is acquired (i.e., the date on which the entity takes title to the property). In addition, certain aspects of the AAI or Phase I Environmental Site Assessment must be updated, prior to property acquisition, if the activities were conducted more than six months prior to the date of acquisition.
- The owner must not be liable in any way for contamination at the site or affiliated with any other person potentially liable for the contamination. (Affiliations include familial, contractual, financial, or corporate relationships that are the result of a reorganization of a business entity with potential liability.)
- All disposal of hazardous substances at the site occurred before the person acquired the site.
- The owner must exercise appropriate care by taking reasonable steps to address releases, including stopping continuing releases and preventing threatened future releases and exposures to hazardous substances on the site.
- The owner must comply with any land use restrictions and not impede the effectiveness or integrity of any institutional controls associated with response actions at the site.
- The owner must provide full cooperation, assistance, and access to authorized persons.
- The owner must comply with any CERCLA information requests and administrative subpoenas, and provide all legally required notices with respect to the discovery or release of any hazardous substances found at the site.
- The owner must not impede performance of a response action or natural resource restoration.

Demonstrate that the applicant meets the requirements for the BFPP CERCLA liability protection.

(a) Information on the Property Acquisition You may combine responses to the following into one response, though please be sure to answer each item fully. Provide information on:

  (i) how you acquired or will acquire ownership (e.g., by negotiated purchase from a private individual, by purchase or transfer from another

governmental unit, via a donation, by eminent domain, or other circumstance (describe));

(ii) the date you acquired the property;

(iii) the nature of your ownership (fee simple) (note that you must have sole ownership of the site to be eligible for funding; unless EPA approves a different ownership arrangement);

(iv) the name and identity of the party from whom you acquired ownership (i.e., the transferor); and

(v) all familial, contractual, corporate, or financial relationships or affiliations you have or had with all prior owners or operators (or other potentially responsible parties) of the property (including the person or entity from which you acquired the property).

(b) Pre-Purchase Inquiry Describe any inquiry by you or others into the previous ownership, uses of the property, and environmental conditions conducted prior to taking ownership. Please include the items below in your description.

(i) The types of site assessments performed (e.g., ASTM E1527-13 Phase I), the dates of each assessment, and the entity for which they were performed (state whether the assessment was performed specifically for you, or if not, the name of the party that had the assessment performed and that party's relationship to you).

(ii) Who performed the AAI investigation or Phase I environmental site assessments and identify his/her qualifications to perform such work.

(iii) If the original AAI investigation or Phase I environmental site assessment was conducted more than 180 days prior to the date you acquired the property, affirm that you conducted the appropriate updates in the original assessment within 180 days prior to your acquisition of the property in order to take advantage of the bona fide prospective purchaser provision.

(c) Timing and/or Contribution Toward Hazardous Substances Disposal Identify whether all disposal of hazardous substances at the site occurred before you acquired the property and whether you caused or contributed to any release of hazardous substances at the site. Affirm that you have not, at any time, arranged for the disposal of hazardous substances at the site or transported hazardous substances to the site.

(d) Post-Acquisition Uses Describe all uses of the property since you acquired ownership through the present, including any uses by persons or entities other than you. Please provide a timeline with the names of all current and prior users during the time of your ownership; the dates of all uses; the details of each use, including the rights or other reason pursuant to which the use was claimed or taken (e.g., lease, license, trespass); and your relationship to the current and prior users.

(e) Continuing Obligations Describe in detail the **reasonable steps**[14] you took with respect to hazardous substances found at the site to:
   (i) stop any continuing releases;
   (ii) prevent any threatened future release; and
   (iii) prevent or limit exposure to any previously released hazardous substance.

   Please confirm your commitment to:
   (i) comply with any land use restrictions and not impede the effectiveness or integrity of any institutional controls;
   (ii) assist and cooperate with those performing the cleanup and provide access to the property;
   (iii) comply with all information requests and administrative subpoenas that have or may be issued in connection with the property; and
   (iv) provide all legally required notices.

For more information on the CERCLA landowner liability protections, please refer to Fact Sheet: EPA Brownfields Grants, CERCLA Liability, and All Appropriate Inquiries.[15]

Applicants may also call the Regional Brownfields Contact listed in Section VII. with questions about BFPP, CPO, or ILO eligibility.

b. Property Ownership Eligibility – Petroleum Sites

In addition to the basic Brownfield Grant eligibility criteria, eligibility for petroleum sites is determined by applying the criteria established in the statute: there can be no viable responsible party, the applicant cannot be potentially liable for cleaning up the site, and the site must not be subject to a RCRA corrective action order. If a party is identified as being responsible for contamination at the site and that party is financially viable, then the site is not eligible for Brownfields Grant funding (refer to Section 1.3.2. in the Information on Sites Eligible for Brownfields Funding under CERCLA § 104(k) for more information). Generally, petroleum site eligibility will be determined by the state. Where the state is unable to make the eligibility determination, EPA will make the determination. EPA will make the determination for tribes.

Non-tribal applicants must provide the information required for a petroleum site eligibility determination (listed below) to your state so that the state can make the necessary determination on petroleum site eligibility. You must provide EPA with a copy of the state determination letter as an attachment to your Narrative. If the state does not

[14] Please note that reasonable steps may include actions such as limiting access to the property, monitoring known contaminants, and complying with state and/or local requirements. The steps taken to prevent or limit exposure to previously released hazardous substances may depend, for example, on such things as the location of the site in relation to the public and whether the public has been known to use (or even trespass on) the site.
[15] *Fact Sheet: EPA Brownfields Grants, CERCLA Liability, and All Appropriate Inquiries* is available at https://www.epa.gov/brownfields/fact-sheet-epa-brownfields-grants-cercla-liability-and-all-appropriate-inquiries.

make the determination before the proposal due date or is unable to make the determination, please attach a copy of the request you sent to the state. (**Note:** You must provide EPA with the date you requested your state to make the petroleum site determination. EPA will make the petroleum site eligibility determination if a state is unable to do so following a request from an applicant.) Also, in your letter to the state, please request that the state provide information regarding whether it applied EPA's guidelines in making the petroleum determination, or if not, what standard it applied.

