

# **FY 2023 Training and Technical Assistance to Improve Water Quality and Enable Small Public Water Systems to Provide Safe Drinking Water**

## **Frequently Asked Questions**

Last updated 11/29/23

In accordance with the EPA's Assistance Agreement Competition Policy (EPA Order 5700.5A1), the EPA will respond to questions from individual applicants regarding threshold eligibility criteria, administrative issues related to the submission of the application, and requests for clarification about the announcement. However, consistent with the provisions in the announcement, the 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.

Applicants are responsible for the contents of their applications.

## **Categories**

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### **A. Applicant Eligibility:**

#### **A1: Am I eligible to apply for the RFA?**

Eligible applicants under this competition are nonprofit organizations, nonprofit private universities and colleges, and public institutions of higher education. For-profit organizations are not eligible to apply. States, municipalities, or tribal governments are not eligible to apply. Nonprofit organizations described in Section 501(c)(4) of the Internal Revenue Code that engage in lobbying activities as defined in Section 3 of the Lobbying Disclosure Act of 1995 are not eligible to apply. The EPA may ask applicants to demonstrate that they are eligible for funding under this announcement.

#### **A2: How does the EPA define nonprofit organization?**

Consistent with the definition of Nonprofit organization at 2 CFR § 200.1, the term nonprofit organization means any corporation, trust, association, cooperative, or other organization that is

operated mainly for scientific, educational, service, charitable, or similar purpose in the public interest and is not organized primarily for profit; and uses net proceeds to maintain, improve, or expand the operation of the organization. The term includes tax-exempt nonprofit neighborhood and labor organizations. Note that 2 CFR 200.1 specifically excludes Institutions of Higher Education from the definition of non-profit organization because they are separately defined in the regulation. While not considered to be a nonprofit organization(s) as defined by 2 CFR 200.1, public or nonprofit Institutions of Higher Education are, nevertheless, eligible to submit applications under this RFA. For-profit colleges, universities, trade schools, and hospitals are ineligible.

Nonprofit organizations that are not exempt from taxation under section 501 of the Internal Revenue Code must submit other forms of documentation of nonprofit status; such as certificates of incorporation as nonprofit under state or Tribal law. Nonprofit organizations exempt from taxation under section 501(c)(4) of the Internal Revenue Code that lobby are not eligible for the EPA funding as provided in the Lobbying Disclosure Act, 2 U.S.C. 1611.

**A3: If I have questions regarding this announcement, will the EPA respond to them?**

It depends. The EPA will respond to questions from individual applicants regarding threshold eligibility criteria, administrative issues related to the submission of the application, and requests for clarification about the announcement. Questions must be submitted via e-mail to ([smallsystemsrf@epa.gov](mailto:smallsystemsrf@epa.gov)) by January 18, 2024. However, the EPA staff will NOT discuss draft applications, provide informal comments on draft applications, or provide advice to applicants on how to respond to ranking criteria. Applicants are responsible for the contents of their applications.

**A4: Can individual non-profit water systems apply for a grant to make improvements to their systems?**

No, individual water systems are not eligible for funding under this announcement. It is designed to provide funding to eligible non-profit organizations (as described in Section III.A. “Eligible Applicants” of the Request for Applications, quoted below), which in turn will provide training and technical assistance to eligible drinking water and wastewater systems and private well owners.

Section III.A. “Eligible Applicants” of the Request for Applications states: “Eligible applicants under this competition are nonprofit organizations, nonprofit private universities and colleges, and public institutions of higher education. For-profit organizations are not eligible to apply. States, municipalities, tribal governments, and individuals are not eligible to apply. Nonprofit organizations described in Section 501(c)(4) of the Internal Revenue Code that engage in lobbying activities as defined in Section 3 of the Lobbying Disclosure Act of 1995 are not eligible to apply. The EPA may ask applicants to demonstrate that they are eligible for funding under this announcement.

**A5: Are public health agencies eligible to apply?**

If your public health agency is an agency of your county government, then your public health agency is not eligible to apply. For this Request for Applications, the EPA does not consider units of government such as counties as well as their component agencies to be nonprofit organizations. See Section III.A. “Eligible Applicants” of the Request for Applications for additional information.

