

## OVERVIEW

**AGENCY:** ENVIRONMENTAL PROTECTION AGENCY (EPA)

**TITLE:** FY22 GUIDELINES FOR BROWNFIELD REVOLVING LOAN FUND GRANTS

**ACTION:** Request for Applications (RFA)

**RFA NO.:** EPA-OLEM-OBLR-21-05

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

**DATE:** The closing date and time for receipt of applications is **December 1, 2021**, 11:59 p.m. Eastern Time (ET). Applications must be submitted through [www.grants.gov](http://www.grants.gov). Applications received after 11:59 p.m. ET on **December 1, 2021**, 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. This guidance provides information on applying for Revolving Loan Fund (RLF) Grants.

EPA continues to provide flexibility to applicants experiencing challenges related to COVID-19. Please see the **Flexibilities Available to Organizations Impacted by COVID-19** clause in Section IV of EPA's Solicitation Clauses at [www.epa.gov/grants/epa-solicitation-clauses](http://www.epa.gov/grants/epa-solicitation-clauses) and the instructions outlined in [Section IV.B.](#) of this announcement.

Only eligible entities who **do not have, or are not a part of** (i.e., a coalition member), **an open cooperative agreement** for a Brownfields RLF at the time of application may apply for funding under this solicitation. An "open" cooperative agreement is one in which the *Period of performance*, as defined in 2 CFR § 200.1, has not yet ended. The period of performance is specified in EPA's initial or amended "Notice of Award."

Note for grant recipients who **do have an open cooperative agreement** for a Brownfields RLF: Grant recipients with **an open cooperative agreement** will be given the opportunity to request additional funding to capitalize their RLF program through the Brownfields Program's annual, non-competitive, supplemental funding process. Beginning in Fiscal Year 2022 (FY22), instead of extending the existing RLF cooperative agreement period of performance when providing supplemental funding, EPA may choose to award a new RLF Grant to especially high-performing grant recipients who meet specific criteria, such as having performed their open RLF cooperative agreement for at least 12 years. Additional information on the timing, requirements, and procedures for supplemental funding requests will be available on EPA's [Brownfields RLF](#)

[Program website \(https://www.epa.gov/brownfields/brownfields-revolving-loan-fund-rlf-grants\)](https://www.epa.gov/brownfields/brownfields-revolving-loan-fund-rlf-grants). Note, beginning in FY22, EPA will advertise the annual request for supplemental funding on the [Brownfields RLF Program website](#), rather than in the Federal Register.

Entities applying for an FY22 RLF Grant may not apply for an FY22 Cleanup Grant (EPA-OLEM-OBLR-21-06). The guidelines for FY22 Cleanup Grant applications are posted separately on [www.grants.gov](http://www.grants.gov).

Entities that were previously awarded a Brownfields Multipurpose Grant that would like to apply for an FY22 RLF Grant must demonstrate that payment has been received from EPA (also known as ‘drawn down’), and drawn down funds have been disbursed, for at least 70.00% of the funding for the Multipurpose cooperative agreement by **October 1, 2021**.

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 FY22 Brownfields Frequently Asked Questions (FAQs), which can be found at [www.epa.gov/brownfields/frequently-asked-questions-about-multipurpose-assessment-rlf-and-cleanup-grants](http://www.epa.gov/brownfields/frequently-asked-questions-about-multipurpose-assessment-rlf-and-cleanup-grants).

**In addition, prior to naming a contractor (including a consultant) or subrecipient in your application, please carefully review [Section III.B.7.](#) and [Section IV.H.](#) of these guidelines and Section D. in the FY22 [FAQs](#).**

**FUNDING/AWARDS:** EPA anticipates awarding an estimated eight RLF Grants for an estimated \$8 million, subject to the quality of applications received, availability of funds, and other applicable considerations.

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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 benefit 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, applications will be evaluated based on the extent to which the applicant demonstrates: a vision for the cleanup, 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 costs 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

Revolving Loan Fund (RLF) Grants provide funding to a grant recipient to capitalize an RLF program. RLF programs provide loans and subgrants to eligible entities to carry out cleanup activities at brownfield sites contaminated with hazardous substances<sup>1</sup> and/or petroleum<sup>2</sup>. Site eligibility will be determined by EPA after grant award and prior to expending grant funds at any site. Sites where hazardous substances and petroleum contamination are distinguishable must meet eligibility requirements for both contaminants.

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<sup>1</sup> Hazardous substance sites eligible for 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, please refer to the FY22 [FAQs](#).

<sup>2</sup> Petroleum sites eligible for 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\(k\)](#).

### Summary of RLF Grant Options

	<b>Individual Entity</b>	<b>Coalition</b>
Maximum amount of funding request	Up to \$1,000,000 for hazardous substances and/or petroleum	
20% cost share	Required for all applicants; unless EPA provides a hardship waiver	
Project Period	5 years	

Revolving loan funds are used to provide no-interest or low-interest loans for eligible brownfield cleanups, subgrants for cleanups, and other eligible programmatic costs necessary to manage the RLF. An RLF Grant recipient must use 50% or more of the total award amount (i.e., EPA funds for the RLF Grant plus the recipient's cost share) to provide loans for the cleanup of eligible brownfield sites and associated eligible programmatic capability. The remaining EPA funding and associated cost share may be used for eligible programmatic costs, including issuing and managing subgrants to clean up eligible brownfield sites.

An RLF Grant recipient may discount loans, also referred to as the practice of forgiving a portion of loan principal. For an individual loan, the amount of principal discounted may be any percentage of the total loan amount up to 30%, provided that the total amount of the principal forgiven for that loan shall not exceed \$200,000. Eligible entities and nonprofit organizations described in [Section III.A.](#) are eligible for discounted loans. Private, for-profit entities are not eligible for discounted loans. In addition, a discounted loan shall not be used in combination with a subgrant at the same site. The discounted portion of a loan applies towards the subgrant limit described in the previous paragraph.

RLF Grant recipients may not subgrant to themselves (i.e., to cleanup a site the RLF recipient itself owns even if the site is owned by another agency within the same unit of government). However, the RLF Grant recipient may subgrant to other coalition members if EPA awards an RLF Coalition Grant. Subgrants are limited to \$350,000 per site. Entities receiving RLF subgrants must own the subject site throughout the period of performance of the subgrant, but borrowers are not subject to the same requirement. An RLF Grant recipient cannot make a loan or a subgrant to a party who may be found to be potentially liable for the contamination at the brownfield site, per CERCLA § 107. In addition, the RLF Grant recipient may not make a loan or subgrant to clean up a site for which the recipient (or a coalition member in the case of RLF Coalition Grants) is potentially liable under CERCLA § 107.

Some features of the RLF Grants are:

- RLF programs are designed to operate for many years (possibly decades) and as such, they require long-term resource commitments by the RLF Grant recipients and ongoing reporting to the EPA, even after the RLF Grant is closed.
- Recipients need to have a strong understanding of real estate financing principles and approaches, including loan underwriting, loan servicing, and credit analysis.
- Recipients need to have the ability to market the RLF program on an ongoing basis during the performance period of the grant and after the closeout of the RLF Grant.

- Recipients must commit to properly manage funds and program income generated by their RLF program in perpetuity, unless they terminate their Closeout Agreement and return any remaining program income to EPA. Program income for the RLF shall be defined as the gross income received by the recipient, directly generated by the cooperative agreement award, or earned during the period of the award. Program income includes principal repayments, interest earned on outstanding loan principal, interest earned on accounts holding RLF program income not needed for immediate lending, all loan fees and loan-related charges received from borrowers and other income generated from RLF operations including proceeds from the sale, collection, or liquidations of assets acquired through defaults of loans.
  - Majority of program income is generated from the repayments of loans issued by the RLF program.
  - Advances of cooperative agreement funds and program income must be held in an interest-bearing account. Interest earned is considered additional program income.
  - Loan repayment terms can be short- or long-term, i.e., a few years to decades; hence, the program income can be generated over several years.
  - Program income must be used in accordance with the terms and conditions of the cooperative agreement including the Closeout Agreement. EPA prefers that the program income be used for future loans.
  - Program income may be retained and used after the end of the cooperative agreement in accordance with the recipients' Closeout Agreement. Termination of the cooperative agreement occurs when all payments from EPA have been received and all cleanup activities funded by the cooperative agreement are complete.

### **RLF Coalition Grants**

A RLF Coalition is comprised of one “lead” eligible entity that partners with one or more non-lead eligible entities. The lead eligible entity is the applicant that submits an application on behalf of the coalition members. The RLF Coalition may request funding up to \$1,000,000 to address brownfield sites with hazardous substance and/or petroleum contamination.

The non-lead members 1) must be separate legal entities from the lead entity and each other, and 2) can cover the same geographic area but not have the same jurisdiction as other members. For example, different agencies within the same state government must be separate legal entities (e.g., report to different elected executives) and have different authorities within a shared geographic area to form a coalition. Another example is a city and a county can be members of the same coalition since they are separate legal entities with different jurisdictions within a geographic area.

If selected, the lead entity will be the grant recipient and must administer the grant, be accountable to EPA for proper expenditure of the funds, and be EPA’s point of contact for the other coalition members.

**Coalition members may not be members of other RLF Coalition applications, nor submit an RLF Grant application as an individual applicant, in the FY22 competition cycle. A**

coalition member wishing to apply as part of a different RLF Coalition or as an individual applicant must withdraw from the coalition.

Please note that once the lead entity submits the application, it becomes the applicant, and the coalition members may not substitute another eligible entity as the lead entity after the deadline for submitting applications has passed. Additionally, the non-lead coalition members may not be substituted after the deadline for submitting applications has passed. If the application is selected for funding, the lead member must partner with the other coalition members that were named in the application.

