

## OVERVIEW

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

**TITLE:** FY23 GUIDELINES FOR BROWNFIELD REVOLVING LOAN FUND GRANTS

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

**RFA NO.:** EPA-I-OLEM-OBLR-22-08

**ASSISTANCE LISTING NO.:** 66.818

**DATE:** The closing date and time for receipt of applications is **November 22, 2022**, 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 **November 22, 2022**, will not be considered. Please refer to the *Due Date and Submission Instructions* in [Section IV.B.](#) and [Appendix 1](#) for further instructions.

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](#)<sup>1</sup> and the instructions outlined in [Section IV.B.](#) of this announcement.

**FUNDING/AWARDS:** EPA anticipates awarding an estimated 10 RLF Grants for an estimated total of \$10 million, subject to the quality of applications received, availability of funds, and other applicable considerations.

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<sup>1</sup> EPA's *Solicitation Clauses* are available at [www.epa.gov/grants/epa-solicitation-clauses](http://www.epa.gov/grants/epa-solicitation-clauses).

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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 (Public Law 115-141) 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.) EPA’s Brownfields Program provides funds to empower states, tribal nations, communities, 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**. This program is being funded by the Infrastructure Investment and Jobs Act (Public Law 117-58, the “Bipartisan Infrastructure Law”).

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.

EPA expects that funding awarded will advance the Biden Administration’s [Justice40](#) priorities which promises to deliver at least 40 percent of the overall benefits from key federal investments to disadvantaged communities.<sup>2</sup>

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

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<sup>2</sup> Disadvantaged – Consideration of appropriate data, indices, and screening tools to determine whether a specific community is disadvantaged should be based on a combination of variables that may include, but are not limited to, the following: low income, high and/or persistent poverty; high unemployment and underemployment; racial and ethnic residential segregation, particularly where the segregation stems from discrimination by government entities; linguistic isolation; high housing cost burden and substandard housing; distressed neighborhoods; high transportation cost burden and/or low transportation access; disproportionate environmental stressor burden and high cumulative impacts; limited water and sanitation access and affordability; disproportionate impacts from climate change; high energy cost burden and low energy access; jobs lost through the energy transition; and access to healthcare. Office of Management and Budget’s Interim Implementation Guidance for the Justice40 Initiative Memo (July 20, 2021). [www.whitehouse.gov/wp-content/uploads/2021/07/M-21-28.pdf](https://www.whitehouse.gov/wp-content/uploads/2021/07/M-21-28.pdf).

community engagement; reasonable costs, eligible tasks, and appropriate use of grant funding; the capacity for managing and successfully implementing the cooperative agreement; and other factors.

**Prior to naming a contractor (including a consultant) or subrecipient in your application, please carefully review [Section III.B.7.](#) of these guidelines, Section IV of [EPA’s Solicitation Clauses](#), and Section D. in the FY23 [Brownfields Frequently Asked Questions \(FAQs\)](#).**<sup>3</sup>

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 FY23 [FAQs](#).

### **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>4</sup> and/or petroleum<sup>5</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.

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. As of 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. Additional information on the timing, requirements, and procedures for supplemental funding requests will be available on EPA’s [Brownfields Program Website](#) ([www.epa.gov/brownfields/brownfields-revolving-loan-fund-rlf-grants](http://www.epa.gov/brownfields/brownfields-revolving-loan-fund-rlf-grants)).

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<sup>3</sup> The *FY23 Brownfields Frequently Asked Questions (FAQs)* are available 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).

<sup>4</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 FY23 [FAQs](#).

<sup>5</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	Consistent with the direction on cost sharing in the Bipartisan Infrastructure Law, the 20% cost share is waived for all applicants	
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 amount of EPA grant funding to provide loans for the cleanup of eligible brownfield sites and associated eligible programmatic capability. The remaining EPA funding 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 50%, provided that the total amount of the principal forgiven for that loan shall not exceed \$500,000 per site. 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 or provide a discounted loan 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). Unlike intra-governmental loans, intra-governmental subgrants and intra-governmental discounted loans are not allowed under the RLF program. For example, if the RLF recipient is a city, then it cannot subgrant to its city development agency that is subject to the same elected or appointed (i.e., a city manager) chief executive's direct supervision and control. However, if the city redevelopment agency is a separate legal entity that is not subject to the chief executive's direct supervision and control, it may be eligible. These eligibility determinations are made on a case-by-case basis since state and local laws vary widely. However, the RLF Grant recipient may subgrant to other coalition members if EPA awards an RLF Coalition Grant.

Subgrants are limited to \$500,000 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, and the borrower or subgrantee may not be affiliated with a potentially liable person as described in CERCLA §§101(40)(H) and 107(q)(1)(A)(ii). 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 (COA) 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 while the cooperative agreement and/or COA are in effect. 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.
  - The 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 COA. 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' COA. 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.
- The award of an RLF Grant is contingent upon the recipient signing and returning the COA to the EPA Project Officer no later than 30 days after award. This COA is based on the FY22 RLF COA template. EPA plans to modify RLF COA templates every five years. EPA reserves the right to renegotiate the terms of this RLF COA every five years, in conjunction with the template change (e.g., the next change will be in FY27). If the recipient agrees to continue to operate the RLF under a COA past FY27, the recipient shall work with EPA's Project Officer to update to the latest COA template. Otherwise, the Project Officer and recipient will negotiate a mutually acceptable disposition of

unused program income, and an Authorized EPA Official (e.g., Award Official or Grants Management Officer) will modify the COA accordingly. The FY22 RLF COA Template and a fact sheet describing it are available under “RLF Closeout Resources” on the [Brownfields Program website](#).