**A6: Do you foresee any similar funding opportunities for which states will be eligible to apply?**

In accordance with Section III.A, Eligible Applicants, of the competitive announcement, states are not eligible to apply for this funding opportunity. The EPA cannot speculate regarding future grant opportunities in which states would be eligible to apply. You may wish to monitor the [Grants.gov](https://www.grants.gov) web site in the future to see if there are any other grant competitions that may include states as eligible applicants.

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**B. Project Eligibility:**

**B1: Does an onsite/decentralized wastewater system include an individual home sewerage system?**

A home septic system is an example of an onsite/decentralized system. The funding opportunity is intended for technical assistance activities that would help multiple onsite/decentralized systems (e.g., a community, a collection of houses, part of a watershed, a geographic region, etc.) to improve their performance. In Section I.B of the Request for Applications, on-site/decentralized systems are defined as: publicly-owned or privately-owned onsite or clustered systems used to collect, treat, and disperse or reclaim wastewater from a small community, tribe or service area that are publicly or privately-owned and/or serve tribal communities (with the exception of systems that are owned by U.S. federal entities).

**B2: What types of projects are eligible to apply for these funds? For example, I work with a number of small communities who need funds to conduct or update their technical, managerial, and financial assessments for water systems, do planning and/or design work for needed water or wastewater system improvements, and to construct improvements to their systems. Which of these activities would qualify? And can we request funds for specific communities, or does it have to be broader, i.e. across a number of states?**

The types of activities and services that are eligible for funding are described in Section I.B. of the announcement, under “National Priority Areas.” Additionally, the funding opportunity is intended to provide training and technical assistance on a national basis. In accordance with Section V, criterion number 2, “Providing Training and Technical Assistance on a National Basis,” applicants will be evaluated on a number of factors, such as providing training and

technical assistance in a maximum number of states and U.S territories, demonstrating an effective process for reaching out to tribally-owned and operated systems, addressing the specific needs of the target audience in as many states and U.S. territories as possible, and transferring results, effective compliance strategies, and resources developed, to interested stakeholders nationally.

Applicants are asked to describe a process for consulting with the appropriate regulatory authority in each state, Tribe, or territory prior to initiating training and technical assistance activities. This process would take place before assistance is provided to individual communities or systems.

Also, note that this funding opportunity is designed to provide funding for eligible nonprofit organizations, nonprofit private universities and colleges, and public institutions of higher education (as described in Section III.A. "Eligible Applicants" of the Request for Applications), which in turn will provide training and technical assistance to eligible drinking water and wastewater systems and private well owners.

For-profit organizations, states, municipalities, or tribal governments, and individuals are not eligible to apply. Nonprofit organizations described in Section 501(c)(4) of the Internal Revenue Code that engage in lobbying activities as defined in Section 3 of the Lobbying Disclosure Act of 1995 are not eligible to apply. The EPA may ask applicants to demonstrate that they are eligible for funding under this announcement.

**B3: We have a population of 1,779 in our municipality and are currently undergoing a mandatory upgrade to our wastewater treatment facility. Will this project meet the criteria of the grant monies to be awarded, or is this type of grant for training only?**

This funding opportunity is only for training and technical assistance projects. See Section I.A Program Objectives "Infrastructure projects such as repairing water or sewer lines, adding new equipment, or upgrading, retrofitting, or rehabilitating existing equipment, are not eligible for funding under this announcement."

**B4: Are "urban" communities ok for us to service as long as they are below 10,000 in population? Is that the same for decentralized wastewater systems?**

As indicated in the announcement, the systems targeted to receive training and technical assistance under National Priority Area 1 include "small public water systems," which are defined as "community and non-community water systems serving a population of less than 10,000 persons." The systems targeted for assistance under National Priority Area 2 are "small publicly-owned wastewater systems" or "onsite/decentralized wastewater systems." "Small publicly-owned wastewater systems" are defined as "wastewater systems or treatment facilities that have permitted and actual flows of less than 1 million gallons per day (MGD) and are: owned by a public entity (such as a municipality) or not-for-profit entity (such as regional sewer districts), and/or serve tribal communities (with the exception of systems that are owned

by U.S. federal entities).” “Onsite/decentralized systems” are defined as “publicly-owned or privately-owned onsite or clustered systems used to collect, treat, and disperse or reclaim wastewater from a small community, tribe or service area that are publicly or privately-owned and/or serve tribal communities (with the exception of systems that are owned by U.S. federal entities).” There is no size designation for onsite/decentralized systems, and as long as the criteria in the above definitions are met, any of the water and wastewater systems described above may be located in either rural or urban communities.