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

### **Cost Share Requirement**

CERCLA requires applicants to provide a 20% cost share of the federal funds for RLF Grants. For example, a \$1,000,000 RLF Grant awarded by EPA will require the recipient to provide a \$200,000 cost share. The cost share, which may be in the form of a contribution of money, labor, material, or services, must be for eligible and allowable costs under the grant, as described in the FY22 [FAQs](#). EPA will consider hardship waiver requests on a case-by-case basis and intends to approve such requests on a limited basis. Refer to the threshold criterion in [Section III.B.6](#) for additional information on cost share waivers.

### **I.B. Uses of Grant Funds**

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

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

All costs charged to RLF Grants must be consistent with the requirements at 2 CFR Part 200, Subpart E.

2. A local government (as defined in 2 CFR § 200.1, *Local Government*, and summarized in [Section III.A.](#) of these guidelines and the [Health Monitoring Fact Sheet](#)<sup>3</sup>) may use up to 10% of its grant funds for the following activities:

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<sup>3</sup> The Health Monitoring Fact Sheet is available at [www.epa.gov/brownfields/brownfields-public-health-and-health-monitoring](http://www.epa.gov/brownfields/brownfields-public-health-and-health-monitoring).



- 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, loan, or subgrant may be used to purchase environmental insurance. (See the FY22 [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 award amount (EPA funds plus the recipient's cost share), with the exception of financial and performance reporting costs (which are considered allowable programmatic costs and not subject to the 5% limitation);
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 FY22 [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](#).<sup>4</sup> Awards made under this announcement will support Goal 1 – A Cleaner, Healthier Environment, Objective 3 – Revitalize Land and Prevent Contamination of [EPA's Strategic Plan](#). All applications must be for projects that support this goal and objective.

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<sup>4</sup> EPA's Strategic Plan is available at [www.epa.gov/planandbudget/fy-2018-2022-epa-strategic-plan](http://www.epa.gov/planandbudget/fy-2018-2022-epa-strategic-plan).

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

EPA requires that applicants adequately describe environmental outputs and outcomes to be achieved under assistance agreements.<sup>5</sup> 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 application 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 may include but are not limited to the number of loans and subgrants executed, the number of community meetings held, the number of Analyses of Brownfield Cleanup Alternatives (ABCA) completed, the number of community involvement and cleanup plans completed, the number of underground storage tanks pulled, and/or the number of cleanups completed.

### 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

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<sup>5</sup> EPA Order 5700.7, *EPA's Policy for Environmental Results under EPA Assistance Agreements* is available at [www.epa.gov/grants/epa-order-57007a1-epas-policy-environmental-results-under-epa-assistance-agreements](http://www.epa.gov/grants/epa-order-57007a1-epas-policy-environmental-results-under-epa-assistance-agreements).

equal access to the decision-making process to have a healthy environment in which to live, learn, and work.<sup>6</sup>

Some communities experience disproportionate and adverse environmental, human health, climate-related and other cumulative impacts, as well as the accompanying economic challenges of such impacts. These disproportionate and adverse impacts result from industrial, governmental, commercial and/or other actions, and are likely to affect low-income and minorities.

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 of contractor, borrower or subgrantee employees provided the recipient does not impose geographic preferences for procurements in violation of 2 CFR 200.319(c); minority contracting pursuant to 40 CFR Part 33; 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 RLF program 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 RLF Grants under this solicitation is approximately \$8 million and EPA anticipates awarding an estimated eight RLF Grants subject to the availability of funds, quality of applications, and other applicable considerations.

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 decisions. EPA reserves the right to reject all applications and make no awards under this announcement or make fewer awards than anticipated.

In appropriate circumstances, EPA reserves the right to partially fund applications by funding discrete portions or phases of proposed projects. To maintain the integrity of the competition and

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<sup>6</sup> For more information, please visit [www.epa.gov/environmentaljustice](http://www.epa.gov/environmentaljustice).

selection process, EPA, if it decides to partially fund an application, will do so in a manner that does not prejudice any applicants or affect the basis upon which the application, or portion thereof, was evaluated and selected for award.

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

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

## **II.C. Substantial Involvement**

The Brownfields RLF Grant will be awarded in the form of a cooperative agreement. Cooperative agreements permit the EPA Project Officer to be substantially involved in overseeing the work performed by the selected recipients. Although EPA will negotiate precise terms and conditions related to substantial involvement as part of the award process, the anticipated substantial federal involvement for this project may include, but is not limited to:

- Close monitoring of the recipient's performance to verify the results;
- Collaboration during the performance of the scope of work including participation in project activities, to the extent permissible under EPA policies. Examples of collaboration include:
  - Consultation between EPA staff and the recipients on effective methods of carrying out the scope of work provided the recipient makes the final decision on how to perform authorized activities.
  - Advice from EPA staff on how to access publicly available information on EPA or other federal agency websites.
  - With the consent of the recipient, EPA staff may provide technical advice to recipient contractors or subrecipients provided the recipient approves any expenditures of funds necessary to follow advice from EPA staff. (The recipient remains accountable for performing contract and subaward management as specified in [2 CFR § 200.318](#) and [2 CFR § 200.332](#) as well as the terms of the EPA cooperative agreement.)
  - EPA staff participation in meetings, webinars, and similar events upon the request of the recipient or in connection with a co-sponsorship agreement.
- Reviewing proposed procurements in accordance with 2 CFR § 200.325, as well as the substantive terms of proposed contracts or subawards as appropriate;
- Reviewing the qualifications of key personnel (EPA does not have the authority to select employees or contractors, including consultants, employed by the award recipient or subrecipients receiving pass-through awards);
- Reviewing and commenting on quarterly and annual reports prepared under the cooperative agreement (the final decision on the content of reports rests with the recipient);
- Verifying sites meet applicable site eligibility criteria;
- Monitoring the use of program income after the cooperative agreement project period ends; and
- Participation in periodic telephone conference calls to share ideas, project successes and challenges, etc., with EPA.

## SECTION III. – ELIGIBILITY INFORMATION AND THRESHOLD CRITERIA

### III.A. Who Can Apply?

The following information indicates which entities are eligible to apply for an RLF Grant. Note, entities that **currently have, or are a part of (i.e., a coalition member), an open cooperative agreement** for a Brownfields RLF at the time of application are not eligible to apply for an RLF Grant in FY22.

- General Purpose Unit of Local Government. [For purposes of the EPA Brownfields Grant Program, EPA uses the definition of *Local government* at 2 CFR § 200.1: 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 Tribes from Alaska, with the exception of the Metlakatla Indian Community as noted below, 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 FY22 [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 partnership in which all general partners are 501(c)(3) nonprofit organizations or limited 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.

### III.B. Threshold Criteria for RLF Grants

This section contains the threshold eligibility criteria that ensure applicants are eligible to receive an RLF Grant. Threshold criteria are pass/fail and are based on 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 applications that pass all the threshold criteria will be evaluated against the evaluation criteria in [Section V.A.](#) of this announcement.

**Coalition members may not be members of other RLF Coalition applications, nor submit an RLF Grant application as an individual applicant, in the FY22 competition cycle.**

Applicants may not submit multiple applications (i.e., submit applications for different projects) under this solicitation. EPA considers departments of the same state, tribal, or city governments to be the same applicant, unless they report to different elected executives (even if they have different unique entity identifiers, e.g., DUNS number). Prior to review, EPA will contact applicants that submit more than one application under this solicitation to determine which application(s) the applicant will withdraw from the competition.

Entities applying for an FY22 RLF Grant may not apply for an FY22 Cleanup Grant (EPA-OLEM-OBLR-21-06). Prior to review, EPA will contact applicants that submit an application for an FY22 Cleanup Grant and an FY22 RLF Grant to determine which application(s) the applicant will withdraw from the competition.

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

EPA staff will respond to questions regarding threshold eligibility criteria, administrative issues related to the submission of the application, and requests for clarification about this announcement. For purposes of the threshold eligibility review, EPA, if necessary, may seek clarification of applicant information that is included in the application and/or consider information from other sources, including EPA files. Such communications shall not be used to correct application deficiencies or material omissions, materially alter the application or project proposed, or discuss changes to the applicant's responses to any evaluation or selection criteria.

In order to maintain the integrity of the competition process, EPA staff cannot meet with individual applicants to discuss draft applications, provide informal comments on draft applications, 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](#).<sup>7</sup>

Applications must substantially comply with the 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.

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<sup>7</sup> EPA Order 5700.5A1, EPA's Policy for Competition of Assistance Agreements is available at [www.epa.gov/grants/epa-order-57005a1-epas-policy-competition-assistance-agreements](http://www.epa.gov/grants/epa-order-57005a1-epas-policy-competition-assistance-agreements).

In addition, applications must be submitted through [www.grants.gov](http://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 application submission deadline. Applicants are responsible for following the submission instructions in [Section IV](#), and [Appendix 1](#) of this announcement to ensure that their application is submitted on time.

Applications 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](http://www.grants.gov) or relevant [www.sam.gov](http://www.sam.gov) system issues. An applicant's failure to timely submit their application through [www.grants.gov](http://www.grants.gov) because they did not timely or properly register in [www.sam.gov](http://www.sam.gov) or [www.grants.gov](http://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 in the application, the application may be deemed ineligible. Applicants need to ensure that the correct Authorized Organization Representative (AOR) and DUNS number of the entity that will receive the award and will be held accountable by EPA for the proper expenditure of funds are listed on the application.

Responses to the items below are required and must be included as an attachment to the Narrative that is included in the application submitted to EPA. See [Section IV.C](#), for a complete list of required documents that must be submitted.

### **1. Applicant Eligibility**

From the list of eligible entities in [Section III.A](#), *Who Can Apply?*, indicate your applicant type (and the applicant type for each non-lead coalition member, if applicable).

Provide information that demonstrates how you (and each non-lead coalition member, if applicable) are an eligible entity for an RLF Grant.

