

**INTERGOVERNMENTAL REVIEW INSTRUCTIONS  
FOR PUERTO RICO & THE VIRGIN ISLANDS APPLICANTS**

**[EXECUTIVE ORDER 12372](#)** - The Environmental Protection Agency's (EPA's) regulation, **[40 CFR Part 29](#)**, sets forth the Agency's obligations and procedures for consulting with and responding to views expressed by State and local elected officials on proposed EPA direct development activities, and applications submitted for EPA financial assistance.

EPA's Office of Grants and Debarment has published **[RAIN-2021-G02](#)** EPA Intergovernmental Review. This RAIN informs recipients and applicants about how to determine which EPA financial assistance programs and activities are subject to Intergovernmental Review (IR) requirements. For a full list of the EPA grant programs and activities by Assistance Listing Number that are subject to intergovernmental review, please visit: **<https://www.epa.gov/grants/epa-financial-assistance-programs-subject-executive-order-12372-and-section-204-demonstration>**. Please note that programs which are subject to intergovernmental review for policy reasons rather than the requirements of Section 204 of the Demonstration Cities and Metropolitan Development Act and Section 401 of the Intergovernmental Cooperation Act are identified with an asterisk (\*).

On November 24, 2020, EPA issued a **[Federal Register Notice](#)** providing the list of EPA financial assistance programs and activities subject to intergovernmental review. The list reflects EPA's determination that state applicants for State Revolving Fund (SRF) capitalization grants meet their 40 CFR Part 29 IR responsibilities when the state complies with the public notice requirements for Intended Use Plans (IUP) in 40 CFR 35.3150 or 40 CFR 35.3555 as applicable. The IUP regulations implement the statutory requirements at CWA 1386(c) and SDWA 1452(b) for IUPs.

State applicants for SRF funding need not follow the IR procedures in 40 CFR Part 29. Please check box "c" on Standard Form 424 indicating that the application is not subject to the E.O. 12372 IR procedures per EPA's determination.

<b>* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?</b>	
<input type="checkbox"/>	a. This application was made available to the State under the Executive Order 12372 Process for review on <input type="text"/> .
<input type="checkbox"/>	b. Program is subject to E.O. 12372 but has not been selected by the State for review.
<input type="checkbox"/>	c. Program is not covered by E.O. 12372.

A list of the Puerto Rico and Virgin Island agencies, along with their addresses are found below. At a minimum, your application should be submitted to the listed agency to which the project will impact.

After submitting your application to Grants.gov, you should send the reviewing agencies a letter or email transmitting your application review package. Also include the first page of the application (SF-424) and a project summary describing the activities proposed to be funded.

Please provide proof of your Intergovernmental Review by forwarding a copy of the email or letter submitted to each reviewing agency to [Region2\\_GrantApplicationBox@epa.gov](mailto:Region2_GrantApplicationBox@epa.gov). Reviewing agencies should submit comments to this email as well. Please be sure to give the agencies a deadline for comments at least 30 days from the day they receive the application.

Please note that EPA cannot complete processing of the application until the intergovernmental review process has been completed. If you need additional information about this process, please email [Region2\\_GrantApplicationBox@epa.gov](mailto:Region2_GrantApplicationBox@epa.gov).

For projects within Puerto Rico or the Virgin Islands, please contact the appropriate clearinghouse below:

#### **VIRGIN ISLANDS**

**Jenifer C. O'Neal, Director**  
**Office of Management and Budget**  
**5041 Norre Gade**  
**Emancipation Garden Station, 2nd Floor**  
**St. Thomas, VI 00802**  
**Tel. (340) 774-0750 x 2720**  
**Email: [jenifer.oneal@omb.vi.gov](mailto:jenifer.oneal@omb.vi.gov)**  
**\*Will accept electronic project proposals**

#### **PUERTO RICO**

**Lcda. Blanche Gonzalez Hodge**  
**Director**

**Puerto Rico Planning Board**  
**Federal Proposals Review Office (SPOC)**  
**Government Center Roberto Sanchez Vilella**

**P.O. Box 41119**  
**San Juan, Puerto Rico 00940-1119**

**Phone: 787-723-6200 Ext. 16134**  
**Email: [SPOC\\_PR@jp.pr.gov](mailto:SPOC_PR@jp.pr.gov)**  
**[Gonzalez\\_bl@jp.pr.gov](mailto:Gonzalez_bl@jp.pr.gov)**

**\*Will accept electronic project proposals**

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