**B5: If a county/municipality operates several distinct "systems" that are not connected to each other, and one of these distinct systems serves less than 10,000 people, would it qualify as a "small system," or do we aggregate all the distinct systems operated by single entity to determine "smallness"?**

A distinct system serving less than 10,000, is eligible for receiving training or technical assistance from a grant recipient under this funding announcement. However, the Request for Applications also requires funding recipients to prioritize the use of their funds by working with the state or territory where they are providing assistance, to identify the systems in greatest need of assistance. The Request for Applications, Section I.B., “National Priority Areas” states that applicants should:

“Describe the process for consulting with the appropriate regulatory authority in each state, Tribe, or territory prior to initiating training and technical assistance activities. Include a process for reporting back to those authorities, to the EPA grant project officer, and to the appropriate EPA regional coordinators regarding the assistance provided and documented results. If you are addressing National Priority Area 2, also describe your approach for addressing the two elements of that priority. Describe the plan and process for actively transferring the lessons learned, to the EPA and states, territories, Tribes and/or local governments, so that others may better develop their programs.”

**B6: Would regional in-person trainings satisfy the need to make it nationally available (rather than state by state)? Or would there need to be additional web based trainings for those unable to attend and in-person event?**

Please refer to Section I.C. *Providing Training and Technical Assistance on a National Basis*:

“Applicants should make training and technical assistance available nationally in all 50 states and the U.S. territories (i.e., Guam, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, and American Samoa), including to tribally-owned and -operated systems, through a combination of face-to-face/onsite and remote training and technical assistance approaches.”

Please also refer to Section V.A., *Application Review Information, Selection Criteria*:

“The extent and quality to which the applicant demonstrates an effective process for consultation with the appropriate regulatory authority in each state, tribe, or territory prior to initiating training and technical assistance activities.” (4 points)

**B7: Would training and TA that serves homeowners using rainwater catchment systems be an acceptable activity under NPA 3?**

No. Please refer to Section I.B. Funding Opportunity Description, National Priority Areas. “Under this National Priority Area, the EPA is soliciting applications to provide training and technical assistance to private drinking water well owners. For the purposes of this announcement, a “private well” is defined as a well owned by a homeowner or group of homeowners that supplies drinking water to fewer than 25 people and contains fewer than 15 service connections.”

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**C. Threshold Issues:**

**C1: If I put charts and exhibits in my proposal can they be a smaller font than the 12 point font that is required of the body of the proposal?**

The RFA does not establish a required minimum 12 point font for the project narrative or any charts and/or exhibits; however, the RFA does indicate that readability is of paramount importance. Section IV.E.2, Project Narrative, states in part:

“...It is recommended that applicants use a standard 12-point type with 1-inch margins. While these guidelines establish the minimum type size recommended, applicants are advised that readability is of paramount importance and should take precedence in selection of an appropriate font for use in the Project Narrative.” The EPA recommends that all of the project narrative, including any charts and/or exhibits, is in a 12-point font.

**C2: Is there a grant ceiling & floor for applications?**

There is a maximum amount of federal funds applicants can request in their application, but no minimum amount of federal funds applicants may request. The Request for Applications (RFA) Section III.C., “Threshold Eligibility Criteria,” states that: “Applications for awards under National Priority Area 1 cannot exceed \$13,000,000 in federal funds; applications for awards under National Priority Area 2 cannot exceed \$1,250,000 in federal funds; and applications for awards under National Priority Area 3 cannot exceed \$3,450,000 in federal funds. Applications exceeding the amount for the applicable National Priority Area it addresses will be rejected.” The EPA has not established a minimum amount of funding for applicants.