- For entities that are cities, counties, tribes, or states, affirm that the organization is eligible for funding.
- For government 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.
- For qualified community development entities, provide documentation as an attachment to the Narrative certifying the organization's status.

RLF Coalitions:

- Each non-lead coalition member must submit a signed letter to the grant applicant (the lead coalition member) in which they agree to be part of the coalition. An active Memorandum of Agreement that includes a description and role of each coalition member may serve in place of the individual coalition members' letters. Include the document(s), as an attachment, in your application. Documentation that is not included with the application will render that non-lead member ineligible from participating in the coalition, and potentially render the entire application ineligible if there is less than one non-lead member.

## **2. Demonstration of Previous RLF Grant Status**

Entities with an open cooperative agreement for a Brownfields RLF are not eligible to apply for funding under this solicitation. If the applicant has previously been either a recipient of a Brownfields RLF cooperative agreement or a non-recipient member of a coalition that obtained RLF funding, provide the grant number and closeout date for the RLF cooperative agreement(s). Alternatively, affirm that the applicant has not had, or been a part of, a cooperative agreement for a Brownfields RLF in the past.

## **3. Expenditure of Existing Multipurpose Grant Funds**

Current EPA Brownfields Multipurpose Grant recipients must demonstrate that the recipient has received payment from EPA (also known as 'drawn down'), and drawn down funds have been disbursed, for at least 70.00% of the funding for the Multipurpose cooperative agreement by **October 1, 2021**, in order to apply for funding under this solicitation.

In order to demonstrate this, applicants must attach a copy of a financial record displaying the amount of cooperative agreement funds drawn down (e.g., a report from the Automated Standard Application for Payments (ASAP) or general ledger entries). If necessary, applicants may contact the assigned EPA project officer for the cooperative agreement or Jerry Minor-Gordon ([minor-gordon.jerry@epa.gov](mailto:minor-gordon.jerry@epa.gov)) to obtain draw down information from EPA's grant financial database (Compass Data Warehouse). Disbursements of drawn down funds must comply with requirements in EPA's [General Terms and Conditions](#) for timely disbursement of EPA funds (i.e., recipients other than states must substantially disburse all of the funds within 5 business days of draw down).

Alternatively, the applicant must affirm it does not have an open EPA Brownfields Multipurpose Grant.

## **4. Description of RLF Boundaries**

EPA awards RLF Grants to clean up sites that are located within the geographic boundaries of the RLF's operation as defined in the application. This does not preclude applicants from targeting specific communities or areas outside the RLF boundaries in their marketing outreach, as long as the loans and subgrants are for cleaning up sites within the boundaries as defined in the application. Applicants must provide a description of the boundaries of their RLF operation (e.g., the city limits of The City of ABC).



Provide a description of the RLF's geographic boundaries. **Note:** For RLF Coalitions, the lead applicant must have the governmental authority over coalition members (i.e., encompassing jurisdiction), and/or program capacity to ensure adequate program performance of coalition members, borrowers, and/or subgrantees, if warranted.

**5. Oversight Structure and Legal Authority to Manage a Revolving Loan Fund**

RLF Grant recipients will be required to comply with all applicable federal and state laws and ensure that the cleanup protects human health and the environment.

- a. Describe how you will oversee cleanup at sites. Indicate whether you plan to require loan or subgrant recipients to enroll in a state or tribal response program. If you do not plan to require loan or subgrant recipients to enroll in a state or tribal response program, or an appropriate state or tribal response program is not available, you will be required to consult with EPA to ensure cleanups are protective of human health and the environment. Therefore, if you do not plan to require loan or subgrant recipients to enroll in a state or tribal response program, provide a description of the technical expertise you have to conduct, manage, and oversee the cleanups 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 200.327 and ensure that this technical expertise is in place prior to beginning cleanup activities.
- b. Provide a legal opinion from your counsel that demonstrates:
  - (1) you have legal authority to access and secure sites in the event of an emergency or default of a loan agreement or non-performance under a subgrant; and
  - (2) you have legal authority to perform the actions necessary to manage a revolving loan fund. At a minimum, legal authority must include the ability to hold funds, make loans, enter into loan agreements, and collect repayments.

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

**6. Statutory Cost Share**

RLF Grant recipients are required to provide a cost share that is calculated as 20% of the total federal RLF Grant funds awarded. For example, if EPA awards you \$1,000,000 of federal RLF Grant funds, you must provide a cost share of an additional \$200,000. 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 it must 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. Costs incurred before EPA notifies the applicant of selection are generally not allowable to meet the cost share. See the FY22 [FAQs](#) for more information on the cost share requirement.

RLF Grant applicants 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 intends to 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 RLF Grant.
- b. If you are requesting a hardship waiver of the entire cost share, or a portion 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 application); 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 that 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.

**7. Named Contractors and Subrecipients (other than borrowers and site cleanup subgrantees)**

EPA does not require or encourage applicants to name procurement contractors (including consultants) or subrecipients in applications for Brownfields grant funding. However, if an applicant chooses to identify a procurement contractor(s) or subrecipient(s) to conduct work

proposed in this application, the applicant must comply with the following requirements even if the entity is referred to as a “partner” in the application.

**Note** – Successful applicants that do not name procurement contractors or subrecipients in their applications must also comply with the requirements described below, regardless if the contractor was procured before or after the EPA cooperative agreement is awarded. For example, firms or individual consultants that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements as provided in [2 CFR § 200.319\(b\)](#).

- **Contractors.** Applicants, other than state applicants, that identify a procurement contractor(s) in their application where the amount of the contract will be more than the micro-purchase threshold in [2 CFR § 200.320\(a\)\(1\)](#) (\$10,000 for most applicants) must demonstrate, in their application, how the contractor (including consultants) was selected in compliance with the fair and open competition requirements in 2 CFR Part 200 and 2 CFR Part 1500. EPA provides guidance on complying with the competition requirements in the [Best Practice Guide for Procuring Services, Supplies, and Equipment Under EPA Assistance Agreements](#).<sup>8</sup> For example, EPA will not accept sole source justifications for proposed procurement contracts for services such as environmental consulting, engineering, and remediation that are available in the commercial marketplace.

Describe the procurement procedures that were followed to hire the contractor(s) that is named in this application and include information on **where and when** the Request for Proposals/Request for Qualifications was posted. Alternatively, state ‘n/a’ or ‘not applicable’ if a contractor is not named in this application.

- **Subrecipients.** The following threshold requirement does not apply to subrecipients (borrowers and subgrantees) who will receive cleanup funding for specific brownfield sites. EPA will determine the eligibility for named borrowers and subgrantees if the RLF application is selected for funding.

All applicants, including states, must demonstrate that the named subrecipient is eligible for a subaward in compliance with [Appendix A of EPA’s Subaward Policy](#).<sup>9</sup> This policy provides, among other things, that transactions between recipients and for-profit firms and individual consultants are procurement contracts rather than subawards when the transaction involves the acquisition of services from the firm or individual.

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<sup>8</sup> EPA’s *Best Practice Guide for Procuring Services, Supplies, and Equipment Under EPA Assistance Agreements* is available at [www.epa.gov/grants/best-practice-guide-procuring-services-supplies-and-equipment-under-epa-assistance-agreements](http://www.epa.gov/grants/best-practice-guide-procuring-services-supplies-and-equipment-under-epa-assistance-agreements).

<sup>9</sup> *Appendix A of EPA’s Subaward Policy* is available at [www.epa.gov/sites/production/files/2020-11/documents/gpi-16-01-subaward-policy\\_app-a.pdf](http://www.epa.gov/sites/production/files/2020-11/documents/gpi-16-01-subaward-policy_app-a.pdf).

Refer to [EPA's Contracts and Subawards Solicitation Clause](#)<sup>10</sup> for additional guidance on these requirements which must be met for all contractors (except for micro-purchases as described above) and/or subrecipients specifically named in the application.

Describe how the named subrecipient is eligible for a subaward (e.g., is a nonprofit organization or unit of government). Alternatively, state 'n/a' or 'not applicable' if a subrecipient is not named.

**Failure to demonstrate compliance with these requirements in the application will result in rejection of the application.** EPA staff may contact the applicant to clarify issues or obtain additional information before making a final determination of compliance and rejection of the application. Please see Section D. in the FY22 [FAQs](#) for additional guidance.

## SECTION IV. – APPLICATION SUBMISSION INFORMATION

### IV.A. How to Obtain an Application Package

A copy of these guidelines can be obtained from the [EPA Brownfields Program](#) website<sup>11</sup> or through [www.grants.gov](http://www.grants.gov).

### IV.B. Due Date and Submission Instructions

Your organization's Authorized Organization Representative (AOR) must submit your complete application package<sup>12</sup> electronically to EPA through [www.grants.gov](http://www.grants.gov). Applications must be received no later than 11:59 p.m. ET on **December 1, 2021**. 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](http://www.grants.gov).

Applications received after 11:59 p.m. ET on **December 1, 2021**, will not be considered for funding.

In order to submit an application through [www.grants.gov](http://www.grants.gov), your organization must:

- Have an active DUNS number;
- Have an active System for Award Management (SAM) account in [www.sam.gov](http://www.sam.gov);
- Be registered in [www.grants.gov](http://www.grants.gov); and
- Have the E-Business Point of Contact designate an AOR in [www.grants.gov](http://www.grants.gov).

The registration process for all the above items **may take a month or more to complete**. Please refer to the FY22 FAQs for additional information on the registration requirements.

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<sup>10</sup> EPA's Solicitation Clauses are available at [www.epa.gov/grants/epa-solicitation-clauses](http://www.epa.gov/grants/epa-solicitation-clauses).

<sup>11</sup> The EPA Brownfields Program website is available at [www.epa.gov/brownfields](http://www.epa.gov/brownfields).