### **RLF Coalition Grants**

An 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 substances and/or petroleum contamination.

The non-lead coalition members may not be an agency or instrumentality of or affiliated with **the lead member** (for example, a county and the redevelopment authority of the same county); except for coalitions in which the state is the lead and one of the members is a regional council or regional commission that is created by a state legislature through a charter or another official action.

A non-lead member may not be an agency or instrumentality of or affiliated with **another non-lead member** in the same coalition. The coalition members must be separate legal entities. For example, the following may not be members of the same coalition:

1. Different departments within the same unit of government;
2. A unit of government and an affiliated nonprofit organization exempt from taxation under section 501(c)(3) of the Internal Revenue Code that the city controls; or
3. Affiliated 501(c)(3) nonprofit organizations (e.g., nonprofit organizations that have the same board of directors or staff).

If selected, the lead entity will be the point of contact for the other coalition members. The lead entity will be the grant recipient and must administer the grant, and be accountable to EPA for effectively carrying out the scope of work and the proper financial management of the grant. Site eligibility will be determined by EPA after grant award and prior to expending grant funds at any site.

**Coalition members may not be members of other RLF Coalition applications, nor submit an RLF Grant application as an individual applicant, in the FY23 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 expenditure and draw down 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.

Consistent with the direction on cost sharing in the Bipartisan Infrastructure Law, cost sharing and matching funds are not required under this competition. If the recipient receives an RLF Grant that is supplementally funded in the future through the annual, non-competitive process, cost share requirements may apply to the supplemental funding, depending on the source of funds.

For examples of grant project accomplishments across the country, please see the EPA [Brownfield Grant Recipients Success Stories](#).<sup>6</sup> For more information on a range of brownfield funding topics, please refer to the FY23 [FAQs](#).

### **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>7</sup>) may use up to 10% of its grant funds for the following activities:
  - a. health monitoring of populations exposed to hazardous substances from a brownfield site; and
  - b. monitoring and enforcement of any institutional control used to prevent human exposure to any hazardous substance from a brownfield site.
3. A portion of the Brownfields Grant, loan, or subgrant may be used to purchase environmental insurance. (See the FY23 [FAQs](#) for additional information on purchasing environmental insurance.)

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<sup>6</sup> The *Brownfield Grant Recipient Success Stories* are available at [www.epa.gov/brownfields/brownfield-grant-recipient-success-stories](http://www.epa.gov/brownfields/brownfield-grant-recipient-success-stories).

<sup>7</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).



**Grant funds cannot be used for the payment of:**

1. Direct costs for proposal preparation;
2. a penalty or fine;
3. a federal cost share requirement (for example, a cost share required by other federal funds);
4. administrative costs, including all indirect costs and direct costs for grant administration, in excess of five (5) percent of the total amount of EPA grant funding, with the exception of financial and performance reporting costs (which are considered allowable programmatic costs and not subject to the 5% limitation);
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 FY23 [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 2022-2026 Strategic Plan](#).<sup>8</sup> Awards made under this announcement will support Goal 6 – Safeguard and Revitalize Communities, Objective 6.1 – Clean Up and Restore Land for Productive Uses and Health Communities of [EPA's Strategic Plan](#). All applications must be for projects that support this goal and objective.

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

EPA requires that applicants adequately describe environmental outputs (performance measures) and outcomes to be achieved under assistance agreements.<sup>9</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 EPA's Strategic Plan and 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

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<sup>8</sup> EPA's Strategic Plan is available at [www.epa.gov/planandbudget/strategicplan](http://www.epa.gov/planandbudget/strategicplan).

<sup>9</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).

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 Analysis 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 equal access to the decision-making process to have a healthy environment in which to live, learn, and work.<sup>10</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

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<sup>10</sup> For more information, please visit [www.epa.gov/environmentaljustice](https://www.epa.gov/environmentaljustice).

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 the 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](#), and responses will be evaluated against the criteria in [Section V.A](#).

#### **I.F. Additional Provisions for Applicants Incorporated Into the Solicitation**

Additional provisions that apply to Sections [III](#), [IV](#), [V](#), and [VI](#) of this solicitation and/or awards made under this solicitation, can be found in [EPA's Solicitation Clauses](#). These provisions are important for applying to this solicitation and applicants must review them when preparing applications. If you are unable to access these provisions electronically at the website above, please contact the Regional Brownfields Contact listed in [Section VII](#), to obtain the provisions.

## **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 \$10 million and EPA anticipates awarding an estimated 10 RLF Grants ranging from \$800,000 to \$1 million per grant. These amounts are 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 decision. 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 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 require 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 and ensuring that sites are consistent with the selection criteria outlined in the workplan;
- 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

Note: Additional provisions that apply to this section can be found at [EPA Solicitation Clauses](#).

### 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 FY23.

- 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 established under governmental authority or group of General Purpose Units of Local Government established under Federal, state or local law (e.g., councils of governments) to function as a single legal entity with authority to enter into binding agreements with the Federal 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 FY23 [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.

Note, individual entities, for-profit organizations, and nonprofit organizations exempt from taxation under section 501(c)(4) of the Internal Revenue Code that lobby are not eligible to receive Brownfields Grants.

### **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.

Entities applying for an FY23 RLF Grant may not apply for an FY23 Cleanup Grant (EPA-I-OLEM-OBLR-22-09).