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**D. Evaluation Issues:**

**D1: Section II. B., regarding anticipated substantial federal involvement mentions a review of qualifications of key personnel with a caveat that the EPA “does not have the authority to**

**select employees or contractors employed by the recipient.” Since staff expertise/qualifications are part of the scoring criteria upon which an award is based, can the EPA elaborate on this review? Is this limited to new employees or contractors selected by the recipient? What further review of identified staff would be conducted for a successful recipient?**

If an applicant proposes future changes in key personnel after an application has been selected for funding, then the EPA Project Officer must be consulted regarding the selection of key personnel before the project can proceed or continue. EPA’s involvement is limited to reviewing the technical qualifications of key personnel and the recipient will make the final decisions on selection. EPA’s Project Officer will not suggest, recommend or direct the recipient to select any individual.

**D2: Will entities that already provide technical assistance to small public water suppliers have an advantage in the proposal selection? Is this RFA primarily intended for national organizations that work with small water suppliers on an ongoing basis?**

All eligible applicants, based on the threshold eligibility review, will be evaluated based on the evaluation criteria provided in Section V.A. Applications will be evaluated on the applicant’s ability to successfully complete and manage the proposed project considering their programmatic capability, experience and community support. Under the past performance evaluation factors, applicants will be evaluated on their past performance. Applicants with no relevant or available past performance information or reporting history must indicate that in the application and they will receive a neutral score for the past performance criterion.

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**E. Timing and Logistics:**

**E1: When does the EPA anticipate that awards will be announced?**

The EPA anticipates making funding awards by Summer 2024, but this is only an estimate, and not a guarantee.

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**F. Budget Concerns:**

**F1: The RFA states a project period of up to two years. Do you anticipate that this type of funding will be available in future years?**

This funding announcement is based on the EPA's budget and fiscal funding cycle.

**F2: If an applicant applies for a certain amount...e.g., \$1,200,000...and after reviewing the applications the agency feels that the work in the proposal is eligible but that there is only \$750,000 available, would the agency go back to the applicant and invite a revised application for the lower amount? Or would the application be rejected because the amount was higher than the funds available?**

The EPA would not necessarily reject an otherwise meritorious application if the Agency did not have adequate funding to provide the full amount the applicant requested, provided the applicant did not request more funding than specified in Section III.C.3 of the RFA.

The following provision of the RFA (Section II.A) would apply:

“In appropriate circumstances, the EPA reserves the right to partially fund applications by funding discrete portions or phases of proposed projects. If the EPA decides to partially fund an application, it 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, and therefore maintains the integrity of the competition and selection process.”

**F3: When determining cost share/match, can the average hourly wage of the trainees attending the courses be used as cost share?**

No. Trainees would not be performing services for the applicant and, accordingly, their wages would not meet the standards at 2 CFR 200.306 for allowability as cost share. Applicants may pay trainee travel as a "participant support cost" with their own funds and include those costs as a match. However, the EPA has determined that other forms of participant support costs such as trainee stipends or child care expenses are unallowable and applicants may not count these costs towards their cost share.



**F4: If the applicant develops curriculum for training delivery, can that curriculum be used as voluntary cost share/match? And if so, who then owns the curriculum?**

Yes, provided the applicant can meet the requirements at 2 CFR 200.306 for documenting that the amount of cost share it claims reflects the fair market value of the curriculum. The applicant will “own” the curriculum. However, if the applicant uses the costs (i.e., personnel or contractor expenses) for developing the curriculum as cost share, the EPA would have a “federal purpose” license to use the curriculum under 2 CFR 200.315.

**F5: If the applicant develops curriculum for training delivery, will the developer be able to use the material developed for systems not targeted by the grant? For example: municipalities larger than the target group.**

Yes. The applicant will “own” the curriculum and can use it for its own purposes as long as the cost of the additional use of the curriculum is not charged to this grant.