<sup>12</sup> Note, for the purposes of this competition, the "application package" includes the required federal forms available at [www.grants.gov](http://www.grants.gov), as well as the Narrative Information Sheet, the Narrative and associated attachments.

The electronic submission of your application must be made by the AOR of your institution who is registered with [www.grants.gov](http://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](http://www.grants.gov).

If you do not have the technical capability to apply electronically through [www.grants.gov](http://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](http://www.grants.gov), please refer to the procedures in [Appendix 1](#).

You should make every effort to complete the registration process in order to apply through [www.grants.gov](http://www.grants.gov). However, if you are experiencing technical difficulties in applying through [www.grants.gov](http://www.grants.gov) because of operational or other issues related to COVID-19, you may request to submit the application by email. Email your request (which must include an explanation of the COVID-19 related issue you are experiencing and the specific reason you are unable to submit the application through [www.grants.gov](http://www.grants.gov)) and the complete application to Jerry Minor-Gordon ([minor-gordon.jerry@epa.gov](mailto:minor-gordon.jerry@epa.gov)) by December 1, 2021, at 11:59 PM ET. Requests will be reviewed on a case-by-case basis. There is no guarantee EPA will accept the submission outside of [www.grants.gov](http://www.grants.gov). **Requests received after December 1, 2021, at 11:59 PM ET will not be reviewed or considered.**

If you submit more than one application for the same, identical project (either in error or to replace a previously submitted application), EPA will only review the most recently received application for that project unless you notify Jerry Minor-Gordon ([minor-gordon.jerry@epa.gov](mailto:minor-gordon.jerry@epa.gov)) and specify which application you want EPA to review.

#### **IV.C. Content and Form of Application Submission**

The application must stand on its own merits based on the responses to the relevant ranking criteria in [Section IV.E](#).

All application 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 Application Submission Checklist below outlines the documents to include in the application. Extraneous materials, including photos, graphics, and attachments not listed, will not be considered.

#### **APPLICATION SUBMISSION CHECKLIST**

<ul style="list-style-type: none"><li>• Federal application materials required by <a href="http://www.grants.gov">www.grants.gov</a> (see <a href="#">Appendix 1</a>)</li></ul>
<ul style="list-style-type: none"><li>• Narrative Information Sheet (3-page limit, single-spaced) (see <a href="#">Section IV.D.</a>)</li></ul>
<ul style="list-style-type: none"><li>• Narrative Information Sheet Attachment:<ul style="list-style-type: none"><li>○ Letter from the state or tribal environmental authority (see <a href="#">Section IV.D.8.</a>)</li></ul></li></ul>
<ul style="list-style-type: none"><li>• The Narrative, which includes responses to the ranking criteria (12-page limit, single-spaced) (see <a href="#">Section IV.E.</a>)</li></ul>

- Threshold Criteria Responses (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 a city, county, state, or tribe; e.g., resolutions, statutes, documentation of 501(c)(3) tax-exempt status or qualified community development entity (see [Section III.B.1.](#))
  - Demonstration of Previous RLF Grant Status (see [Section III.B.2.](#))
  - Documentation of the available balance on an open Multipurpose Grant; or an affirmative statement that the applicant does not have an open Multipurpose Grant (see [Section III.B.3.](#))
  - Description of RLF Boundaries (see [Section III.B.4.](#))
  - Description of cleanup oversight (see [Section III.B.5.a.](#))
  - Legal opinion establishing that the applicant has authority to
    - (1) access and secure sites in the event of an emergency or default of a loan agreement or non-performance under a subgrant; and
    - (2) to make loans and accept payments of fees, interest, and principal (see [Section III.B.5.b.](#))
  - Discussion on how the cost share will be met; or a cost share waiver request, if applicable (see [Section III.B.6.](#))
  - Discussion on named contractors and subrecipients; or an affirmative statement that a contractor or covered subrecipient has not been procured/named (see [Section III.B.7.](#))

*Additional Requirements for RLF Coalitions:*

- A signed letter of commitment from each coalition member or an active Memorandum of Agreement (see [Section III.B.1.](#))

#### **IV.D. Narrative Information Sheet**

The Narrative Information Sheet must address the information below and shall not exceed three, single-spaced pages. Do not include a summary or overview of your narrative/project. 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 “Individual RLF” or “RLF Coalition.”
  - b. Federal Funds Requested
    - i. \$ \_\_\_\_\_ (Include the amount being requested from EPA; must not exceed \$1,000,000. Do not include the amount the applicant will contribute toward the cost share.)
    - ii. Indicate if you are requesting a waiver of the 20% cost share requirement.

3. RLF Boundaries

Provide the geographic boundaries of the a) city(ies), b) county(ies), and c) state or reservation, tribally owned lands, tribal fee lands, etc., of the community(ies) that you propose to serve. For RLF Coalition Grants, list all the non-lead members and describe the geographic areas to be covered by the coalition members under the application.

4. Target Area and Priority Site Information

Applicants, other than tribal governments:

- List the target area(s) discussed in the Narrative.
- For each target area that is smaller than a city/town, list the census tract number(s) within the target area. (Please see the FY22 [FAQs](#) for guidance on how to find a census tract.)
- Provide the address of the priority site(s) proposed in the Narrative.

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, regional organization, or an RLF Coalition applicant that covers a geographic area with more than one city/town, provide the population of the city(ies)/town(s) in which each priority 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(ies)/town(s) in which each priority site/target area 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](http://www.census.gov).

7. Other Factors Applicants claiming one or more of the other factors below must provide a summary in the Narrative on the applicable other factor(s). Please identify which of the below items apply to your community/proposed project by noting the corresponding

Narrative page number. **If none of the Other Factors apply to your community/proposed project, please provide a statement to that effect.**

<b>Sample Format for Providing Information on the Other Factors</b>	<b>Page #</b>
Community population is 10,000 or less.	
The applicant is, or will assist, a federally recognized Indian tribe or United States territory.	
The priority site(s) is impacted by mine-scarred land.	
The priority site(s) is adjacent to a body of water (i.e., the border of the priority 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 priority site(s) is in a federally designated flood plain.	
The reuse of the priority site(s) will facilitate renewable energy from wind, solar, or geothermal energy.	
The reuse of the priority site(s) will incorporate energy efficiency measures.	
The target area(s) is located within a community in which a coal-fired power plant has recently closed (2011 or later) or is closing.	

8. Letter from the State or Tribal Environmental Authority (not included in the three-page limit)  
 For an applicant other than a state or tribal environmental authority, attach a current letter from the appropriate state or tribal environmental authority acknowledging that the applicant plans to conduct RLF activities and is planning to apply for FY22 federal brownfields grant funds. Letters regarding applications from prior years are not acceptable.

If you are applying for multiple types of grants, you need to receive only one letter from your state or tribal authority acknowledging the relevant grant activities. However, you must provide a copy of this letter, as an attachment, with each of your applications. 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 include it in your application.

9. Releasing Copies of Applications

In concert with EPA’s commitment to conducting business in an open and transparent manner, copies of applications submitted under this solicitation may be made publicly available on [EPA's Office of Brownfields and Land Revitalization](#) website or other public website for a period of time after the selected applications are announced. EPA recommends that applications not include trade secrets or commercial or financial information that is confidential or privileged, or sensitive information, if disclosed, that would invade another individual’s personal privacy (e.g., an individual’s salary, personal email addresses, etc.). However, if such information is included, it will be treated in accordance with [40 CFR § 2.203](#). (Review [Section IV.G](#) for more information.)

**Clearly indicate which portion(s) of the application you are claiming as confidential, privileged, or sensitive information, or state ‘n/a’ or ‘not applicable’ if the application**



**does not have confidential, privileged, or sensitive information. As provided at 40 CFR § 2.203(b) if no claim of confidential treatment accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to the submitter.**

#### **IV.E. Narrative/Ranking Criteria**

The Narrative (including citations) shall not exceed 12 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 application. **A response to a criterion/sub-criterion that is included in a different section of the Narrative may not be scored as favorably.** If a criterion does not apply, clearly state this. **Any criterion left unanswered may result in zero points given for that criterion.** Responses to the criteria should include the criteria number and title but need not restate the entire text of the criteria.

### **1. PROJECT AREA DESCRIPTION AND PLANS FOR REVITALIZATION**

#### **a. Target Area and Brownfields**

##### **i. Background and Description of Target Area**

Provide a brief description of the city(ies), town(s), or geographic area(s) targeted by this application to provide background on its cultural and/or industrial history that establishes the brownfield challenges and their impact.

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

##### **ii. Description of the Priority Brownfield Site(s)**

Provide an overview of the brownfield sites in the target area(s) with information such as number, size, and environmental concerns. Then, specifically highlight one or more sites that are a priority, and discuss why the site(s) is a priority for cleanup and reuse. Include information such as past and current land uses, current site conditions (including structures), and potentially related environmental issues.

#### **b. Revitalization of the Target Area**

##### **i. Reuse Strategy and Alignment with Revitalization Plans**

Describe the reuse strategy, or projected reuse, for the priority brownfield site(s) to be remediated in the target area(s) and discuss how the reuse strategy/projected reuse aligns with and advances the local government's land use and revitalization plans or related community priorities.

ii. Outcomes and Benefits of Reuse Strategy

Describe the potential of the proposed project or revitalization plans to stimulate economic development in the target area(s) upon completion of the cleanup of the priority sites, 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 in the target area(s).

If applicable, describe how the reuse of the priority site(s) will facilitate renewable energy from wind, solar, or geothermal energy; or will incorporate energy efficiency measures.