Tribal applicants must submit the information required for a petroleum site eligibility determination (listed below) as an attachment to your Narrative. EPA will make the petroleum site eligibility determinations for tribes.

i. INFORMATION REQUIRED FOR A PETROLEUM SITE ELIGIBILITY DETERMINATION

(1) Current and Immediate Past Owners Identify the current and immediate past owner of the site. (For Cleanup Grants, the applicant must be the owner.)

(2) Acquisition of Site Identify when and by what method the current owner acquired the property (e.g., purchase, tax foreclosure, donation, eminent domain).

(3) No Responsible Party for the Site Identify whether the current and immediate past owner (which includes, if applicable, the applicant): (i) dispensed or disposed of petroleum or petroleum product contamination, or exacerbated the existing petroleum contamination at the site; (ii) owned the site when any dispensing or disposal of petroleum (by others) took place; and (iii) took reasonable steps with regard to the contamination at the site.

(4) Cleaned Up by a Person Not Potentially Liable Identify whether you (the applicant) dispensed or disposed of petroleum or petroleum product, or exacerbated the existing petroleum contamination at the site, and whether you took reasonable steps with regard to the contamination at the site.

(5) Judgments, Orders, or Third-Party Suits Provide information that no responsible party (including the applicant) is identified for the site, through either:
   (a) a judgment rendered in a court of law or an administrative order that would require any person to assess, investigate, or clean up the site; or
   (b) an enforcement action by federal or state authorities against any party that would require any person to assess, investigate, or clean up the site; or
   (c) a citizen suit, contribution action, or other third-party claim brought against the current or immediate past owner, that would, if successful, require the assessment, investigation, or cleanup of the site.

(6) Subject to RCRA Identify whether the site is subject to any order under § 9003(h) of the Solid Waste Disposal Act.

(7) Financial Viability of Responsible Parties For any current or immediate past owners identified as responsible for the contamination at the site, provide information regarding whether they have the financial capability to satisfy their obligations under federal or state law to assess, investigate, or clean up the site.

Note: If no responsible party is identified in (3) or (4) 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 may not be eligible for funding. For more information, see the Information on Sites Eligible for Brownfields Funding under CERCLA § 104(k).

11. Cleanup Authority and Oversight Structure

Please note that you will be required to comply with all applicable federal and state laws and ensure that each cleanup project protects human health and the environment.

a. Describe how you will oversee the cleanup at the site(s). Indicate whether you plan to enroll in a state or tribal response program. If you do not plan 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 the cleanup is protective of human health and the environment. Therefore, if you do not plan 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 2 CFR §§ 200.317 through 200.326 and ensure that this technical expertise is in place prior to beginning cleanup activities.

b. Cleanup response activities often impact adjacent or neighboring properties. For example, access to neighboring properties may be necessary to conduct the cleanup, perform confirmation sampling, or monitor offsite migration of contamination. If this type of access is needed, provide your plan to acquire access to the relevant property(ies).

12. Community Notification

The applicant must provide the community with notice of its intent to apply for an EPA Brownfields Cleanup Grant and allow the community an opportunity to comment on the draft proposal. The community notification ad (or equivalent), public meeting and other requirements discussed below must be current and related to this specific proposal. Failure to demonstrate community notification will result in disqualification of the proposal.

Applicants who are proposing multiple sites may plan to have a single community notification ad (or equivalent) and meeting to address the multiple sites. However, all target communities must receive the notification and be provided an opportunity to comment on the proposal.

a. Draft Analysis of Brownfield Cleanup Alternatives

The applicant must allow the community an opportunity to comment on the draft proposal, which must include an attached draft Analysis of Brownfield Cleanup Alternatives (ABCA). The draft ABCA(s) must briefly summarize information about:

- the site and contamination issues, cleanup standards, and applicable laws;
- the cleanup alternatives considered (for each alternative and the alternative chosen include information on the effectiveness, the ability of the applicant to implement, the resilience to address potential adverse impacts caused by extreme weather events, the cost, and an analysis of the reasonableness); and
- the proposed cleanup.

Applicants requesting funding for multiple sites must include a draft ABCA for each site.

The draft ABCA(s) submitted as part of the proposal is intended as a brief preliminary document. A suggested outline, with information that the ABCA must contain, can be found in the FY19 FAQs.

If the proposal is selected for funding, recipients will be required to finalize the ABCA(s) and make it available for additional public review and comment as part of their pre-cleanup activities. (See the Brownfield Programmatic Requirements[16] for more information.)

b. Community Notification Ad

The applicant must publish a community notification ad in the local newspaper or an equivalent means customarily used to communicate to the target community(ies) no later than **January 17, 2019**. The community notification ad (or equivalent) must clearly state:

- that a copy of this grant proposal, including the draft ABCA(s), is available for public review and comment;
- how to comment on the draft proposal;
- where the draft proposal is located (e.g., town hall, library, website); and
- the date and time of a public meeting (must be held prior to submittal of this proposal).

All target communities must receive the notification and be provided an opportunity to comment on the proposal.

Refer to the FY19 FAQs for examples of acceptable community notification methods.

c. Public Meeting

The applicant must hold a public meeting to discuss the draft proposal and consider public comments prior to submittal of this proposal. A regularly scheduled community meeting where multiple topics are discussed is sufficient provided there is an opportunity to discuss the draft proposal.

[16] The *Brownfield Programmatic Requirements* are available at https://www.epa.gov/brownfields/programmatic-requirements-brownfields-grants.

From the meeting, the applicant must produce:

- the comments or a summary of the public comments received;
- the applicant's response to those comments;
- meeting notes or a summary of the public meeting(s); and
- meeting sign-in sheets.

In addition to the public meeting, the applicant may choose to host additional outreach sessions via webinars, or other media outlets, to further engage the community and solicit comments on the proposal.

d. Submission of Community Notification Documents

The applicant must attach the items listed below to the proposal submitted to EPA:

- a copy of the draft ABCA(s);
- a copy of the ad (or equivalent) that demonstrates notification to the public and solicitation for comments on the proposal;
- the comments or a summary of the comments received;
- the applicant's response to those public comments;
- meeting notes or summary from the public meeting(s); and
- meeting sign-in sheets.

If one or more of the above-requested attachments are not submitted with the proposal, please explain why the requested attachment is not included.