**Coalition members may not be members of other RLF Coalition applications, nor submit an RLF Grant application as an individual applicant, in the FY23 competition cycle.**

Applicants may not submit multiple applications (i.e., submit applications for different projects) under this solicitation. EPA considers departments, agencies, or instrumentalities of the same state, tribal, or city governments to be the same applicant if they are directly supervised or controlled by the same elected/appointed executive (even if they have different unique entity identifier numbers). For example, a corporation formed under state or local law to perform redevelopment activities on behalf of or in support of a local government that is primarily staffed by employees of that local government will be considered an agency of instrumentality of that local government for the purposes of this threshold criterion. These eligibility determinations are made on a case-by-case basis since state and local laws vary.

Applicants that exceed the number and type of applications allowable will be contacted, prior to review of any of the applications by EPA, 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>11</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.

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. Please note that applicants experiencing technical issues with submitting through Grants.gov should follow the instructions provided in [Appendix 1](#), which include both the requirement to contact Grants.gov and email a full application to EPA prior to the deadline.

Applications submitted outside of Grants.gov will be 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 submission outside of Grants.gov.

EPA will verify that the Unique Entity Identifier (UEI) number listed on the application is the correct UEI number for the applicant's organization/department. If the correct UEI 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 UEI 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 each item 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.

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<sup>11</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).



- 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.

The non-lead coalition members may not be an agency or instrumentality of or affiliated with **the lead member** (for example, a county and the redevelopment authority of the same county); except for coalitions in which the state is the lead and one of the members is a regional council or regional commission that is created by a state legislature through a charter or another official action.

A non-lead member may not be an agency or instrumentality of or affiliated with **another non-lead member** in the same coalition. The non-lead members must be separate legal entities. For example, the following may not be members of the same coalition:

1. Different departments within the same unit of government;
2. A unit of government and an affiliated nonprofit organization exempt from taxation under section 501(c)(3) of the Internal Revenue Code that the city controls; or
3. Affiliated 501(c)(3) nonprofit organizations (e.g., nonprofit organizations that have the same board of directors or staff).

#### 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. 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 developers in 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). EPA recommends that applicants choose as large a boundary as is legally allowable since recipients cannot easily expand their RLF boundary after selection and award. For example, some regional organizations may operate their RLF within their entire state boundary, and 501(c)(3) nonprofit organizations may operate their RLF without regard to jurisdictional boundaries that are applicable to governmental recipients.

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.

### **4. 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 project 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 cites the relevant state law(s) or local ordinance(s) to demonstrate:
  - (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.

Attach your counsel's legal opinion.

## 5. Contractors and Named Subrecipients (other than borrowers and site cleanup subgrantees)

- **Contractors.**

EPA does not require or encourage applicants to procure contractors (including consultants) before the EPA cooperative agreement is awarded, but applicants may choose to do so.

Applicants, other than state applicants, that have procured a contractor(s) 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 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.<sup>12</sup> 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>13</sup> For example:

- EPA will not accept sole source justifications for procurement contracts for services such as environmental consulting, engineering, and remediation that are available in the commercial marketplace.
- 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\(b\)](#).

Applicants must disclose whether they have already selected a contractor that will be compensated with EPA funds made available under this RFA. If a contractor(s) has been selected prior to submitting the application to EPA (including when a contractor(s) has been selected under a “dual procurement process” for both grant proposal writing and services necessary to help you carry out the grant), applicants must describe the procurement procedures that were followed to hire the contractor(s) and include information on **where and when** the Request for Proposals/Request for Qualifications was posted as part of the application. Include in your response the number of firms solicited and the number of offers received and considered.

Alternatively, state ‘n/a’ or ‘not applicable’ if a contractor has not been procured.

Successful applicants that procure a contractor(s) after being advised by EPA of selection, but prior to award, must describe how they complied with the procurement procedures described above when submitting the final workplan for the award.

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<sup>12</sup> Consistent with 2 CFR § 200.317, states follow the same competitive policies and procedures they use for procurements from their non-Federal funds.

<sup>13</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).

Recipients of EPA funding who select a contractor(s) after award must fully comply with the procurement standards at 2 CFR Part 200, 2 CFR Part 1500, and 40 CFR Part 33.

- **Named 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.

EPA does not require or encourage applicants to name a specific subrecipient(s) in the application for Brownfields Grant funding. However, if an applicant chooses to identify a specific 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.

Successful applicants that do not name a specific subrecipient(s) in their application but identify a subrecipient(s) after being advised of selection, must also comply with the requirements described below.

All applicants, including states, that name a specific subrecipient in this application must demonstrate that the subrecipient is eligible for a subaward in compliance with [Appendix A](#)<sup>14</sup> of [EPA’s Subaward Policy for EPA Assistance Agreement Recipients](#).<sup>15</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.

Refer to [EPA’s Contracts and Subawards Solicitation Clause](#)<sup>16</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

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<sup>14</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).

<sup>15</sup> *EPA’s Subaward Policy for EPA Assistance Agreement Recipients* is available at <https://www.epa.gov/grants/grants-policy-issuance-gpi-16-01-epa-subaward-policy-epa-assistance-agreement-recipients>.

<sup>16</sup> *EPA’s Solicitation Clauses* are available at [www.epa.gov/grants/epa-solicitation-clauses](http://www.epa.gov/grants/epa-solicitation-clauses).

or obtain additional information before making a final determination of compliance and rejection of the application. Please see Section D. in the FY23 [FAQs](#) for additional guidance.