If applicable, describe how the proposed project or revitalization plans will benefit a disadvantaged community(ies). (Please refer to the FY22 [FAQs](#) for examples of variables that define a disadvantaged community as determined by [Executive Order 14008 Section 223, Justice40 Initiative](#).<sup>13</sup>)

**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 site assessment or remediation, and subsequent reuse.

Identify potential key funding resources that will be sought to support the completion of the remediation and/or reuse strategy (e.g., demolition activities, redevelopment activities, etc.) for the priority site(s). (Do not duplicate sources discussed in 3.b. *Description of Tasks/Activities and Outputs* or sources used to meet the cost share.)

ii. Use of Existing Infrastructure

Describe how work performed under this grant will facilitate the use of existing infrastructure at the priority site(s) and/or within the target area(s).

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

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<sup>13</sup> Executive Order 14008 Section 223, *Justice40 Initiative* is available at [www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/](http://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/).

## 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(ies) (i.e., the city(ies), town(s), or geographic area(s) targeted in this application) that has an inability to draw on other initial sources of funding to carry out environmental remediation and subsequent reuse in the target area(s) because of the small population and/or low-income of the community.

#### ii. Threats to Sensitive Populations

Applicants are encouraged to include data from [EPA's EJSCREEN Tool](#)<sup>14</sup> (or other EJ-focused geospatial mapping tools) in the Narrative to help characterize and describe the target area(s) and its community(ies)/population(s). Data from other sources (e.g., studies, census, and third-party reports) can also be included to give a more complete picture of the impacted communities and populations. Instructions, resources, and tutorials on how to use EJSCREEN are included at the hyperlink above. For more information on using EJSCREEN data in your Brownfields Grant application, please refer to the FY22 [FAQs](#) and a recorded demonstration available on [EPA's Brownfields Program website](#).<sup>15</sup>

##### (1) Health or Welfare of Sensitive Populations

Identify children, pregnant women, minority or low-income communities, or other sensitive populations in the target area(s). Describe the health or welfare issues of such groups and discuss how this grant and reuse strategy/projected site reuse(s) will address those issues and/or will facilitate the identification and reduction of threats to the health or welfare of such groups.

##### (2) Greater Than Normal Incidence of Disease and Adverse Health Conditions

Describe how this grant and reuse strategy/projected site reuse(s) will address, or facilitate the identification and reduction of, threats to 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) Promoting Environmental Justice

Describe how this grant and reuse strategy/projected site reuse(s) will promote environmental justice in the target area(s) and/or will support populations in the target area(s) that disproportionately share the negative environmental consequences resulting from industrial, governmental, and/or commercial operations or policies.

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<sup>14</sup> EPA's EJSCREEN Tool is available at [www.epa.gov/ejscreen](http://www.epa.gov/ejscreen).

<sup>15</sup> A recorded demonstration on how to use EJScreen is available at <https://www.epa.gov/brownfields/ejscreen-demonstration-brownfield-grant-applications>.

Please refer to the FY22 [FAQs](#) for information on welfare, sensitive populations, and environmental justice (also defined in [Section I.E.](#)).

**b. Community Engagement**

*To conserve space, you may present information for 2.b.i. and 2.b.ii. in the same response and/or use the suggested table format below.*

i. Program Involvement

Identify the local organizations/entities/groups that will be involved in, and provide assistance/information to you to assist in, the performance of the RLF program.

Program involvement may be provided by a broad and diverse group of entities including, but not limited to, community organizations (e.g., neighborhood groups, citizen groups, business organizations, etc.), as well as property owners, lenders, developers, cities/towns within a regional organization’s target area, and the general public.

ii. Program Roles

Describe the role each identified local organization/entity/group will have in the program including how it will be involved in making decisions with respect to site selection, cleanup, and future reuse of the brownfield sites, including the priority site(s).

- *RLF Coalition Applications* – Additionally, discuss how each coalition member and their communities will be effectively engaged and informed throughout the program.

**Sample Format for List of Organizations/Entities/Groups & Roles**

Name of organization/entity/group	Point of contact (name, email & phone)	Specific involvement in the program or assistance provided
<i>Add rows as needed</i>		

iii. Incorporating Community Input

Discuss your plan to communicate project progress to the local community, the local organizations/entities/groups that will be involved in the program, and residents/groups impacted by the sites, including the frequency and by what method(s) you will use (including methods that offer an alternative to in-person community engagement in the event of social distancing or other restrictions as a result of COVID-19) 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 and 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](#) for more information.

Cooperative agreements with successful applicants under this solicitation will be subject to the administrative cost limitation described at CERCLA § 104(k)(5)(E). Successful applicants may only use up to 5% of the total award amount (EPA funds plus the recipient's cost share) for their own administrative costs (direct costs for grant administration and indirect costs). For example, if EPA awards \$1,000,000 to an applicant, the applicant's cost share is \$200,000 (20%) and the total award amount is \$1,200,000. Therefore, the 5% cap for administrative costs is based on the \$1,200,000 total award amount and equals \$60,000. The limitation on administrative costs does not apply to otherwise allowable programmatic costs (including indirect costs) charged by procurement contractors. 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.

For applications that include indirect costs in the budget and are selected for funding, an EPA Grants Specialist or Grants Management Officer may request a copy of the indirect cost rate agreement that was negotiated with the cognizant agency before the cooperative agreement is awarded.

Do not include activities that are ineligible uses of funds under EPA's RLF Grant (e.g., land acquisition; building demolition that is not necessary to clean up contamination at the site; building construction, or site preparation).

Please refer to the FY22 [FAQs](#) for additional examples of eligible and ineligible uses of funds (including administrative costs). For questions not covered by the FY22 [FAQs](#), contact your Regional Brownfields Contact listed in [Section VII](#).

**a. Program Description and Marketing Strategy**

i. Program Management

Describe how your RLF program will:

- build and maintain a competent team to ensure an effective program;
- select borrowers/subgrantees and projects; and
- structure and administer loans and subgrants, and facilitate financial underwriting.

ii. Revolution of the RLF Program

Describe how your RLF program will:

- incorporate reasonable and prudent lending practices to encourage the funds to revolve and be sustained after the cooperative agreement is closed; and

- be properly maintained and report outcomes and outputs to EPA so long as program income exists, even after the cooperative agreement has ended. (Note: this requires a long-term commitment of resources.)

iii. Marketing Strategy

Describe your program’s marketing strategy including:

- the types of applicants and projects you are targeting;
- whether a potential borrower or subgrantee has expressed interest in a loan or subgrant for the priority brownfield site(s); and
- how you will market your program to ensure you reach other potential borrowers/subgrantees.

**b. Description of Tasks/Activities and Outputs**

Provide a list and description of the tasks/activities required to implement the proposed program. You may respond to this criterion using the sample format for each task/activity.

**Sample Format for Tasks/Activities**

<b>Task/Activity:</b>
i. Program Implementation <ul style="list-style-type: none"> <li>▪ Discussion of EPA-funded tasks/activities for the priority site(s):</li> <li>▪ Discussion of EPA-funded tasks/activities for non-priority site(s), if applicable:</li> <li>▪ Non-EPA grant resources needed to carry out tasks/activities, if applicable:</li> </ul>
ii. Anticipated Project Schedule:
iii. Task/Activity Lead:
iv. Outputs:

i. Program Implementation

- Discuss the EPA-funded tasks/activities that will take place to address the priority brownfield site(s) in the target area(s); and if applicable, discuss the anticipated EPA-funded tasks/activities to occur beyond the priority site(s), in or outside the target area(s).

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

- If applicable, identify tasks/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 *I.c.i. Resources Needed for Site Reuse* or sources used to meet the cost share.)

ii. Anticipated Project Schedule

Discuss the anticipated schedule and timing for the EPA-funded activities outlined above in *3.b.i. Program Implementation* during the 5-year period of performance.

iii. Task/Activity Lead

For each task/activity, identify the lead entity(ies) overseeing the various activities (i.e., the applicant, qualified environmental professional, or other identified entity). If an entity(ies) other than the applicant is the lead, explain why the lead entity(ies) (and not the applicant) is appropriate to oversee the activity(ies). (*Note, the local health agency must be involved in health monitoring activities.*)

iv. Outputs

Identify, and quantify as appropriate, the anticipated outputs/deliverables for each activity/task.

Outputs may include, but are not limited to, loans and subgrants awarded, cleanup plans, community involvement plans, final Analysis of Brownfield Cleanup Alternatives (ABCA) documents, administrative records, and cleanup completion reports or letters. (Refer to [Section I.D.](#) for an explanation of outputs.)

c. **Cost Estimates**

Provide information on how cost estimates for each task were developed (per budget category, including the cost share, direct administrative costs (if applicable), and indirect administrative costs (if applicable)), and, where appropriate, present costs per unit. Note, the total amount of direct and indirect administrative costs cannot exceed 5% of the total award amount (EPA funds plus the recipient cost share). (*Per the evaluation criterion in [Section V.A.3.c.](#), responses will be evaluated against three sub-criteria.*)

For information on best practices for preparing budgets for applications for EPA grants, refer to the [Interim General Budget Development Guidance for Applicants and Recipients of EPA Financial Assistance](#).<sup>16</sup>

You may use the sample table format below 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 costs to be covered by EPA grant funds and the required cost share in this table.** Leveraged resources should not be included in the budget table.

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<sup>16</sup> The *Interim General Budget Development Guidance for Applicants and Recipients of EPA Financial Assistance* is available at <https://www.epa.gov/grants/rain-2019-g02>.

Do not distinguish between hazardous substances and petroleum funding requests. Provide budget information in one table.