**F6: To reach private well owners, there is a need to market in unconventional ways, including advertising the training and technical assistance developed under this RFA. Is it allowable to include advertising costs in the proposals for this RFA, as long as the advertising is only used to market and promote training and technical assistance under this RFA?**

Federal grant regulations and policies do not prohibit the use of grant funds to advertise the services offered by the grantee, as long as the advertising is specifically for making the intended audience aware of the specific training and technical assistance services available to them under this grant. General marketing of the grantee or its services outside of the scope of this grant would be beyond the scope of the grant and would not be appropriate. Details on what costs are allowable related to advertising and public relations are contained in [https://www.epa.gov/sites/default/files/2018-05/documents/recipient\\_guidance\\_selected\\_items\\_of\\_cost\\_final.pdf](https://www.epa.gov/sites/default/files/2018-05/documents/recipient_guidance_selected_items_of_cost_final.pdf).

**F7: Does the EPA have a limit on indirect costs that can be charged?**

While there is no “limit”, per se, prior to drawing down EPA funds for IDCs, and/or using unrecovered IDCs as cost- share, recipients must have an approved rate and an EPA-approved budget that includes IDCs. The IDC policy defines different approved IDC rate types, which now includes use of the 10% *de minimis* rate as long as an applicant does not have a current negotiated rate under 10% or is not exempt from using the *de minimus* rate.

For more information, please read the EPA’s Indirect Cost Guidance for Recipients of EPA Assistance Agreements at <https://www.epa.gov/grants/rain-2018-g02>.

**F8: Under this RFA, are indirect/facilities and administrative costs eligible for a waiver of the cost share?**

As described in the RFA under Section III.B., “The non-federal cost-share/match may be provided in cash or can come from in-kind contributions, such as use of volunteers and/or donated time, equipment, expertise, etc., and is subject to the regulations governing matching fund requirements described in 2 CFR 200.306, as applicable.”

For more information, please read policy (Section 6.5) at <https://www.epa.gov/sites/production/files/2018-08/documents/indirect-cost-policy-for-recipients-of-epa-assistance-agreements.pdf>) and EPA’s Indirect Cost Guidance for Recipients of EPA Assistance Agreements (Section 6.7) at <https://www.epa.gov/sites/production/files/2018-08/documents/indirect-cost-policy-guidance-for-recipients-of-epa-assistance-agreements.pdf>.

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**G. Funding Clarifications:**

**G1: Can the funds for this grant program be used for the purchase of sewer maintenance/inspection equipment?**

Equipment purchases solely for the purpose of providing training or technical assistance are eligible under this funding announcement. Equipment purchases would need to be included in the application budget and approved by the EPA as part of the final project work plan. In general, equipment purchases should represent a small portion of the total project budget. Equipment is defined in 2 CFR 200.1 as tangible, non-expendable, personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit. Recipients may establish a lower dollar threshold or different definition of equipment through their own written property management policies as long as the thresholds and definitions are consistent with the definitions of Equipment and Supplies in 2 CFR 200.1. The recipient’s lower threshold or different definition is binding. See also RAIN-2019-G02 [Interim General Budget Development Guidance for Applicants and Recipients of EPA Financial Assistance](#)

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## **H. Miscellaneous:**

### **H1: Will the EPA seek external reviewers for the Training and Technical Assistance to Improve Water Quality and Enable Small Public Water Systems to Provide Safe Drinking Water RFA?**

No. the EPA will not seek external reviewers for this announcement. Section V.B. of the RFA states that a panel(s) comprised of EPA staff will review the eligible applications by National Priority Area based on the evaluation criteria listed in Section V.A.

### **H2: What systems will we work with, how are those systems chosen, who will choose them, and who has the contact information?**

Identifying the small public water systems to work with will be the responsibility of the successful applicant. The EPA will evaluate your approach to identifying systems to serve under the “National Priority Area” and “Providing Training and Technical Assistance on a National Basis” described in Section V.A. of the Request for Applications (RFA).

As required by Section I.B. of the RFA, the successful applicant must work with the appropriate regulatory authorities “...to identify the systems in greatest need of assistance...” Your application should describe a process that you propose to follow to assure proper consultation

with the appropriate regulatory authority such as the state or territorial primacy agency or the EPA regional direct implementation coordinator.