13. Statutory Cost Share

Cleanup Grant recipients are required to provide a cost share that is calculated as 20% of the total federal cleanup funds awarded. For example, if EPA awards you $200,000 of federal cleanup funds, you must provide a cost share of an additional $40,000. 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 and otherwise comply with 2 CFR 200.306. Eligible and allowable expenses may include administrative costs borne by the recipient or a third-party to meet its cost share obligation; including indirect costs, subject to the 5% limit on administrative costs.

Tribes, nonprofit organizations, and government (entities with populations of 50,000 and fewer) may petition EPA to waive the cost share requirement, if meeting a cost share will place an undue hardship. EPA will consider hardship waiver requests on a case-by-case basis and will approve such requests on an extremely limited basis.

a. Demonstrate how you will meet the required cost share, including the sources of the funding or services, as required for this Cleanup Grant.

b. If you are requesting a hardship waiver of the cost share, provide an explanation for the basis of your request. This explanation must be submitted on a separate page, titled "Hardship Waiver Request." Your explanation should include whether the proposed

project(s) could still proceed if the cost share waiver was not approved and relevant data such as:

- unemployment rate;
- per capita income;
- data demonstrating substantial out-migration or population loss;
- data demonstrating underemployment, that is, employment of workers at less than full-time or at less skilled tasks than their training or abilities permit;
- local natural or other major disasters or emergencies;
- information regarding extraordinary depletion of natural resources;
- closure or restructuring of industrial firms and negative effects of changing trade patterns;
- whether you are located in a President-declared disaster area (declared within 18 months of the submission date for your proposal); and/or
- whether you have exhausted effective taxing (for governmental entities only) and borrowing capacity.

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 selected applicant of the responsibility for providing the cost share amount for the grant award.

SECTION IV. – PROPOSAL SUBMISSION INFORMATION

IV.A. How to Obtain an Application Package

A copy of these guidelines can be obtained from the EPA Brownfields Program website[17] or through www.grants.gov.

[17] EPA Brownfields Program website is available at www.epa.gov/brownfields.

IV.B. Due Date and Submission Instructions

Your organization's Authorized Organization Representative (AOR) must submit your complete application package[18] electronically to EPA through www.grants.gov. Applications must be received no later than 11:59 p.m. ET on **January 31, 2019**. 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.

Applications received after 11:59 p.m. ET on **January 31, 2019**, will not be considered for funding.

In order to submit an application through www.grants.gov, you must:

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

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

The electronic submission of your application must be made by the AOR of your institution who is registered with www.grants.gov and is authorized to sign applications for federal assistance. Refer to Appendix 1 for specific instructions on how to apply through www.grants.gov.

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 1.

IV.C. Content and Form of Application Submission

The proposal must stand on its own merits based on the responses to the relevant ranking criteria in Section IV.E.

All proposal materials must be in English. The Narrative Information Sheet and the Narrative must be typed, single-spaced, on letter-sized (8.5 x 11-inch) paper, and should **use standard Times New Roman, Arial, or Calibri fonts with a 12-point font size**. The checklist below outlines the documents to include in the proposal. Extraneous materials, including photos, graphics, and attachments not listed, will not be considered.

☑ Federal application materials required by www.grants.gov (see Appendix 1)
☑ Narrative Information Sheet (2-page limit, single-spaced) (see Section IV.D.)
☑ Narrative Information Sheet Attachment: ○ Letter from the state or tribal environmental authority (see Section IV.D.8.)

[18] Note, for the purposes of this competition, the "application package" includes the required federal forms available at www.grants.gov, as well as the Narrative Information Sheet, the Narrative and associated attachments.

☑ The Narrative, which includes the responses to ranking criteria (10-page limit, single-spaced) (see Section IV.E.)
☑ Narrative Attachment: ○ Documentation indicating committed leveraged resources, if applicable (see Section IV.E.1.c.i.)
☑ Threshold Criteria Response (as an attachment(s)): ○ A statement of applicant eligibility if a city, county, state, or tribe (see Section III.B.1.) ○ Documentation of applicant eligibility if other than city, county, state, or tribe; documentation of 501(c)(3) tax-exempt status or qualified community development entity (see Section III.B.1.) ○ Information on previously awarded Cleanup Grants (see Section III.B.2.) ○ Site ownership information (see Section III.B.3.) ○ Basic site information (see Section III.B.4.) ○ Status of history of contamination at the site (see Section III.B.5.) ○ An affirmative statement that site meets the definition of a brownfield site (see Section III.B.6.) ○ Description of the environmental assessment conducted at the site (see Section III.B.7.) ○ Information on enforcement or other actions (see Section III.B.8.) ○ Property-specific determination information or an affirmative statement that a Property-Specific determination is not required (see Section III.B.9.) ○ Property ownership eligibility information for hazardous substances sites, if applicable (see Section III.B.10.a.) ○ Property ownership eligibility information for petroleum sites, if applicable (see Section III.B.10.b.) ○ Description of cleanup authority and oversight structure (see Section III.B.11.) ○ Community Notification documents (see Section III.B.12.) ○ Discussion on how the cost share will be met; or a cost share waiver request, if applicable (see Section III.B.13.)

IV.D. Narrative Information Sheet

The Narrative Information Sheet shall only address the information below and shall not exceed two, single-spaced pages. Any pages submitted over the page limit will not be considered. EPA does not consider information in the Narrative Information Sheet to be responses to the ranking criteria. Each Narrative Information Sheet must be on the applicant's official letterhead.

1. 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.

2. Funding Requested
   a. Grant Type Indicate "Single Site Cleanup" or "Multiple Site Cleanup"

   b. Federal Funds Requested

i. $_____ (Include requested amount; must not exceed $500,000.)
ii. Indicate if you are requesting a cost share waiver.

c. Contamination Indicate "Hazardous Substances," "Petroleum," or "Hazardous Substances and Petroleum". **Note:** If both, provide a breakdown of the amount of funding you are requesting by contaminant type (e.g., $150,000 hazardous substances and $50,000 petroleum).

3. Location Provide the a) city, b) county, and c) state or reservation, tribally owned lands, tribal fee lands, etc., of the brownfields property(ies).

4. Property Information Provide the property name and complete site address, including zip code. (If you are requesting funding for multiple sites, include the property information for each site.)

5. Contacts
   a. Project Director Provide the 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.

   b. 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.