**Sample Format for Budget (do not change Budget Categories)**

Budget Categories		Project Tasks (\$)				Total
		(Task 1)	(Task 2)	(Task 3)	(Task 4)	
<b>Direct Costs</b>	Personnel					
	Fringe Benefits					
	Travel <sup>1</sup>					
	Equipment <sup>2</sup>					
	Supplies					
	Contractual					
	Other-Loans (must be at least 50% of the total award amount) <sup>3</sup>					
	Other-Subgrants					
	Other Direct Costs (specify type) _____					
<b>Total Direct Costs<sup>4</sup></b>						
<b>Indirect Costs<sup>4</sup></b>						
<b>Total Federal Funding</b> (not to exceed \$1,000,000)						
<b>Cost share</b> (20% of requested federal funds) <sup>5</sup>						
<b>Total Budget</b> (Total Direct Costs + Indirect Costs + Cost Share)						
<p><sup>1</sup> Travel to brownfields-related training conferences is an acceptable use of these grant funds.</p> <p><sup>2</sup> EPA defines equipment as items that cost \$5,000 or more with a useful life of more than one year unless the applicant has a lower threshold for equipment costs. Items costing less than \$5,000 are considered supplies. Generally, equipment is not required for Brownfield Grants.</p> <p><sup>3</sup> At least 50% of the total award amount (i.e., EPA funds for the RLF Grant plus the applicant's cost share) must be used to provide loans for the cleanup of eligible brownfield sites and for associated eligible programmatic costs (see FY22 <a href="#">FAQs</a> for an example).</p> <p><sup>4</sup> Administrative costs (direct and/or indirect) for the RLF Grant applicant itself cannot exceed 5% of the total award amount (EPA funds plus the applicant's cost share).</p> <p><sup>5</sup> Applicants must include the cost share in the budget even if applying for a cost share waiver (see <a href="#">Section III.B.6.</a> 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.</p>						

Examples of costs per unit may include:

**Task 2, Site Cleanup(s)**

- *Personnel Costs*: 20 hours at average rate of \$50/hr = \$1,000
- *Contractual Costs*: Cleanup oversight of 5 sites at average cost of \$5,000 = \$25,000



- *Loans*: 5 loans for cleanup of 5 sites at an average of \$100,000/site = \$500,000
- *Subgrant*: Amount of loan forgiveness to eligible subgrantee = \$25,000<sup>17</sup>

**d. Measuring Environmental Results**

Discuss how you plan to track, measure, and evaluate your progress in achieving project outputs, overall project results, and eventual project outcomes. (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/lead coalition member).**

**a. Programmatic Capability**

*To conserve space, you may present information for 4.a.i. and 4.a.ii. in the same response.*

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 grant.

- *RLF Coalition Applications* – Additionally, describe the proposed governance/decision-making structure among your coalition members.

ii. Description of Key Staff

Provide a brief discussion of the key staff that will work together to successfully implement the grant and RLF program, including their roles, expertise, qualifications, and experience.

Specifically, discuss the roles, expertise, qualifications, and experience of the financial and/or program manager, Qualified Environmental Professional (QEP), and other team members that will work together to successfully implement your program, as described in the *Program Management* ([Section IV.E.3.a.](#)). (If the QEP is a contractor (including individual consultants) named in the application, refer to the requirement in [Section III.B.7.](#) on demonstrating compliance with competitive procurement procedures.)

iii. Acquiring Additional Resources

Describe the system(s) you have in place to appropriately acquire any additional expertise and resources (e.g., contractors or subrecipients) per grant requirements to

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<sup>17</sup> The subgrant agreement for loan forgiveness may be incorporated into the loan document. A separate subgrant agreement is not required.

successfully complete projects and carry out the program. (Refer to [Section IV.H.](#) regarding the difference between contractors and subrecipients.)

**b. Past Performance and Accomplishments**

If you have ever received an EPA Brownfields Multipurpose Grant, Assessment Grant, Revolving Loan Fund Grant, Cleanup 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 application 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) and discuss your history of timely and acceptable quarterly performance and grant deliverables, as well as ongoing ACRES reporting. 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.

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 the funds by the end of the *Period of performance* as defined in 2 CFR § 200.1.

For all closed EPA Brownfields Grants (including RLF Grants that closed without a Closeout Agreement), 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 awarded, and purpose of the assistance agreement(s) you have received.

Discuss 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

Describe your compliance with the workplan, schedule, and terms and conditions under the current/prior assistance agreement(s) and discuss your history of timely and acceptable reporting, as required by the awarding agency/organization. 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.

– 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” 8-point score for this factor. However, failure to indicate anything in response to this sub-criterion 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 committed cost sharing* as defined at 2 CFR § 200.1 is when an applicant voluntarily proposes a legally binding commitment 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 above the required 20% 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. Confidential Business Information**

As discussed in [Section IV.D., Narrative Information Sheet](#), EPA recommends that you do not include confidential business information (CBI) in your application. However, if CBI is included, it will be treated in accordance with [40 CFR 2.203](#). Applicants must clearly indicate which portion(s) of their application they are claiming as CBI. EPA will evaluate such claims in accordance with [40 CFR Part 2](#). If no claim of confidentiality is made, EPA is not required to make the inquiry to the applicant otherwise required by [40 CFR 2.204\(c\)\(2\)](#) prior to disclosure. The agency protects competitive applications from disclosure under applicable provisions of the Freedom of Information Act prior to the completion of the competitive selection process.

#### **IV.H. 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 application assistance and communications, can be found in [EPA's Solicitation Clauses](#).<sup>18</sup> These and the other provisions in [EPA's Solicitation Clauses](#) are important and applicants must review them when preparing applications 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.

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<sup>18</sup> *EPA's Solicitation Clauses* are available at [www.epa.gov/grants/epa-solicitation-clauses](http://www.epa.gov/grants/epa-solicitation-clauses).

## SECTION V. – NARRATIVE REVIEW INFORMATION

### V.A. Evaluation Criteria

If your application 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 application may be assigned up to 190 points.

<b>Criteria (Maximum Points per Criterion)</b>
<p><b><u>1. PROJECT AREA DESCRIPTION AND PLANS FOR REVITALIZATION (45 Points)</u></b></p> <p>Each application will be evaluated on the quality and extent to which it addresses the following:</p> <p><b>1.a. Target Area and Brownfields (15 points)</b></p> <p><u>1.a.i. Background and Description of Target Area (5 points)</u> The extent to which the brief description of the city(ies), town(s), or geographic area(s) targeted by this application provides background on its cultural and/or industrial history that establishes the brownfield challenges and the degree to which the challenges impact the community(ies). The extent to which a specific target area(s) where RLF activities will be performed is clearly defined within the identified city(ies), town(s), or geographic area(s).</p> <p><u>1.a.ii. Description of the Priority Brownfield Site(s) (10 points)</u> The extent to which the response provides a clear overview of the brownfield sites in the target area(s). The degree to which one or more sites are highlighted as a priority and the degree to which the priority site(s) is clearly described. The degree to which it is clear why the site(s) identified as a priority for cleanup and reuse has been selected.</p> <p><b>1.b. Revitalization of the Target Area (15 points)</b></p> <p><u>1.b.i. Reuse Strategy and Alignment with Revitalization Plans (10 points)</u> The extent to which a reuse strategy/projected reuse is clearly identified for the priority brownfield site(s) to be remediated in the target area(s), and the extent to which the reuse strategy/projected reuse clearly aligns with and advances the local government’s land use and revitalization plans or related community priorities.</p> <p><u>1.b.ii. Outcomes and Benefits of Reuse Strategy (5 points)</u> Given the type of community being served (e.g., urban, rural, tribal, etc.), the degree to which the proposed project or revitalization plans will potentially stimulate economic <u>and/or</u> non-economic development in the target area(s) upon completion of the cleanup of the priority site(s), and the degree to which these outcomes clearly correlate with the applicant’s reuse strategy.</p> <p>When applicable, the extent to which the reuse of the priority site(s) will facilitate renewable energy from wind, solar, or geothermal energy, or will incorporate energy efficiency measures.</p>

When applicable, the degree to which the proposed project or revitalization plans will benefit a disadvantaged community. *(Note: In order to potentially receive the maximum points under this criterion, the proposed project or revitalization plan must benefit a disadvantaged community.)*

**1.c. Strategy for Leveraging Resources (15 points)**

1.c.i. Resources Needed for Site Reuse (10 points)

- The extent to which the applicant is eligible for monetary funding from other resources, and the extent to which the grant will stimulate the availability of additional funds for environmental site assessment or remediation, and subsequent reuse. (5 points)
- The extent to which the potential key funding resources can be used to support the completion of the remediation and/or reuse of the priority site(s). *(Note, a response may not earn full points if the applicant duplicates sources that are listed in 3.b. Description of Tasks/Activities and Outputs or sources used to meet the cost share.)* (5 points)

1.c.ii. Use of Existing Infrastructure (5 points)

The extent to which work performed under this grant will facilitate the use of existing infrastructure at the priority site(s) and/or within the target area(s).

If additional infrastructure needs or upgrades are key to the revitalization plans for the priority site(s), the extent to which the applicant provides a clear description of the infrastructure needs/upgrades and the extent to which the identified funding resources that will be sought to implement the work are relevant to the project.

**2. COMMUNITY NEED AND COMMUNITY ENGAGEMENT (40 Points)**

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

**2.a. Community Need (25 points)**

2.a.i. The Community's Need for Funding (5 points)

The extent to which this grant will meet the needs of the community(ies) (i.e., the city(ies), town(s), or geographic area(s) targeted in this application) that has an inability to draw on other sources of funding to carry out environmental remediation and subsequent reuse in the target area(s) because the community has a small population and/or is low-income. *(Note, responses must discuss a community(ies) that has a small population and/or is low-income to be evaluated favorably.)*

2.a.ii. Threats to Sensitive Populations (20 points)

(1) Health or Welfare of Sensitive Populations (5 points)

The degree to which the sensitive populations within the target area(s) are clearly identified, 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 and reuse strategy/projected site reuse(s) will address those issues and/or will facilitate the identification and reduction of threats to the health or welfare of such groups.