## SECTION IV. – APPLICATION SUBMISSION INFORMATION

**Note:** Additional provisions that apply to this section can be found at [EPA Solicitation Clauses](#).

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

An application package may be obtained by visiting this opportunity (EPA-I-OLEM-OBLR-22-08) on [www.grants.gov](http://www.grants.gov). Applicants will be prompted to initiate the application process by generating a Workspace for this opportunity.

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

Your organization's Authorized Organization Representative (AOR) must submit your complete application package<sup>17</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 **November 22, 2022**. 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 **November 22, 2022**, will not be considered for funding.

Follow the Submission Instructions in Section B.1. in [Appendix 1](#) for the requirements to apply in [www.grants.gov](http://www.grants.gov). In order to submit an application through [www.grants.gov](http://www.grants.gov), your organization must:

- Have an active System for Award Management (SAM) account in [www.sam.gov](http://www.sam.gov) and a Unique Entity Identifier (UEI) assigned by [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 FY23 [FAQs](#) for additional information on the registration requirements.

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](#).

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<sup>17</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.

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 November 22, 2022, 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 November 22, 2022, 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>
<ul style="list-style-type: none"> <li>Threshold Criteria Responses (as an attachment(s)): <ul style="list-style-type: none"> <li>A statement of applicant eligibility if a city, county, state, or tribe (see <a href="#">Section III.B.1.</a>)</li> <li>Documentation of applicant eligibility if other than a city, county, state, or tribe; e.g., resolutions, statutes, or documentation of 501(c)(3) tax-exempt status or qualified community development entity (see <a href="#">Section III.B.1.</a>)</li> <li>Demonstration of Previous RLF Grant Status (see <a href="#">Section III.B.2.</a>)</li> <li>Description of RLF Boundaries (see <a href="#">Section III.B.3.</a>)</li> <li>Description of cleanup oversight (see <a href="#">Section III.B.4.a.</a>)</li> </ul> </li> </ul>

- 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.4.b.](#))
- Discussion on contractors and named subrecipients; or an affirmative statement that a contractor or covered subrecipient has not been procured/named (see [Section III.B.5.](#))

*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  
\$ \_\_\_\_\_ (Include the amount being requested from EPA; must not exceed \$1,000,000.)
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 boundaries 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 FY23 [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 boundary 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 reuse strategy or project reuse of the priority site(s) considers climate adaptation and/or mitigation measures.	

The target area(s) is located within a community in which a coal-fired power plant has recently closed (2012 or later) or is closing.	
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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 (or equivalent state or tribal regulatory oversight authority) acknowledging that the applicant plans to conduct RLF activities and is planning to apply for FY23 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 environmental 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.

If the application is selected for funding, the information in your Narrative will be incorporated into the workplan and will become the scope of your grant, subject to any adjustments to clarify issues with carrying out the project's scope of work made during the post-selection negotiation process. The workplan is a legally binding document. Therefore, applicants should carefully consider and accurately respond to the criteria below, including the identification of the geographic boundary(ies) (which will become the boundary(ies) in which work can be performed), the discussion on the target area(s), the criteria for which sites will be selected, the use of grant funds, and leveraged resources committed to the project that will materialize during the period of performance. EPA may not permit material changes to the workplan.

Section IV.E. below includes sample format tables that applicants may use to present all or a portion of their response. Applicants who do not use the sample format tables will not be penalized when EPA evaluates their applications.

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

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

#### **i. Overview of Brownfield Challenges and Description of Target Area**

Identify the geographic boundary(ies)<sup>18</sup> where you are proposing to conduct eligible activities under this grant and discuss the brownfield challenges and their impacts. Provide a brief overview of how this grant will potentially help address those challenges and impacts.

Within the geographic boundary(ies) discussed above, identify and describe the specific target area(s) where you plan to focus grant 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 site(s) to be remediated in the target area(s) and discuss how the reuse strategy/projected reuse aligns with

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<sup>18</sup> The geographic boundary may be the jurisdiction of a unit of government.

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 site(s), 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 the proposed project or revitalization plans may potentially cause the displacement of residents and/or businesses, describe the strategies and/or policies that will be implemented to minimize displacement.

**c. Strategy for Leveraging Resources**

i. Resources Needed for Site Reuse

Describe your access to 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.) at the priority site(s). *(Do not duplicate sources discussed in 3.b. Description of Tasks/Activities and Outputs.)*

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.

**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 communities located within the geographic boundary(ies)) 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 use [EPA's EJScreen Tool](#)<sup>19</sup> (or other EJ-focused geospatial mapping tools) to gain a better understanding of the communities that may be adversely and disproportionately affected by environmental or human health harms and risks and that may potentially be underserved communities.<sup>20</sup> Applicants can include data from EJScreen in the Narrative to help characterize and describe the target area(s) and its community(ies). 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. For more information on using EJScreen data in your Brownfields Grant application, please refer to the FY23 [FAQs](#) and a recorded demonstration available on [EPA's Brownfields Program website](#).<sup>21</sup>

Applicants may consider using the beta version of the [Climate and Economic Justice Screening Tool \(CEJST\)](#)<sup>22</sup> as an optional tool to help identify disadvantaged communities, as defined by the White House Council on Environmental Quality, for purposes of Justice40. For more information on using CEJST data in your Brownfields Grant application, please refer to the FY23 [FAQs](#).

(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.

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<sup>19</sup> EPA's EJScreen Tool is available at [www.epa.gov/ejscreen](http://www.epa.gov/ejscreen).