6. Population
   - If you are a city/town, provide the population of your jurisdiction.

   - If you are a county/parish/borough, state, or regional organization that covers a geographic area with more than one city/town, provide the population of the city/town in which each priority site/proposed site/target area is located.

   - If you are a nonprofit organization exempt from taxation under section 501(c)(3) or qualified community development entity, provide the population of the city/town in which the project is located.

   - If you are a tribe, provide the number of tribal/non-tribal members affected.

   Population data can be found at www.census.gov.

7. Other Factors Checklist Please identify which of the below items apply to your community/proposed project. If none of the Other Factors are applicable to your community/proposed project, please provide a statement to that effect.

Other Factors	**Page #**
Community population is 10,000 or less.	
The applicant is, or will assist, a federally recognized Indian tribe or United States territory.	
The proposed brownfield site(s) is impacted by mine-scarred land.	
Secured firm leveraging commitment ties directly to the project and will facilitate completion of the project/redevelopment; secured resource is identified in the Narrative and substantiated in the attached documentation.	
The proposed site(s) is adjacent to a body of water (i.e., the border of the site(s) is contiguous or partially contiguous to the body of water, or would be contiguous or partially contiguous with a body of water but for a street, road, or other public thoroughfare separating them).	
The proposed site(s) is in a federally designated flood plain.	
The redevelopment of the proposed cleanup site(s) will facilitate renewable energy from wind, solar, or geothermal energy; or any energy efficiency improvement projects.	

8. 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 cleanup activities at one or more sites and is planning to apply for FY19 federal brownfields grant funds. Letters regarding proposals from prior years are not acceptable.

If you are applying for multiple sites or 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 this 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.

IV.E. Narrative/Ranking Criteria

The Narrative (including citations) shall not exceed 10 single-spaced pages. Any pages submitted over the page limit will not be evaluated.

The Narrative must include clear, concise, and factual responses to all ranking criteria and sub-criteria below. The Narrative 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.

If you are applying for multiple sites, your ranking criteria responses must include information on each site.

1. PROJECT AREA DESCRIPTION AND PLANS FOR REVITALIZATION

a. Target Area and Brownfields

i. Background and Description of Target Area
Include a brief description of your city, town, or geographic area to provide background on its cultural and industrial history that establishes your brownfield challenges and their impact on the community.

Identify and describe the specific target area(s) where you plan to perform the cleanup activities, such as a neighborhood, district, corridor, or census tract. Depending on the scope and design of your project, one or more target areas may be presented.

ii. Description of the Brownfield Site(s)
Describe the property(ies) targeted for cleanup, characterizing known contamination and site conditions (including structures), and relative past and current land use.

If applicable, describe whether the proposed site(s) is located adjacent[19] to a body of water or is in a federally designated flood plain.

b. Revitalization of the Target Area

i. Redevelopment Strategy and Alignment with Revitalization Plans
Describe the redevelopment strategy, or projected redevelopment, for the brownfield site(s) to be remediated in the target area, and discuss how the redevelopment strategy/plan(s) aligns with the local government's land use and revitalization plans.

ii. Outcomes and Benefits of Redevelopment Strategy
Describe the potential of the proposed project and revitalization plans to stimulate economic development in the target area upon completion of the cleanup of these properties, and/or how the grant will facilitate the creation of, preservation of, or addition to a park, a greenway, undeveloped property, recreational property, or other property used for nonprofit purposes.

[19] The border of the proposed site(s) is contiguous or partially contiguous to the body of water, or would be contiguous or partially contiguous with a body of water but for a street, road, or other public thoroughfare separating them.

If applicable, describe how the redevelopment of the proposed site(s) will facilitate renewable energy from wind, solar, or geothermal energy; or any energy efficiency improvement projects.

c. Strategy for Leveraging Resources

i. Resources Needed for Site Reuse
Describe the applicant's eligibility for monetary funding from other resources and how the grant will stimulate the availability of additional funds for environmental assessment or remediation, and subsequent reuse (e.g. demolition, redevelopment activities, etc.) of the proposed site(s).

Identify key funding resources that have been secured for use in the remediation and revitalization strategy for the proposed brownfield site(s). Attach documentation that substantiates secured commitments of leveraged funding. (Do not duplicate sources discussed in *Description of Tasks and Activities* or sources used to meet the cost share.)

ii. Use of Existing Infrastructure
Describe how this grant will facilitate the use of existing infrastructure at the proposed site(s) and/or within the target area(s).

If additional infrastructure needs are key to the revitalization plans for the proposed site(s), describe the infrastructure needs and funding resources that will be sought to implement that work.

2. COMMUNITY NEED AND COMMUNITY ENGAGEMENT

a. Community Need

i. The Community's Need for Funding
Describe how this grant will meet the needs of the community that has an inability to draw on other initial sources of funding to carry out environmental remediation and subsequent redevelopment of the target area because of the small population and/or low income of the community.

ii. Threats to Sensitive Populations
Describe how this grant will address or facilitate the identification and reduction of threats to:

(1) Health or Welfare of Sensitive Populations
The health or welfare of children, pregnant women, minority or low-income communities, or other sensitive populations in the target area(s).

(2) Greater Than Normal Incidence of Disease and Adverse Health Conditions
Populations in the target area(s) that suffer from a greater-than-normal incidence of diseases or conditions (including cancer, asthma, or birth defects) that may be associated with exposure to hazardous substances, pollutants, contaminants, or petroleum.

(3) Economically Impoverished/Disproportionately Impacted Populations
Populations in the target area(s) that are economically impoverished and/or disproportionately share the negative environmental consequences resulting from industrial, governmental, and/or commercial operations or policies.

Please refer to the FY19 FAQs for information on sensitive populations and environmental justice.

b. Community Engagement

i. Community Involvement
Identify the local community partners that will be involved in the project, and describe the role each identified partner will have in the project and how it will be involved in making decisions with respect to site selection, cleanup, and future redevelopment of the proposed brownfield site(s). *See suggested table format below.*

The local community partners may include community organizations (e.g., neighborhood groups, citizen groups, business organizations, etc.), as well as property owners, lenders, developers, and the general public.

Sample Format for List of Project Partners

Partner Name	Point of contact (name, email & phone)	Specific role in the project
Add rows as needed		

ii. Incorporating Community Input
Discuss your plan to communicate project progress to the local community, including the frequency and by what method(s) you will use and how input will be solicited, considered, and responded to.