**(2) Greater Than Normal Incidence of Disease and Adverse Health Conditions (5 points)**

The extent to which this grant and reuse strategy/projected site reuse(s) will address, or facilitate the identification and reduction of, threats to 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. *(Note, projects that address a greater-than-normal incidence of cancer, asthma, or birth defects will be evaluated more favorably.)*

**(3) Promoting Environmental Justice (10 points)**

The extent to which this grant and reuse strategy/projected site reuse(s) will promote environmental justice in the target area(s) and/or will support populations in the target area(s) that disproportionately share the negative environmental consequences resulting from industrial, governmental and/or commercial operations or policies.

**2.b. Community Engagement (15 points)**

*Per the ranking criterion in [Section IV.E.2.b.](#), applicants may consolidate information for 2.b.i. and 2.b.ii. into one response. Reviewers must evaluate the response against the sub-criteria outlined below.*

**2.b.i. Program Involvement (5 points)**

The degree to which the applicant identifies local organizations/entities/groups that are relevant to the RLF program and the degree to which different types of organizations/entities/groups will be involved in and provide assistance/information to assist in the performance of the RLF program.

**2.b.ii. Program Roles (5 points)**

The degree to which each identified local organization/entity/group will have meaningful involvement in the program and the extent to which partners will be involved in making decisions with respect to site selection, cleanup, and future reuse of the brownfield sites, including the priority site(s).

- Additionally, ***an RLF Coalition application*** will be evaluated on the extent to which the plan also demonstrates that each coalition member and their communities will be effectively engaged and informed throughout the program.

**2.b.iii. Incorporating Community Input (5 points)**

The extent to which the plan to communicate project progress to the local community, local organizations/entities/groups that will be involved in the program, and residents/groups impacted by the sites will be effective and appropriate, and the extent to which their input will be solicited, considered, and responded to in an intentional way. The extent to which the proposed methods offer an alternative to in-person community engagement in the event of social distancing or other restrictions as a result of COVID-19.

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

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

### **3.a. Program Description and Marketing Strategy (20 points)**

#### 3.a.i. Program Management (5 points)

The degree to which the RLF program will build and maintain a competent team to manage the program; select borrowers, subgrantees, and projects; and structure and administer subawards, and facilitate financial underwriting.

#### 3.a.ii. Revolution of the RLF Program (10 points)

The extent to which the RLF program will incorporate reasonable and prudent lending practices to encourage the funds to revolve and be sustained after the cooperative agreement is closed. The degree to which the RLF program will be properly maintained, and outcomes and outputs will continue to be reported to EPA so long as program income is retained after the cooperative agreement has ended.

#### 3.a.iii. Marketing Strategy (5 points)

The degree to which the program's market strategy identifies potential applicants and projects. The extent to which a potential borrower or subgrantee has expressed interest in a loan or subgrant for the priority brownfield site(s), and the applicant shows how it will market the program to reach other potential borrowers/subgrantees. *(Projects that have interest from borrowers or subgrantees will be evaluated more favorably.)*

### **3.b. Description of Tasks/Activities and Outputs (25 points)**

#### 3.b.i. Program Implementation (10 points)

The degree to which the EPA-funded tasks/activities are eligible, specific, and appropriate to the goals of the proposed project/program, and the degree to which the response demonstrates a sound plan to address the priority brownfield site(s) in the target area(s).

When applicable, the degree to which the EPA-funded tasks/activities to occur beyond the priority site(s), in or outside the target area(s) are eligible, specific, and appropriate, and the degree to which the response demonstrates a sound plan.

*(Note, responses that include ineligible tasks/activities will be evaluated less favorably.)*

When applicable, the extent to which other resources (e.g., in-kind resources) will bridge the gap between the EPA grant and tasks/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 1.c.i. Resources Needed for Site Reuse or sources used to meet the cost share.)*

#### 3.b.ii. Anticipated Project Schedule (5 points)

The extent to which the project schedule milestones are achievable and the likelihood that the activities will be completed within the 5-year period of performance.

#### 3.b.iii. Task/Activity Lead (5 points)

The extent to which the lead entity(ies) for each task/activity is clearly identified and the extent to which the lead entity(ies) overseeing each task/activity is appropriate.



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

**3.b.iv. Outputs (5 points)**

The degree of quality of the specific outputs and the extent to which the outputs clearly correlate with the proposed project.

**3.c. Cost Estimates (20 points)**

*Per the ranking criterion in [Section IV.E.3.c.](#), applicants will consolidate information for 3.c.i. – 3.c.iii. into one response. Reviewers must evaluate the response against the sub-criteria outlined below.*

**3.c.i. Development of Cost Estimates (10 points)**

The degree of clarity on how each cost estimate was developed (including the cost share and direct and/or indirect administrative costs, if applicable) and the extent to which costs per unit are presented in detail.

**3.c.ii. Application of Cost Estimates (5 points)**

The extent to which each proposed cost estimate is reasonable and realistic to implement the program and clearly correlates with the proposed tasks/activities.

*(Note, projects that allocate at least 50% of the total award amount (i.e., EPA funds for the RLF Grant plus the applicant’s cost share) to provide loans for the cleanup of eligible brownfield sites and associated eligible programmatic costs will be evaluated more favorably. Administrative costs that exceed 5% of the total award amount (requested EPA funds plus the applicant’s cost share) will be evaluated less favorably.)*

**3.c.iii. Eligibility of the Cost Share (5 points)**

The extent to which the entire cost share will be met by an eligible source(s) and the extent to which the entire cost share will be used for eligible and allowable expenses under the grant.

**3.d. Measuring Environmental Results (5 points)**

The extent to which the plan and mechanism to track, measure, and evaluate program progress in achieving expected program outputs, overall program results, and eventual program outcomes are reasonable, appropriate, and clearly correlate with information previously presented in the Narrative.

**4. PROGRAMMATIC CAPABILITY AND PAST PERFORMANCE (35 Points)**

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

**4.a. Programmatic Capability (20 points)**

*Per the ranking criterion in [Section IV.E.4.a.](#), applicants may consolidate information for 4.a.i. and 4.a.ii. into one response. Reviewers must evaluate the response against the sub-criteria outlined below.*

4.a.i. Organizational Structure (5 points)

The degree to which the RLF program team will be structured to ensure the timely and successful expenditure of funds to complete all technical, administrative, and financial requirements of the grant.

- Additionally, *an RLF Coalition application* will be evaluated on the extent to which the proposed governance/decision-making structure ensures coalition partners will be meaningfully involved in determining how grant funds will benefit each member's community.

4.a.ii. Description of Key Staff (10 points)

The degree to which key program staff, including the financial and/or program manager, QEP, and other team members have expertise, qualifications, and experience that will result in the successful administration of the grant.

4.a.iii. Acquiring Additional Resources (5 points)

The degree to which the applicant's organization has a system in place acquire any additional expertise and resources (e.g., contractors or subrecipients) required to successfully complete projects and carry out the program.

**4.b. Past Performance and Accomplishments (15 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 (15 points)

The degree to which there is demonstrated ability to successfully manage the grant based on current/past EPA Brownfields Grant(s) (i.e., Multipurpose Grant, Assessment Grant, Revolving Loan Fund Grant, Cleanup Grant, or 128(a) Grant) and the extent to which the applicant successfully performed all phases of work under the grant.

(1) Accomplishments (5 points)

The extent to which meaningful accomplishments (including specific outputs and outcomes) were achieved 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 application submission.

(2) Compliance with Grant Requirements (10 points)

- The extent of compliance with the workplan, schedule, and terms and conditions under the current/prior grant(s), and the extent to which there is a demonstrated history of timely and acceptable quarterly performance and grant deliverables, as well as ongoing ACRES reporting.

The degree to which progress was made (and reported on), or is 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. (5 points)

- The extent to which funds from any open EPA Brownfields Grant(s) other than RLF Grants (i.e., Multipurpose Grant, Assessment Grant, Cleanup Grant, or 128(a) Grant) are committed to ongoing eligible grant activities or will support the tasks/activities described in the Narrative. The likelihood that all grant funds under the current grant(s) will be expended by the end of the *Period of performance* as defined in 2 CFR § 200.1.

For all closed EPA Brownfield Grants (including RLF Grants that closed without a Closeout Agreement), 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 *Period of performance*. (5 points)

– OR –

4.b.ii. Has Not Received an EPA Brownfields Grant but has Received Other Federal or Non-Federal Assistance Agreements (15 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 (5 points)

The extent to which a similar past federal or non-federal assistance agreement(s) is identified (in terms of size, scope, and relevance to the proposed project).

The extent to which meaningful project accomplishments (including specific outputs and outcomes) were achieved under the assistance agreement(s), including specific measures of success for the project supported by each type of agreement received.

(2) Compliance with Grant Requirements (10 points)

The extent of compliance with the workplan, schedule, and terms and conditions under the current/prior assistance agreement(s), and the extent to which there is a demonstrated history of timely and acceptable reporting, as required by the awarding agency/organization.

The degree to which progress was made (and reported on), or is 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.

– OR –

4.b.iii. Never Received Any Type of Federal or Non-Federal Assistance Agreements (8 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 8 points. Applicants that fail to indicate anything in response to this sub-criterion may result in zero points.*)

## **V.B. Other Factors and Considerations**

In making the final selections 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 [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 priority site(s) is impacted by mine-scarred land;
- whether the priority site(s) is adjacent to a body of water;
- whether the priority site(s) is in a federally designated flood plain;
- whether reuse of the priority site(s) will facilitate renewable energy from wind, solar, or geothermal energy;
- whether reuse of the priority site(s) will incorporate energy efficiency measures; and
- whether the target area(s) is located within a community in which a coal-fired power plant has recently closed (2011 or later) or is closing.

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;
- the distribution of funds between new applicants and previous RLF Grant recipients – “New” applicants are defined as entities that have never received an EPA RLF Grant;
- whether the applicant's RLF geographic boundaries 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
- whether the target area(s) is located within, or includes, a census tract in which 20% or more of the population lives below the national poverty level as measured by the 2019 American Community Survey (ACS) 5-year estimates from the United States Census Bureau.