<sup>20</sup> When EPA uses the term "underserved communities" it has the meaning defined in Executive Order 13985: *Advancing Racial Equity And Support For Underserved Communities Through The Federal Government*, which defines "underserved communities" as "populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life....". As described in the Executive Order, "underserved communities" include communities such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality. It also includes "communities environmentally overburdened," that is, a community adversely and disproportionately affected by environmental and human health harms or risks, and "disadvantaged, communities" as referenced in Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad*, and defined in Office of Management and Budget's Memo M-21-28: Interim Implementation Guidance for the Justice40 Initiative.

<sup>21</sup> A recorded demonstration on how to use EJScreen is available at [www.epa.gov/brownfields/ejscreen-demonstration-brownfield-grant-applications](http://www.epa.gov/brownfields/ejscreen-demonstration-brownfield-grant-applications).

<sup>22</sup> CEJST is available at <https://screeningtool.geoplatform.gov/en/>.

(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 the environmental justice issues and how they affect underserved populations in the target area(s). Further, discuss how this grant and reuse strategy/projected site reuse(s) will promote environmental justice among the underserved populations in the target area(s). (*Environmental justice is defined in [Section I.E.](#)*)

Please refer to the FY23 [FAQs](#) for more information on welfare, sensitive populations, and environmental justice and for examples of variables that define an underserved community.

**b. Community Engagement**

*To conserve space, you may present information for 2.b.i. – 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 will 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-based organizations (e.g., neighborhood groups, citizen groups, business organizations, etc.), as well as community liaisons, 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 non-lead coalition member will be 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**

*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 amount of EPA funds 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 5% cap for administrative costs equals \$50,000. Costs must be classified as direct or indirect consistently and applicants may not classify the same cost in both categories. 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.

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 remediation contamination at the site; building construction, or site preparation).

Please refer to the FY23 [FAQs](#) for additional examples of eligible and ineligible uses of funds (including administrative costs). For questions not covered by the FY23 [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
▪ EPA-funded tasks/activities:
▪ Non-EPA grant resources needed to carry out tasks/activities, if applicable:
ii. Anticipated Project Schedule:
iii. Task/Activity Lead:
iv. Outputs:

i. Program Implementation

- Discuss the EPA-funded tasks/activities that will take place under this grant.

If you plan to issue a subaward(s) in addition to loans/subgrants, indicate what tasks/activities or services will be provided.

Examples include executing loans, procuring a Qualified Environmental Professional, submitting and obtaining approval of Quality Assurance Project Plans, enrollment of 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 1.c.i. Resources Needed for Site Reuse.)*
- ii. Identifying Additional Sites  
Describe how additional sites will be identified for eligible activities throughout the geographic boundary(ies) identified in *1.a.i. Overview of Brownfield Challenges and Description of Target Area* in the event that grant funds remain after addressing the target area(s)/priority site(s) discussed in the Narrative. Identify the criteria that will be used to prioritize additional sites for selection, including criteria that consider underserved communities.
- iii. 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.
- iv. 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.)*
- v. Outputs  
Identify, and quantify as appropriate, the anticipated outputs/deliverables for each task/activity.  
  
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 direct administrative costs (if applicable) and indirect administrative costs (if applicable). Present costs per unit where appropriate. *(Note, the total amount of direct and indirect administrative costs cannot exceed 5% of the total EPA-requested funds.)*

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>23</sup>

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

Budget Categories		Project Tasks (\$)				Total
		(Task 1)	(Task 2)	(Task 3)	(Task 4)	
Direct Costs	Personnel					
	Fringe Benefits					
	Travel <sup>1</sup>					
	Equipment <sup>2</sup>					
	Supplies					
	Contractual					
	Other - Loans (must be at least 50% of the EPA grant funding) <sup>3</sup>					
	Other-Subgrants					
	Other Direct Costs (specify type) _____					
	<b>Total Direct Costs<sup>4</sup></b>					
Indirect Costs <sup>4</sup>						
<b>Total Budget</b> (Total Direct Costs + Indirect Costs)						

<sup>1</sup> Travel to brownfields-related training conferences is an acceptable use of these grant funds.  
<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 (e.g., laptop computers) are considered supplies. Generally, equipment is not required for Brownfield Grants.  
<sup>3</sup> At least 50% of the EPA-requested funding must be used to provide loans for the cleanup of eligible brownfield sites and for associated eligible programmatic costs (see FY23 [FAQs](#) for an example).  
<sup>4</sup> Administrative costs (direct and/or indirect) for the RLF Grant applicant itself cannot exceed 5% of the total EPA-requested funds.

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

**Only include costs to be covered by EPA grant funds in this table.** Leveraged resources should not be included in the budget table.

<sup>23</sup> The *Interim General Budget Development Guidance for Applicants and Recipients of EPA Financial Assistance* is available at [www.epa.gov/grants/rain-2019-g02](http://www.epa.gov/grants/rain-2019-g02).

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

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>24</sup>

**d. Measuring Environmental Results**

Discuss your plan and mechanism to track, measure, and evaluate progress in achieving expected 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. – 4.a.iii. in the same response.*

i. Organizational Capacity

Discuss the applicant's organizational capacity for carrying out and managing the programmatic, administrative, and financial requirements of the program and grant.

ii. 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 program and grant.

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

iii. Description of Key Staff

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

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<sup>24</sup> The subgrant agreement for loan forgiveness may be incorporated into the loan document. A separate subgrant agreement is not required.