**H3: Does this RFA require a Significant Financial Interests Disclosure (SFI) such as that required by some other funding agencies?**

Under this funding announcement there is no requirement for a Significant Financial Interests Disclosure for key personnel or any equivalent requirement.

**H4: Section II. B., regarding anticipated substantial federal involvement, includes the statement “collaboration during performance of the scope of work.”; Could the EPA provide examples of substantial federal involvement? Will the EPA provide trainers for workshops or simply be in attendance? Will the EPA assist in developing agendas for workshops?**

Depending on the topic area and the specific location and timing of training or workshops, the EPA may sometimes choose to be in attendance. It is less likely but certainly appropriate, that on some occasions the EPA personnel may participate in developing workshop agendas or in conducting training activities in conjunction with the training being provided by the grantee and/or state regulatory officials. This would be determined on a case-by-case basis, in consultation with the grantee and state regulatory officials.

**H5: We are hoping to find more information or clarification on the two different applications offered (two different assistance listing numbers); we are not clear which application we should complete. Can you clarify the difference between the two applications?**

Assistance listing Number(s):

66.424 -- Surveys, Studies, Investigations, Demonstrations, and Training Grants - Section 1442 of the Safe Drinking Water Act

66.436 -- Surveys, Studies, Investigations, Demonstrations, and Training Grants and Cooperative Agreements - Section 104(b)(3) of the Clean Water Act

If you are applying for:

**National Priority Area 1** (Training and Technical Assistance for Small Public Water Systems to Achieve and Maintain Compliance with the SDWA, Including Improving Financial and Managerial Capacity) you should use the application for **assistance listing number 66.424**.

If you are applying for:

**National Priority Area 2** (Training and Technical Assistance for Small Publicly-Owned Wastewater Systems and Onsite/Decentralized Wastewater Systems to Help Improve Water

Quality) you should use the application for **assistance listing 66.436**.

If you are applying for:

**National Priority Area 3** (Training and Technical Assistance for Private Drinking Water Well Owners to Help Improve Water Quality), you should use the application for **assistance listing 66.436**.

Applications will not be rejected solely for using an incorrect assistance listing number, and the number can be corrected later in the application process.

**H6: Our research program has been working with private well owners in rural communities. We are considering submitting a proposal addressing Priority Area 3.**

**We have worked with the U.S. Geological Survey and state agencies in the past. Could they be sub-awardees of the grant? The eligibility criteria indicate, "States, municipalities, tribal governments, and individuals are not eligible to apply." What role could they play?**

Generally, unless prohibited by statute, an entity/individual is eligible to receive a subaward even if it is not eligible to receive an assistance agreement. So, the state agencies could be eligible to be subawarders of this grant. However, one of the entities you inquired about, the U.S. Geological Survey (USGS), is a federal entity. OMB's revisions to the definition of Subrecipient in 2 CFR 200.1 and the regulatory coverage in 2 CFR 200.101, Applicability, provides that Federal agencies may receive subawards from pass-through entities when authorized by Federal statutes. In order to award a subaward to USGS, you must demonstrate that USGS has the statutory authority to receive subawards from pass-through entities. Additional information regarding Contracts and Subawards can be found at: <https://www.epa.gov/grants/epa-solicitation-clauses>.

**H7: Is the EPA available to discuss the program and answer questions from an applicant on achieving the program objectives prior to submitting an application?**

As described in Section VII of the Request for Applications, the EPA staff cannot meet with individual applicants to discuss draft applications.

Section VII states: "Note to Applicants: In accordance with the EPA's Assistance Agreement Competition Policy (EPA Order 5700.5A1), EPA staff will not 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. Applicants are responsible for the contents of their applications. However, consistent with the provisions in the announcement, the EPA will respond to questions from individual applicants regarding threshold eligibility criteria, administrative issues related to the submission of the application, and requests for clarification about any of the language or provisions in the announcement. Please note that applicants should

raise any questions they may have about the solicitation language to the contact identified in Section VII of this announcement as soon as possible so that any questions about the solicitation language may be resolved prior to submitting a proposal. In addition, if necessary, the EPA may clarify threshold eligibility issues with applicants prior to making a final eligibility determination."