3. TASK DESCRIPTIONS, COST ESTIMATES, AND MEASURING PROGRESS

The cost share is calculated as 20% of the total EPA funds requested must only include costs associated with eligible activities under the grant.

Local government applicants may use up to 10% of the total grant award for health monitoring activities. The health monitoring activities must be associated with brownfield

sites at which at least a Phase II environmental site assessment is conducted and is contaminated with hazardous substances. Partnership with the local health agency is required. Please review the Health Monitoring fact sheet fact sheet for more information.

Administrative costs (direct costs for grant administration and indirect costs) may not exceed 5% of the total requested EPA funds. Note that EPA considers costs for performance and financial reporting to be allowable programmatic costs that are not subject to the 5% limitation. Costs must be classified as direct or indirect consistently and applicants may not classify the same cost in both categories.

Do not include activities that are ineligible uses of funds under EPA's Cleanup Grant (e.g., land acquisition; building demolition that is not necessary to remediate contamination at the site; building construction for future redevelopment).

Please refer to the FY19 FAQs for additional examples of eligible and ineligible uses of funds (including administrative costs). For questions not covered by the FY19 FAQs, contact your Regional Brownfields Contact listed in Section VII.

a. Proposed Cleanup Plan

Outline the cleanup plan(s) proposed for the site(s). Briefly describe the contaminated media to be addressed, cleanup method(s) and disposal requirements.

This description can use the same language as submitted in the draft ABCA attachment(s).

b. Description of Tasks and Activities

Provide a list of tasks/activities required to implement the proposed project. For each task/activity, identify the lead entity(ies) overseeing the various activities (i.e., the applicant, qualified environmental professional, or other identified entity).

- Discuss the EPA-funded activities that will take place to address the proposed brownfield site(s), and the anticipated schedule for those activities during the 3-year period of performance.

  Examples include procuring a Qualified Environmental Professional, submitting and obtaining approval of Quality Assurance Project Plan, enrollment of site in the State's Voluntary Cleanup Program, certifying cleanup is complete, coordination with the local health agency on health monitoring activities, etc.

- Discuss how the required 20% cost share will be met.

- If applicable, identify tasks and/or activities that are necessary to carry out the grant that will be contributed by sources other than the EPA grant; such as in-kind

resources or funding contributed by your organization. (For example, the applicant does not charge the EPA grant for salary dollars and therefore contributes its own resources to carry out programmatic oversight activities or grant administration. Do not duplicate sources listed in *Resources Needed for Site Reuse* or sources used to meet the cost share.)

c. Cost Estimates and Outputs

Sample Format for Budget (do not change Budget Categories)

Budget Categories		Project Tasks ($)				Total
		(Task 1)	(Task 2)	(Task 3)	(Task 4)	
Direct Cots	Personnel					
	Fringe Benefits					
	Travel[1]					
	Equipment[2]					
	Supplies					
	Contractual					
	Other (include subawards) (specify type) _____					
Total Direct Costs[3]						
Indirect Costs[3]						
Total Federal Funding (not to exceed $500,000)						
Cost share (20% of requested federal funds)[4]						
Total Budget (Total Direct Costs + Indirect Costs + Cost Share)						

[1] Travel to brownfields-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 Brownfield Grants.
[3] Administrative costs (direct and/or indirect) cannot exceed 5% of the total EPA-requested funds.
[4] Applicants must include the cost share in the budget even if applying for a cost share waiver (see Section III.B.13. for a list of applicants that may request a cost share waiver). If the applicant is successful and the cost share waiver is approved, it will be removed in pre-award negotiation.

You may use the sample table format above to present how you plan to allocate grant funds for tasks/activities described in Section IV.E.3.b. by budget category. Replace the task number heading in the sample table with the actual title of the task.

Only include EPA grant funds and the required cost share in this table. Leveraged resources should not be included in the budget table.

If you are requesting hazardous substances and petroleum funding, provide either two separate budget tables, or two separate line items within one budget table, which distinguish hazardous substances funds from petroleum funds.

If you are seeking funding to remediate multiple sites, provide either a separate budget table for each site, or separate line items within one budget table, which distinguish each site.

Describe how costs for each task were developed (per budget category; including the cost share), and, where appropriate, present costs per unit and the anticipated outputs/deliverables.

Examples of costs per unit may include:
Task 2, Tank Removal
- *Personnel Costs*: 20 hours at average rate of $50/hr = $1,000
- *Contractual Costs*: 5 tank pulls at cost of $13,000 per tank pull = $65,000

Outputs may include, but are not limited to, cleanup plans, community involvement plans, final ABCA documents, administrative records, and cleanup completion report or letter. (Refer to Section I.D. for an explanation of outputs.)

d. Measuring Environmental Results

Discuss how you plan to track, measure and evaluate your progress in achieving these project outputs, overall project results, and eventual project outcomes to ensure the grant funds are expended in a timely and efficient manner. (Definitions of outputs and outcomes are provided in Section I.D.)

4. PROGRAMMATIC CAPABILITY AND PAST PERFORMANCE

Provide responses for the organization that is applying for funding (i.e., the applicant).

a. Programmatic Capability

i. Organizational Structure
Describe the organizational structure you will utilize to ensure the timely and successful expenditure of funds and completion of all technical, administrative and financial requirements of the project and grant. Include a brief discussion of the key staff including their roles, expertise, qualifications, and experience.

ii. Acquiring Additional Resources
Describe the system(s) you have in place to appropriately acquire any additional expertise and resources (e.g. contractors or subrecipients) required per grant

requirements to successfully complete the project. (Refer to Section IV.G. regarding the difference between contractors and subrecipients.)

b. Past Performance and Accomplishments

If you have ever received an EPA Brownfields Assessment, Cleanup, Revolving Loan Fund Grant, and/or 128(a) Grant please respond to **item i.** below. (Do not include information on Targeted Brownfields Assessments, Area-Wide Planning Grants, Environmental Workforce Development & Job Training Grants, and subawards from another Brownfields Grant recipient.)