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.](#)).

iv. Acquiring Additional Resources

Describe the system(s) you have in place to appropriately acquire any additional expertise and resources (e.g., contractors or subrecipients) required to successfully complete projects and carry out the program. (Refer to Section IV of [EPA's Solicitation Clauses](#) 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 MARC or 128(a) Grant, but have received other federal or non-federal assistance agreements (such as a grant or cooperative agreement including only receiving an Area-Wide Planning Grant or Environmental Workforce Development & Job Training Grant), please respond to item ii. below.

If you have never received any type of federal or non-federal assistance agreement or if you have recently received an assistance agreement (including a Brownfields Grant), but have not had an opportunity to demonstrate compliance with the award requirements, 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 Grants. 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) achieved under the current/most recent grant(s) (no more than three), 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/most recent grant(s) (no more than three), 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 Grants, 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 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 current/most recent assistance agreement(s) you have received.

Discuss the project accomplishments (including specific outputs and outcomes and measures of success) achieved under the current/most recent assistance agreement(s).

(2) Compliance with Grant Requirements

Describe your compliance with the workplan, schedule, and terms and conditions under the current/most recent 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). Or, discuss how your organization has recently received an assistance agreement, but has not had an opportunity to demonstrate compliance with the award requirements. *(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 (including another federal grant) to support or complement the project they are awarded under the competition which are above and beyond the EPA grant funds awarded. Leveraging resources may materialize during the grant *Period of performance* or after the Brownfields Grant has ended. Any leveraged funds/resources and their source must be identified in the Narrative.

- **Leveraging that will materialize during the grant:** An example of leveraging that typically materializes during a Brownfields Grant *Period of performance* includes an applicant’s in-kind resources that are necessary to carry out the grant.<sup>25</sup> (Applicants may describe other leveraging needed to support or complement the project.) 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.

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. 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.

Another example of leveraging that typically materializes during the Brownfields Grant Period of performance is a cost sharing/matching. **Consistent with the direction of the Bipartisan Infrastructure Law, cost sharing/matching funds are not required under this competition.** Additionally, a voluntary cost share, beyond the information provided in response to the *Project Implementation* criterion, will not be considered or evaluated 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. Applicants should not propose a voluntary cost share under this solicitation.

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<sup>25</sup> If an applicant proposes to contribute resources to carry out the grant, EPA will evaluate responses to the 3.i. *Project Implementation* criterion.



- **Leveraging that will materialize after the Brownfields Grant has ended:** Examples of leveraging that typically materialize after the Brownfields Grant has ended include resources for remediation, infrastructure updates, and reuse.<sup>26</sup> 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.

#### 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 until the completion of the competitive selection process.

### SECTION V. – NARRATIVE REVIEW INFORMATION

**Note:** Additional provisions that apply to this section can be found at [EPA Solicitation Clauses](#).

#### 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 195 points.

Criteria (Maximum Points per Criterion)
<p><b><u>1. PROJECT AREA DESCRIPTION AND PLANS FOR REVITALIZATION</u></b>  <b>45 Points</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. Overview of Brownfield Challenges and Description of Target Area (5 points)</u>  The extent to which the geographic boundary(ies) where the applicant is proposing to conduct eligible activities under this grant is clearly identified. The extent to which the brownfield challenges are clearly discussed and the degree to which the brownfield challenges impact the area(s) in the geographic boundary(ies). The extent to which this grant will potentially help address those challenges and impacts.</p>

<sup>26</sup> EPA will evaluate an applicant's responses to *1.c. Strategy for Leveraging*.

The extent to which the applicant clearly identifies and describes the specific target area(s) within the geographic boundary(ies) where it plans to focus grant activities.

**1.a.ii. Description of the Priority Brownfield Site(s) (10 points)**

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.

**1.b. Revitalization of the Target Area (15 points)**

**1.b.i. Reuse Strategy and Alignment with Revitalization Plans (10 points)**

The extent to which a reuse strategy or projected reuse is clearly described for the priority 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.

**1.b.ii. Outcomes and Benefits of Reuse Strategy (5 points)**

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 development in the target area(s) upon completion of the cleanup of the priority site(s) and/or the degree to which 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). The degree to which these outcomes clearly correlate with the applicant's reuse strategy/projected site reuse(s).

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.

When the proposed project or revitalization plans may potentially cause the displacement of residents and/or businesses, the extent to which strategies and/or policies will be implemented to minimize the displacement of residents and/or businesses.

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

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

- The extent to which the applicant has access to 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 strategy at 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.*) (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).

When 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 communities located within the geographic boundary(ies)) 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 the community has a small population and/or is low-income.** *(Note, if the inability to draw on other initial sources of funding is not because the community has a small population or is low-income, then the response may only earn up to 2 points.)*

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, if populations in the target area(s) do not suffer from a greater-than-normal incidence of cancer, asthma, or birth defects, then the response may only earn up to 2 points.)*

(3) Promoting Environmental Justice (10 points)

The extent to which the environmental justice issues affecting the underserved populations in the target area(s) are clearly described, and the severity of the environmental justice issues experienced by the underserved populations in the target area(s). The extent to which this

grant and reuse strategy/projected site reuse(s) will promote environmental justice among the underserved populations in the target area(s).

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

*Per the ranking criterion in [Section IV.E.2.b.](#), applicants may consolidate information for 2.b.i. – 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 involves a diverse group of local organizations/entities/groups that are relevant to 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 non-lead coalition member 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. *(Note, a project that does not have interest from borrowers or subgrantees will be evaluated less favorably.)*

**3.b. Description of Tasks/Activities and Outputs (30 points)**

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

The degree to which the EPA-funded tasks/activities that will take place under this grant 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 site(s) in the target area(s).

