



THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

AUG 20 2013

MEMORANDUM

SUBJECT: Approval for Establishing Delegation of Authority to Assistant Administrators to Administer Prize Competitions

FROM: Gina McCarthy

A handwritten signature in black ink, appearing to read "Gina McCarthy", written over the printed name.

TO: Assistant Administrators
Associate Administrators
Regional Administrators
Deputy Chiefs of Staff

I hereby delegate to the U.S. Environmental Protection Agency's assistant administrators, associate administrators, regional administrators and deputy chiefs of staff the authority to take all necessary actions to conduct prize contests authorized by Section 105 of the America COMPETES Act, 15 U.S.C. 3719 as well as other statutes authorizing the EPA to award cash prizes, pursuant to Delegation of Authority 1-124.

1-124. Prizes (1200 TN 621)

1. AUTHORITY.

To take all necessary actions to conduct prize contests authorized by Section 105 of the America COMPETES Act, 15 U.S.C. 3719; Section 20 of the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136r; Section 10 of the Toxic Substances Control Act, 15 U.S.C. 2609; Section 104 of the Clean Water Act, 33 U.S.C. 1254; Section 203 of the Marine Protection, Research, and Sanctuaries Act, 33 U.S.C.1443; Section 1442 of the Safe Drinking Water Act, 42 U.S.C. 300j-1; Section 8001 of the Solid Waste Disposal Act, 42 U.S.C. 6981; Section 103 of the Clean Air Act, 42 U.S.C. 7403; Section 311 of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9660; Section 6604(b)(5) of the Pollution Prevention Act, 42 U.S.C. 13103(b)(5); Environmental Goods and Export Promotion Authority, 15 U.S.C. 4728 and 22 U.S.C. 7905.

2. TO WHOM DELEGATED.

The authority is delegated to assistant administrators, associate administrators, regional administrators and deputy chiefs of staff.

3. LIMITATIONS.

a. Prior to announcing a prize contest, assistant administrators, associate administrators, regional administrators and deputy chiefs of staff must obtain concurrence from the Challenge Review

Team, which will ensure that the prize contest meets applicable legal requirements and that the funding to be used for the prize contest is legally available for that purpose. The team also will make other determinations on behalf of the offices it represents.

b. Prior to announcing any science and technology prize competition, assistant administrators, associate administrators, regional administrators and deputy chiefs of staff must, in addition to obtaining concurrence from the Challenge Review Team, obtain concurrence from the assistant administrator for the Office of Research and Development to determine whether the contest design meets standards for sound science.

c. Prior to accepting private funds for a contest under 15 U.S.C. 3719(m), assistant administrators, associate administrators, regional administrators and deputy chiefs of staff must consult with the assistant administrator for the Office of Enforcement and Compliance Assurance or designee regarding previous and/or current enforcement matters involving the proposed donor.

d. Pursuant to 15 U.S.C. 3719(m)(4), assistant administrators, associate administrators, regional administrators and deputy chiefs of staff must obtain the Administrator's approval for all prize competitions that may result in the award of more than \$1,000,000 in cash prizes.

e. Federal employees acting within the scope of their employment may not compete for prizes authorized by 15 U.S.C. 3719, and EPA employees may not compete for any prizes the agency awards under the authority in 1.

4. REDELEGATION AUTHORITY.

This authority may not be redelegated.

5. ADDITIONAL REFERENCES.

Agencywide guidance on developing and administering America COMPETES prize contests issued by the Office of General Counsel and ORD, including guidelines for judges, is available at <http://intranet.ord.epa.gov/science/innovation/challenges-and-prize-competitions>.