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. Currently Has or Previously Received an EPA Brownfields Grant
Identify and provide information regarding each of your current and/or most recent EPA Brownfields Grant(s) (no more than three). 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) Accomplishments
Describe the accomplishments (including specific outputs and outcomes) of the current/prior grant(s), including at a 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 under the current/prior grant(s). Include whether you have made and have reported on, or are making and reporting on, 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 when the grant closed, 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 assistance agreements (no more than three) *that are most similar in size, scope, and relevance to the proposed project*. Demonstrate how you successfully managed the agreement(s), and successfully performed all phases of work under each agreement by providing the following information.

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

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

(2) Compliance with Grant Requirements
Describe your compliance with the workplan, schedule, and terms and conditions under the current/prior assistance agreement(s). Include whether you have made and have reported on, or are making and reporting on, progress towards achieving the expected results of the agreement 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. Never Received Any Type of Federal or Non-Federal Assistance Agreements
Affirm that your organization never received any type of federal or non-federal assistance agreement (grant or cooperative agreement). (*Applicants that indicate that they do not have a history of performing assistance agreements will receive a "neutral" 3-point score. However, failure to indicate anything in response to this subcriterion may result in zero points.*)

IV.F. 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 Narrative. Leveraged funds and resources may take various forms as noted below.

While voluntary cost share is generally a form of leveraging it will not be considered under this solicitation. Voluntary cost sharing is when an applicant voluntarily proposes to legally commit to cover costs or provide contributions to support the project when a cost share is not required. Under this solicitation, applicants should not propose a voluntary cost share. **EPA will not consider or evaluate any proposed voluntary cost share.**

Leveraging. 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 Narrative. If applicants propose to provide this form of leveraging, EPA expects them to make the effort to secure the leveraged resources described in their Narrative. 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.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 confidential business information, contracts and subawards under grants, and proposal assistance and communications, can be found in the EPA Solicitation Clauses.[20] These and the other provisions in EPA's Solicitation Clauses are important and applicants must review them when preparing proposals for this solicitation. If you are unable to access these provisions electronically, please contact the Regional Brownfields Contact listed in Section VII. to obtain the provisions.

SECTION V. – NARRATIVE REVIEW INFORMATION

V.A. Evaluation Criteria

If your proposal passes the threshold eligibility review (see Section III.B.), the information you provide in response to Section IV.E. (Narrative/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.

[20] *EPA's Solicitation Clauses* are available at www.epa.gov/grants/epa-solicitation-clauses.

Criteria (Maximum Points per Criterion)
1. PROJECT AREA DESCRIPTION AND PLANS FOR REVITALIZATION (30 Points) Each proposal will be evaluated on the quality and extent to which it addresses the following: **1.a. Target Area and Brownfields (8 points)** 1.a.i. Background and Description of Target Area (3 points) The extent to which the description provides context of the brownfield challenges and the degree to which the challenges impact the community. The extent to which a specific target area(s) is clearly defined and the degree to which the project scope is conducive to carrying out the proposed project for the amount of funding being requested. 1.a.ii. Description of the Brownfield Site(s) (5 points) The extent to which the description of the property(ies) targeted for cleanup provides clear information on the known contamination, the land uses, and site condition, and the degree of severity of the conditions. When applicable, the extent to which the proposed site(s) is adjacent to a body of water or is in a federally designated flood plain. **1.b. Revitalization of the Target Area (12 points)** 1.b.i. Redevelopment Strategy and Alignment with Revitalization Plans (7 points) The extent to which a redevelopment strategy is clearly identified for the proposed brownfield site(s), and the extent to which the redevelopment strategy/plan clearly aligns with and advances the local government's land use and revitalization plans. 1.b.ii. Outcomes and Benefits of Redevelopment Strategy (5 points) The degree to which the proposed project and revitalization plans will substantially stimulate economic and/or non-economic development in the target area, and the degree to which these outcomes correlate with the redevelopment strategy. When applicable, the extent to which the redevelopment of the proposed site(s) will facilitate renewable energy or energy efficiency improvement projects. **1.c. Strategy for Leveraging Resources (10 points)** 1.c.i. Resources Needed for Site Reuse (7 points) The extent to which the applicant is eligible for monetary funding from other sources, and the extent to which the grant will stimulate the availability of additional funds for environmental assessment or remediation, and subsequent reuse of the proposed site(s).

The relevancy and degree to which the identified funding resources will substantially advance the current state of the proposed site(s) toward completed remediation and/or revitalization. The degree to which attached documentation substantiates secured commitments discussed in the Narrative.

(Note, a response may not earn full points if the applicant duplicates sources that are listed in Description of Tasks and Activities or sources used to meet the cost share. Additionally, responses may only earn full points when the applicant has resources that are secured, significant, and relevant to the cleanup project.)

1.c.ii. Use of Existing Infrastructure (3 points)
The extent to which this grant will facilitate the use of existing infrastructure for the proposed site(s) and/or within the target area(s).

If additional infrastructure needs are key to the revitalization plans for the proposed site(s), the extent to which the identified resources are relevant to the project.

2. COMMUNITY NEED AND COMMUNITY ENGAGEMENT (20 Points)

Each proposal will be evaluated on the quality and extent to which it addresses the following:

2.a. Community Need (12 points)

2.a.i. The Community's Need for Funding (3 points)
The degree to which the community that will benefit from this grant is of small population and/or is low-income, and the extent to which either of these characteristics limit the community's ability to obtain initial funding to carry out environmental remediation and subsequent redevelopment.

2.a.ii. Threats to Sensitive Populations (9 points)

(1) Health or Welfare (3 points)
The severity of the health or welfare issues experienced by the sensitive populations in the target area(s), and the extent to which this grant will address or facilitate the identification and reduction of those threats.

(2) Greater Than Normal Incidence of Disease and Adverse Health Conditions (3 points)
The degree to which populations in the target area(s) suffer from a greater-than-normal incidence of diseases or conditions (including cancer, asthma, or birth defects) that may be associated with exposure to hazardous substances, pollutants, contaminants, or petroleum. The extent to which this grant will address or facilitate the identification and reduction of those adverse health conditions.

(3) Economically Impoverished/Disproportionately Impacted Populations (3 points)
The degree to which populations in the target area(s) are economically impoverished and/or disproportionately share the negative environmental consequences resulting from industrial, governmental and/or commercial operations or policies, and the extent to which this grant will address or facilitate the identification and reduction of those threats.