When the project includes a subaward(s) in addition to loans/subgrants, the extent to which the tasks/activities or services to be provided by the subawardees(s) are clearly identified.

*(Note, a response that includes ineligible tasks/activities will be evaluated less favorably.)*

When applicable, the extent to which the tasks/activities that are necessary to carry out the grant that will be contributed by sources other than the EPA grant (e.g., in-kind resources) will 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.)*

**3.b.ii. Identifying Additional Sites (5 points)**

The extent to which there is a clear plan to identify additional sites for eligible RLF activities and the degree to which the prioritization criteria that will be used to select additional sites consider underserved communities.

**3.b.iii. Anticipated Project Schedule (5 points)**

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

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

The extent to which the anticipated outputs/deliverables for each task/activity are identified and quantified as appropriate, and the degree to which the outputs/deliverables clearly correlate with the proposed project.

### **3.c. Cost Estimates (15 points)**

The degree of clarity on how each cost estimate was developed (including direct and/or indirect administrative costs, when applicable) and the extent to which costs per unit are presented in detail. The extent to which each proposed cost estimate is reasonable and realistic to implement the program and clearly correlates with the proposed tasks/activities.

(Notes:

- *Projects that allocate at least 50% of the EPA-requested funding 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 EPA-requested funds will be evaluated less favorably.)*

### **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**

### **40 Points**

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

### **4.a. Programmatic Capability (25 points)**

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

#### **4.a.i. Organizational Capacity (5 points)**

The degree to which the applicant's organization has the capacity to successfully carry out and manage the programmatic, administrative, and financial requirements of the program and grant.

#### **4.a.ii. Organizational Structure (5 points)**

The degree to which the organizational structure used will lead to the timely and successful expenditure of funds to complete all technical, administrative, and financial requirements of the program and grant.

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

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

The degree to which the applicant's organization has a system(s) in place to appropriately 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 the applicant demonstrates its 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 the current/most recent 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/ most recent 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 the extent to which there is an adequate explanation for lack of reporting. (5 points)

- The extent to which funds from any open EPA Brownfields Grants, other than RLF Grants (i.e., Multipurpose Grants, Assessment Grants, Cleanup Grants, and/or 128(a) Grants), 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/ most recent federal or non-federal assistance agreements.

(1) Purpose and Accomplishments (5 points)

The extent to which the current/most recent assistance agreement(s) is similar in terms of scope and relevance to the proposed project.

The extent to which meaningful project accomplishments (including specific outputs and outcomes and measures of success) were achieved under the current/most recent assistance agreement(s).

(2) Compliance with Grant Requirements (10 points)

The extent of compliance with the workplan, schedule, and terms and conditions under the current/ most recent 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, or has recently received an assistance agreement, but has not had an opportunity to demonstrate compliance with the award requirements. (*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;
- whether the applicant has considered climate adaptation and/or mitigation measures as part of the reuse strategy or projected reuse of the priority site(s); and
- whether a target area(s) is located within a community in which a coal-fired power plant has recently closed (2012 or later) or is closing.

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

- 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 jurisdiction/geographic boundary(ies) 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 a 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 eligibility 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.](#)

## SECTION VI. – AWARD ADMINISTRATION INFORMATION

**Note:** Additional provisions that apply to this section can be found at [EPA Solicitation Clauses](#).

### 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 email by late Spring 2023. 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 Award Official (EPA Grants Officer) 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 and program income balance, 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. Additionally, the RLF recipient must also report program income details on the Brownfields RLF Form, which is located on the recipient's RLF cooperative agreement homepage in ACRES. 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.

## 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> Patrick Peck <a href="mailto:Peck.Patrick@epa.gov">Peck.Patrick@epa.gov</a> Phone: (212) 637-4928	<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> Brian Gross <a href="mailto:Gross.Brian@epa.gov">Gross.Brian@epa.gov</a> Phone: (404) 562-8604	<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 LP-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

##### *B.1. SAM.gov (System for Award Management) Registration Instructions*

Organizations applying to this funding opportunity must have an active SAM.gov registration. If you have never done business with the Federal Government, you will need to register your organization at [www.sam.gov](http://www.sam.gov). If you do not have a SAM.gov account, then you will create an account using [Login.gov](http://Login.gov)<sup>27</sup> to complete your SAM.gov registration. SAM.gov registration is FREE. The process for entity registrations includes obtaining a Unique Entity ID (UEI), a 12-character alphanumeric ID assigned to an entity by SAM.gov, and requires assertions, representations and certifications, and other information about your organization. Please review the [Entity Registration Checklist](#) for details on this process.

If you have done business with the Federal Government previously, you can check your entity status using your government-issued UEI to determine if your registration is active. SAM.gov requires you to renew your registration every 365 days to keep it active.

Please note that SAM.gov registration is different than obtaining a UEI only. Obtaining a UEI only validates your organization's legal business name and address. Please review the registration [Frequently Asked Question](#) for additional details on the difference.

Organizations should ensure that their SAM.gov registration includes a current e-Business (EBiz) point of contact name and email address. The EBiz point of contact is critical for Grants.gov Registration and system functionality.

Contact the [Federal Service Desk](#) (866-606-8220) for help with your SAM.gov account, to resolve technical issues or chat with a help desk agent. The Federal Service desk hours of operation are Monday – Friday, 8 a.m. – 8 p.m. ET.

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<sup>27</sup> Login.gov a secure sign in service used by the public to sign into Federal Agency systems including SAM.gov and Grants.gov. For help with login.gov accounts you should visit <http://login.gov/help>.