## **V.C. Review and Selection Process**

Timely submitted applications will initially be reviewed by the EPA Regional Office which covers the location of the project to determine compliance with the applicable threshold criteria for RLF Grants ([Section III.B.](#)). All applications 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 RLF Grants. Eligible applications 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 Headquarters Selection Official, who is responsible for further consideration of the applications

and final selection of grant recipients. Applications 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 [EPA's Solicitation Clauses](#). These and the other provisions in [EPA's Solicitation Clauses](#) are important and applicants must review them when preparing applications 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 2022. 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 application 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 obligation 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., a 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**

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 application 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.

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 § 200.329.

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, all appropriate inquiries, 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 on the [Grant Competition Dispute Resolution Procedures website](#). Copies of these procedures may also be requested by contacting the Regional Brownfields Contact listed in [Section VII](#) of this announcement. Note, the FR notice references regulations at 40 CFR Parts 30 and 31 that have been superseded by regulations in 2 CFR Parts 200 and 1500. Notwithstanding the regulatory changes, the procedures for competition-related disputes remain

unchanged from the procedures described at 70 FR 3629, 3630, as indicated in 2 CFR Part 1500, Subpart E.

#### **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 [EPA's Solicitation Clauses](#). These and the other provisions in [EPA's Solicitation Clauses](#) are important and applicants must review them when preparing applications 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
<b>EPA Region 1</b> Dorrie Paar <a href="mailto:Paar.Dorrie@epa.gov">Paar.Dorrie@epa.gov</a> Phone: (617) 918-1432	<b>CT, ME, MA,                      NH, RI, VT</b>	5 Post Office Square Suite 100, Mail code: OSRR7-2 Boston, MA 02109-3912
<b>EPA Region 2</b> Alison Devine <a href="mailto:Devine.Alison@epa.gov">Devine.Alison@epa.gov</a> Phone: (212) 637-4158	<b>NJ, NY, PR, VI</b>	290 Broadway; 25th Floor New York, NY 10007
<b>EPA Region 3</b> Brett Gilmartin <a href="mailto:Gilmartin.Brett@epa.gov">Gilmartin.Brett@epa.gov</a> Phone: (215) 814-3405	<b>DE, DC, MD, PA,                      VA, WV</b>	1650 Arch Street Mail Code 3LD50 Philadelphia, PA 19103
<b>EPA Region 4</b> Derek Street <a href="mailto:Street.Derek@epa.gov">Street.Derek@epa.gov</a> Phone: (404) 562-8574	<b>AL, FL, GA, KY,                      MS, NC, SC, TN</b>	Atlanta Federal Center 61 Forsyth Street, S.W. 10th FL Atlanta, GA 30303-8960
<b>EPA Region 5</b> Keary Cragan <a href="mailto:Cragan.Keary@epa.gov">Cragan.Keary@epa.gov</a> Phone: (312) 353-5669	<b>IL, IN, MI, MN,                      OH, WI</b>	77 West Jackson Boulevard Mail Code SB-5J Chicago, IL 60604-3507
<b>EPA Region 6</b> Camisha Scott <a href="mailto:Scott.Camisha@epa.gov">Scott.Camisha@epa.gov</a> Phone: (214) 665-6755	<b>AR, LA, NM, OK,                      TX</b>	1201 Elm Street Suite 1200 Dallas, TX 75270-2162
<b>EPA Region 7</b> Susan Klein <a href="mailto:R7_Brownfields@epa.gov">R7_Brownfields@epa.gov</a> Phone: (913) 551-7786	<b>IA, KS, MO, NE</b>	11201 Renner Blvd Lenexa, KS 66219
<b>EPA Region 8</b> Ted Lanzano <a href="mailto:Lanzano.Ted@epa.gov">Lanzano.Ted@epa.gov</a> Phone: (303) 312-6596	<b>CO, MT, ND, SD,                      UT, WY</b>	1595 Wynkoop Street (EPR-B) Denver, CO 80202-1129
<b>EPA Region 9</b> Noemi Emeric-Ford <a href="mailto:Emeric-Ford.Noemi@epa.gov">Emeric-Ford.Noemi@epa.gov</a> Phone: (213) 244-1821	<b>AZ, CA, HI, NV,                      Pacific Island                      Territories</b>	75 Hawthorne Street, SFD6-1 San Francisco, CA 94105
<b>EPA Region 10</b> Terri Griffith <a href="mailto:Griffith.Terri@epa.gov">Griffith.Terri@epa.gov</a> Phone: (206) 553-8511	<b>AK, ID, OR, WA</b>	1200 Sixth Avenue, Suite 155 Mailstop: ECL-133 Seattle, WA 98101



## Appendix 1

### Grants.gov Application Submission Instructions

#### A. Requirements to Submit Through Grants.gov and Limited Exception Procedures

Applicants must apply electronically through [www.grants.gov](http://www.grants.gov) under this funding opportunity based on the [www.grants.gov](http://www.grants.gov) instructions in this announcement. If your organization has no access to the Internet or access is very limited, you may request an exception for the remainder of this calendar year by following the procedures outlined at [www.epa.gov/grants/exceptions-grantsgov-submission-requirement](http://www.epa.gov/grants/exceptions-grantsgov-submission-requirement). Please note that your request must be received at least 15 calendar days before the application due date to allow enough time to negotiate alternative submission methods. Issues with submissions with respect to this opportunity only are addressed in section *c. Technical Issues with Submission* below.

#### B. Submission Instructions

The electronic submission of your application must be made by an official representative of your institution who is registered with [www.grants.gov](http://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](http://www.grants.gov), go to [www.grants.gov](http://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](http://www.grants.gov), please encourage your office to designate an Authorized Organization Representative (AOR) and ask that individual to begin the registration process as soon as possible. Please note that the registration process also requires that your organization have a DUNS number and a current registration with the System for Award Management (SAM) and the process of obtaining both could take a month or more. Applicants must ensure that all registration requirements are met in order to apply for this opportunity through [www.grants.gov](http://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](http://www.grants.gov), [www.sam.gov](http://www.sam.gov), and DUNS number assignment is FREE. Please see [RAIN-2021-G01](http://www.epa.gov/grants/rain-2021-g01) at [www.epa.gov/grants/rain-2021-g01](http://www.epa.gov/grants/rain-2021-g01) for information about EPA's implementation of the upcoming Government-wide transition from DUNS to Unique Entity Identifier (UEI).

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

To begin the application process under this grant announcement, go to [www.grants.gov](http://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](http://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 [www.grants.gov/web/grants/applicants/adobe-software-compatibility.html](http://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](http://www.grants.gov). Go to [www.grants.gov](http://www.grants.gov) and then click on “Search Grants” at

the top of the page and enter the Funding Opportunity Number, **EPA-OLEM-OBLR-21-05**, 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](https://www.grants.gov) using the “Workspace” feature. Information on the Workspace feature can be found at the [Grants.gov Workspace Overview Page](https://www.grants.gov/web/grants/applicants/workspace-overview.html) at [www.grants.gov/web/grants/applicants/workspace-overview.html](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](https://www.grants.gov) **no later than December 1, 2021, 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](https://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. Budget Information for Non-Construction Programs (SF-424A)
3. EPA Key Contacts Form 5700-54
4. Preaward Compliance Review Report (EPA Form 4700-4)
5. Project Narrative Attachment form – attach the Narrative Information Sheet, the Narrative, and required attachments as one file, if possible. See [Section IV.C](#) for details on the required content and the associated page limits.

**Note:** A workplan is not required under this announcement. Applicants that are selected for funding will negotiate the workplan with EPA before the cooperative agreement is awarded.

After signing and successfully submitting the application package, within 24 to 48 hours the AOR should receive notification emails from [www.grants.gov](https://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](https://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](https://www.grants.gov) system by EPA, the AOR should receive the following notification emails from [www.grants.gov](https://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](https://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](https://www.grants.gov)) within 30 days of the application deadline, please contact Jerry Minor-Gordon at [minor-gordon.jerry@epa.gov](mailto: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](http://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](http://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](http://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](http://www.grants.gov). It is essential to allow sufficient time to ensure that your application is submitted to [www.grants.gov](http://www.grants.gov) BEFORE the due date.** The [www.grants.gov](http://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](http://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](http://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](mailto:minor-gordon.jerry@epa.gov)) with the Funding Opportunity Number, EPA-OLEM-OBLR-21-05, 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](http://www.grants.gov) or relevant [www.sam.gov](http://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](http://www.sam.gov) or [www.grants.gov](http://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](http://www.grants.gov), it is essential to call [www.grants.gov](http://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](http://www.grants.gov) representative by calling 606-545-5035. Be sure to obtain a case number from [www.grants.gov](http://www.grants.gov). If the problems stem from unforeseen exigent circumstances unrelated

to [www.grants.gov](http://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](http://www.grants.gov) due to electronic submission system issues or unforeseen exigent circumstances, and you have already attempted to resolve the issue by contacting Grants.gov, send an email message to [minor-gordon.jerry@epa.gov](mailto:minor-gordon.jerry@epa.gov) prior to the application deadline. The email message must document the problem and include the [www.grants.gov](http://www.grants.gov) case number as well as the entire application in PDF format as an attachment.
- c. [www.grants.gov](http://www.grants.gov) rejection of the application package: If a notification is received from [www.grants.gov](http://www.grants.gov) stating that the application has been rejected for reasons other than late submittal and it is too late to reapply, promptly send an email to Jerry Minor-Gordon ([minor-gordon.jerry@epa.gov](mailto:minor-gordon.jerry@epa.gov)) with the Funding Opportunity Number, EPA-OLEM-OBLR-21-05, 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](http://www.grants.gov) and attach the entire application in PDF format.

Please note that successful submission through [www.grants.gov](http://www.grants.gov) or via email does not necessarily mean your application is eligible for award.