2.b. Community Engagement (8 points)

2.b.i. Community Involvement (5 points)
The degree to which each entity is a local community partner and the degree to which each community partner is relevant to the proposed project. The degree to which each identified community partner will have meaningful involvement in the site selection, cleanup, and future redevelopment of the brownfield sites, including the proposed site(s).

2.b.ii. Incorporating Community Input (3 points)
The extent to which the plan will be effective and appropriate to communicate project progress, and the extent to which community input will be solicited, considered, and responded to in a meaningful way.

3. TASK DESCRIPTIONS, COST ESTIMATES, AND MEASURING PROGRESS (35 Points)

Each proposal will be evaluated on the quality and extent to which it addresses the following:

3.a. Proposed Cleanup Plan (8 points)

The quality and reasonableness of the proposed cleanup plan(s), including the appropriateness of the cleanup methods being considered.

3.b. Description of Tasks and Activities (12 points)

Project Implementation (6 points)
The extent to which tasks and activities are eligible.

The degree to which the tasks/activities are specific and appropriate to the goals of the proposed project, and the degree to which the response demonstrates a sound plan to address the proposed site(s). The degree to which the approach demonstrates the applicant's readiness to achieve the project goals in an efficient manner.

The extent to which the scheduled milestones are achievable, and the likelihood of the activities will be completed within the 3-year period of performance.

When applicable, the extent to which other resources (e.g. in-kind resources) will bridge the gap between the EPA grant and activities necessary to bring the grant to successful completion.

Note, a response may not earn full points if the applicant duplicates sources that are listed in Resources Needed for Site Reuse or sources used to meet the cost share.

Task/Activity Lead (3 points)
The extent to which the entity overseeing each task/activity is appropriate and the degree to which the applicant will direct grant activities.

When applicable, the degree to which the local health agency is involved in health monitoring activities.

Cost Share (3 points)
The extent to which the entire cost share will be met with eligible activities.

3.c. Cost Estimates and Outputs (10 points)

Cost Estimates (7 points)
The extent to which each proposed cost is eligible, appropriate, reasonable, and realistic to implement the project. The degree to which costs clearly correlate with the proposed tasks and activities.

The degree of clarity on how each cost (including the cost share) was developed and the extent to which costs per unit are presented in detail.

When applicable, the degree to which hazardous substance and petroleum funds are distinguished, and the degree to which costs for individual sites are distinguished.

Outputs (3 points)
The quality of the specific outputs and the extent to which the outputs correlate with the proposed project, and the likelihood the outputs will be achieved within the 3-year period of performance.

3.d. Measuring Environmental Results (5 points)

The extent to which the plan and mechanism to track, measure and evaluate project progress in achieving expected outputs, outcomes, and results are reasonable and appropriate. The degree to which the applicant can easily identify when the project is or is not on schedule, and the extent to which project goals will be achieved in an efficient manner.

4. PROGRAMMATIC CAPABILITY AND PAST PERFORMANCE (15 Points)

Each proposal will be evaluated on the quality and extent to which it addresses the following:

4.a. Programmatic Capability (9 points)

4.a.i. Organizational Structure (5 points)
The degree to which the applicant's organization has the programmatic and administrative capacity to successfully manage and complete the grant within the 3-year period of performance.

The degree of efficiency and effectiveness of the organizational structure to ensure the timely and successful expenditure of funds to complete all technical, administrative and financial requirements of the grant.

The degree of expertise, qualifications, and experience of key staff that will result in the successful administration of the grant.

4.a.ii. Acquiring Additional Resources (4 points)
The degree to which the applicant's organization has the ability to acquire any additional expertise and resources (e.g. contractors or subrecipients) required to successfully complete the project.

4.b. 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.

4.b.i. Currently Has or Previously Received an EPA Brownfields Grant (6 points)

The degree to which there is demonstrated ability to successfully manage the grant based on current/past EPA Brownfields Grant(s) and the extent to which the applicant successfully performed all phases of work under the grant.

(1) Accomplishments (3 points)
The quality of the accomplishments (including specific outputs and outcomes) under current/prior grant(s), including at a minimum, the number of sites assessed and/or cleaned up, and the extent to which outputs and outcomes were accurately reflected in ACRES at the time of this proposal submission.

(2) Compliance with Grant Requirements (3 points)
The extent of compliance with the workplan, schedule, and terms and conditions under the current/prior grant(s), and the degree to which progress was made (and reported on), or was being made, towards achieving the expected results of the grant(s) in a timely manner. If expected results were not being reported on, the extent to which the measures taken to correct the situation were reasonable and appropriate or there is an adequate explanation for lack of reporting.

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

The extent to which funds from any open EPA Brownfields Grant(s) are committed to ongoing eligible grant activities or will support the tasks/activities described in this proposal. The likelihood of all grant funds under the current/prior grant(s) being expended by the end of the period of performance.

For all closed EPA Brownfield Grants, the extent to which there is a reasonable explanation of why funds remained when the grant closed, and the degree to which the applicant made every effort to spend the remaining funds within the grant period of performance.

– OR –

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

The degree to which the applicant demonstrates its ability to successfully manage the grant and perform all phases of work under the grant based on current/prior federal or non-federal assistance agreements.

(1) Purpose and Accomplishments (3 points)
The extent to which similar past federal or non-federal assistance agreement(s) is identified (in terms of size, scope, and relevance to the proposed project) 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 the assistance agreement(s), including specific measures of success for the project supported by each type of agreement received.

(2) Compliance with Grant Requirements (3 points)
The extent of compliance with the workplan, schedule, and terms and conditions under the current/prior assistance agreement(s), and the degree to which progress was made (and reported on), or was being made, towards achieving the expected results of the agreement(s) in a timely manner. If expected results were not achieved, the extent to which 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 –

4.b.iii. Never Received Any Type of Federal or Non-Federal Assistance Agreements (3 points)
The extent to which it is clearly affirmed that the organization never received any type of federal or non-federal assistance agreement. [These applicants will receive a "neutral" score of 3 points.]