## ***B.2. Grants.gov Registration Instructions***

Once your SAM.gov account is active, you must register in Grants.gov. Grants.gov will electronically receive your organization information, such as e-Business (EBiz) point of contact email address and UEI. Organizations applying to this funding opportunity must have an active Grants.gov registration. Grants.gov registration is FREE. If you have never applied for a federal grant before, please review the [Grants.gov Applicant Registration](#) instructions. As part of the Grants.gov registration process, the **EBiz point of contact is the only person that can affiliate and assign applicant roles to members of an organization**. In addition, at least one person must be assigned as an Authorized Organization Representative (AOR). **Only person(s) with the AOR role can submit applications in Grants.gov**. Please review the [Intro to Grants.gov- Understanding User Roles](#) and [Learning Workspace – User Roles and Workspace Actions](#) for details on this important process.

Please note that this process can take **a month or more** for new registrants. Applicants must ensure that all registration requirements are met in order to apply for this opportunity through Grants.gov and should ensure that all such requirements have been met well in advance of the application submission deadline.

Contact [Grants.gov](#) for assistance at 1-800-518-4726 or [support@grants.gov](mailto:support@grants.gov) to resolve technical issues with Grants.gov. 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 Grants.gov representative by calling 606-545-5035. The Grants.gov Support Center is available 24 hours a day 7 days a week, excluding federal holidays.

## ***B.3. Application Submission Process***

To begin the application process under this grant announcement, go to [www.grants.gov](http://www.grants.gov) and enter the Funding Opportunity Number, **EPA-I-OLEM-OBLR-22-08**, into the search box in the top right corner of the page. Click on the “GO” button to view the “View Grant Opportunity” page and click the red “Apply” button at the top of the page.

The electronic submission of your application for this funding opportunity must be made by an official representative of your organization who is registered with [www.grants.gov](http://www.grants.gov) and is authorized to sign applications for Federal financial assistance. If the submit button is grayed out, it may be because you do not have the appropriate role to submit in your organization. Contact your organization’s EBiz point of contact or contact Grants.gov for assistance at 1-800-518-4726 or [support@grants.gov](mailto:support@grants.gov).

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



#### ***B.4. Application Submission Deadline***

Your organization's AOR must successfully submit your complete application package electronically to EPA through [www.grants.gov](http://www.grants.gov) **no later than November 22, 2022, 11:59 p.m. ET**. Please allow for enough time to successfully submit your application and allow for unexpected errors that may require you to resubmit.

After signing and successfully submitting the application package, within 24 to 48 hours the AOR should receive notification emails from [www.grants.gov](http://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](http://www.grants.gov) Support Center at 1-800-518-4726. The Support Center is open 24/7 (except federal holidays).

After the application package is retrieved out of the [www.grants.gov](http://www.grants.gov) system by EPA, the AOR should receive the following notification emails from [www.grants.gov](http://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](http://www.grants.gov) will be time and date stamped electronically. If you do not receive a confirmation of receipt from EPA (not from [www.grants.gov](http://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.

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

#### **C. Technical Issues with Submission**

If applicants experience technical issues during the submission of an application that they are unable to resolve, follow these procedures **before** the application deadline date:

1. Contact the [www.grants.gov](http://www.grants.gov) Support Center **before** the application deadline date at 1-800-518-4726 or [https://gditshared.servicenowservices.com/hhs\\_grants](https://gditshared.servicenowservices.com/hhs_grants).
2. Document the [www.grants.gov](http://www.grants.gov) ticket/case number.
3. Send an email with the Funding Opportunity Number, EPA-I-OLEM-OBLR-22-08, in the subject line to Jerry Minor-Gordon ([minor-gordon.jerry@epa.gov](mailto:minor-gordon.jerry@epa.gov)) **before** the application deadline time and date. The email **must** include the following:
  - a. The [www.grants.gov](http://www.grants.gov) ticket/case number(s).
  - b. A description of the issue.
  - c. The entire application package in PDF format.

Without this information, EPA may not be able to consider applications submitted outside of [www.grants.gov](http://www.grants.gov). Any application submitted after the application deadline time and date deadline will be deemed ineligible and **not** be considered.

EPA will make decisions concerning acceptance of each application submitted outside of [www.grants.gov](http://www.grants.gov) on a case-by-case basis. EPA will only consider accepting applications that were unable to submit through [www.grants.gov](http://www.grants.gov) 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 prior to the application submission deadline time and date 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 an application outside of [www.grants.gov](http://www.grants.gov).

#### **D. 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) [Guidance on how to complete this form is available at [www.epa.gov/grants/tips-completing-epa-form-4700-4](http://www.epa.gov/grants/tips-completing-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.

The following forms and documents are **optional** under this announcement.

1. Grants.gov Lobbying Form – To be submitted by applicants requesting **more than** \$100,000 of EPA grant funding.
2. Negotiated/Proposed Indirect Cost Rate Agreement – To be submitted using the Project Narrative Attachment Form by applicants proposing to charge indirect costs to the EPA grant. Please note that applicants may budget for indirect costs pending approval of their Indirect Cost Rate Agreement by the cognizant Federal agency or an exception granted by EPA under section 6.3 or 6.4 of [EPA's Indirect Cost Policy for Recipients of EPA Assistance Agreements](#). However, recipients may not draw down indirect costs until their rate is approved or EPA grants an exception.

**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. Additionally, selected applicants must provide EPA with other required forms and documents, as appropriate, to award the cooperative agreement.