V.B. Other Factors and Considerations

In making the final selection from among the most highly ranked applicants, EPA's Headquarters Selection Official may consider the factors below as appropriate. Applicants should provide a summary in the Narrative on the applicable other factors and note the corresponding page number in the Other Factors Checklist (located in the Narrative Information Sheet). Other factors include:

- Whether the community population is 10,000 or less;
- whether the applicant is a federally recognized Indian tribe or United States territory or whether the project is assisting a tribe or territory;
- whether the proposed brownfield site(s) is impacted by mine-scarred land;
- whether a secured firm leveraging commitment ties directly to the project and will facilitate completion of the project/redevelopment; and whether secured resource is identified in the Narrative and substantiated in the attached documentation;
- whether the proposed site(s) is located adjacent to a body of water;
- whether the proposed site(s) is in a federally designated flood plain; and
- whether redevelopment of the proposed site(s) will facilitate renewable energy from wind, solar, or geothermal energy; or any energy efficiency improvement projects.

Additionally, EPA's Headquarters Selection Official may take the following considerations into account when making final selections:

- fair distribution of funds between urban and non-urban areas;
- whether the applicant's 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 up to 25% statutory petroleum funding allocation; and
- whether the applicant's project is located in an IRS-designated Opportunity Zone.

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 Cleanup Grants (Section III.B.). All proposals that pass the threshold criteria review will be evaluated by national evaluation panels. The national evaluation panels will be comprised of EPA staff and potentially other federal agency representatives chosen for their expertise in the range of activities associated with the brownfield cleanups. Eligible proposals will be evaluated based on the criteria described in Section V.A. and a ranking list of applicants will be developed.

The Office of Brownfields and Land Revitalization (OBLR) will provide the list 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 and considerations 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. These and the other provisions in EPA's Solicitation Clauses are important and applicants must review them when preparing proposals for this solicitation. If you are unable to access these provisions electronically, please contact the Regional Brownfields Contact listed in Section VII. to obtain the provisions.

SECTION VI. – AWARD ADMINISTRATION INFORMATION

VI.A. Award Notices

Applicants who fail the threshold eligibility requirements will be notified within 15 calendar days of EPA's determination of ineligibility. EPA will notify applicants who are not selected for award based on the evaluation criteria and other considerations 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 late Spring 2019. The notification will be sent to the Project Director and Chief Executive/Highest Ranking Elected Official listed in the Narrative Information Sheet in Section IV.D. 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 who are selected for award will work with an EPA Project Officer to finalize the required federal proposal package and to negotiate the cooperative agreement 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 recipient. Terms and conditions specify what recipients 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.

3. 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.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 in 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. Brownfield Programmatic Requirements

Brownfield Grant recipients must comply with all applicable federal and state laws to ensure that the assessment and cleanup protect human health and the environment. Brownfield Grant recipients also must comply with the program's technical requirements, which may include, but are not limited to, requirements for: Quality Assurance requirements, historic properties or threatened and endangered species, environmental cleanup responsibilities, sufficient progress, collection of post-grant information, and protections of nearby and sensitive populations. For additional information on these requirements, please review the Brownfield Programmatic Requirements.

VI.E. 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. Copies of these procedures may also be requested by contacting the Regional Brownfields Contact listed in Section VII.

VI.F. 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. These and the other provisions in EPA's Solicitation Clauses are important and applicants must review them when preparing proposals for this solicitation. If you are unable to access these provisions electronically, please contact the Regional Brownfields Contact listed in Section VII. to obtain the provisions.

SECTION VII. – EPA REGIONAL BROWNFIELD PROGRAM CONTACTS

EPA Regional Contact and 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 Brian Gross Gross.Brian@epa.gov Phone: (404) 562-8604	**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 Matt Didier Didier.Matthew@epa.gov Phone: (312) 353-2122	**IL, IN, MI, MN, OH, WI**	77 West Jackson Boulevard Mail Code SB-5J 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 Whitney Bynum Bynum.Whitney@epa.gov Phone: (913) 551-7735	**IA, KS, MO, NE**	11201 Renner Blvd Lenexa, KS 66219
EPA Region 8 Melisa Devincenzi Devincenzi.Melisa@epa.gov Phone: (303) 312-6377	**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 Terri Griffith Griffith.Terri@epa.gov Phone: (206) 553-8511	**AK, ID, OR, WA**	1200 Sixth Avenue, Suite 155 Mailstop: ECL-133 Seattle, WA 98101

Appendix 1
Grants.gov Application Submission Instructions

A. Requirement to Submit Through 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 Jessica Durand
USEPA Headquarters
William Jefferson Clinton Building
1200 Pennsylvania Ave., N.W.
Mail Code: 3903R
Washington, DC 20460

Courier Address:
OGD Waivers
c/o Jessica Durand
Ronald Reagan Building
1300 Pennsylvania Ave., N.W.
Rm # 51278
Washington, DC 20004

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

- Funding Opportunity Number (FON)
- Organization name and DUNS number
- 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 provide a timely response 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 application 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, 2018,

it is valid for any competitive or non-competitive application submission to EPA through December 31, 2018). 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, 2018, with a submission deadline of January 15, 2019, the applicant would need a new exception to submit through alternative methods beginning January 1, 2019.

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 (e.g., unique entity identifier) 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 (e.g., unique entity identifier) 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-18-07**, or

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

Please note: All applications must now be submitted through Grants.gov using the "Workspace" feature. Information on the Workspace feature can be found at the Grants.gov Workspace Overview Page at https://www.grants.gov/web/grants/applicants/workspace-overview.html.

Application Submission Deadline: Your organization's AOR must successfully submit your complete application package electronically to EPA through www.grants.gov **no later than January 31, 2019, 11:59 p.m. ET**. Please allow for enough time to successfully submit your application materials 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.

Application Materials: The following forms and documents are required under this announcement.

1. Application for Federal Assistance (SF-424)
2. Narrative Information Sheet, the Narrative, and required attachments. See Section IV.C. for details on the required content and the associated page limits – use the Project Narrative Attachment form to submit the documents (as one file, if possible).

Note: Under future competitions, applicants will be expected to submit a full application package which will include additional forms such as the Budget Information for Non-Construction Programs (SF-424A), Assurances for Non-Construction Programs (SF-424B), Preaward Compliance Review Report (EPA Form 4700-4), and EPA Key Contacts (Form 5700-54).

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**

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 application deadline, please contact Jerry Minor-Gordon at minor-gordon.jerry@epa.gov. Failure to do so may result in your application not being reviewed.

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.** 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. EPA 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 by phone at 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.