Welcome!

New Brownfield Grantees

2021 NEW BROWNFIELD GRANTEE REGION 4 WORKSHOP OCTOBER 26, 2021 2:00 PM

SESSION	SPEAKER
Welcome and Introductions	Nichole Rodgers, EPA
Terms and Conditions (Reporting)	Cindy Nolan, EPA
Community Involvement Plan	Olga Perry, EPA
QAPPS (Generic and Site Specific)	David Hayes, EPA
Work Plans – Assessment (AAIs, site eligibility, Phase I's and II's)	Sara Janovitz, EPA (Breakout Session)
Work Plans – Cleanup (Eligible costs, cleanup completion reports)	Brian Gross, EPA (Breakout Session)
ACRES and ASAP	Brian Gross, EPA
Closeout	Nichole Rodgers, EPA
ICMA (TAB) Service Overview and Best Practices	Clark Henry, ICMA
State Roundtable/Meet and Greet your State Breakout	State Agency representatives (AL, FL, GA, KY, MS, NC, SC, TN)

Cooperative Agreement Terms & Conditions

PRESENTED BY:

CINDY NOLAN, BROWNFIELDS & REDEVELOPMENT SECTION CHIEF

The Big Picture

Notice of Awards (NOAs) are **legally binding** documents

Acceptance is either no action taken within 6 months, or

Draw of funds

NGGS: Award for "02D12521-0" titled ICMA Region 4: Technical Assistance to Brownfields is Completed





Fri 10/8/2021 1:02 AM

This is a notice from EPA's Next Generation Grant System (NGGS). As the selected Project Officer for award 02D12521-0, the workflow for the Award titled ICMA Region 4: Technical Assistance to Brownfields has been Completed.

Expires 10/6/2031

You can login into https://igms.epa.gov/nggs-pa/award details.do?id=53491&emailLink=true to view the Award.

If you believe you received this message in error, or have questions, please contact the NGGS Hotline by submitting an online Hotline Request or calling 703-676-4499, Monday through Friday, 9:00 AM to 5:00 PM EST.

EPA NGGS



T&Cs follow the money, not just the grantee

They should be attached to every contract and subcontract associated with the grant

To whom do T&Cs apply?



T&Cs apply to **everyone** that works with the grant



Who's Responsible for them? YOU!

Administrative Conditions

Cost Principles & Audit info; Prohibited Costs

Disadvantaged Business Enterprises (DBEs) and Women-owned Business Enterprises (WBEs)

Information related to research

Civil Rights & workplace obligations

https://www.epa.gov/grants/epa-general-terms-and-conditions-effective-october-1-2021-or-later

Programmatic Conditions

Pre-award costs

Federal Policy and Guidance: Cross-cutting requirements; Historic Preservation, Davis-Bacon, etc.

Site Eligibility Requirements

General Cooperative Agreement Administrative Requirements: Sufficient Progress; Substantial Involvement; Reporting; Work Plan and Budget

Financial Administrative Requirements

Assessment (or Cleanup) Requirements: Request for Qualifications (RFQ)

Payment and Closeout

Work Plan and Budget

Activities must relate to the objectives and milestones in the work plan

Work plan modifications require a written request to your Project Officer

Not to be implemented until approved

Budget modifications of ≤ 10% of grant award are allowed with approval from the Project Officer

 Modifications ≥10% requires grant amendment through the Grants Management Office

Budget Categories	Project Tasks					
(Programmatic costs only)	Task 1 Project Managem ent and Reporting	Task 2 Community Involvement / Engagement	Task 3 Brownfields Site Identification and Assessments/ Additional site characterization	Task 4 Cleanup Planning	Task 5 Area Planning/ Cleanup Implement ation	Total
Personnel						
Fringe Benefits						
Travel						
Equipment						
Supplies						
Contractual						
Other – specify						
Total						

EPA's Substantial Involvement Role



- 1. EPA approved workplan
- 2. Workplan or budget modifications need approval
- 3. Site Eligibility prior to Phase II
- 4. QAPP approvals prior to sampling

EPA can take a deeper dive, if needed:

- 1. All financial records
- 2. Health & Safety concerns

CAR Responsibility:

- Compete, Hire and <u>Oversee</u> a QEP
- Key Contact Updates

Sufficient Progress

ASSESSMENT GRANTS

- Draw down at least 35% of your total funds by halfway through the three-year grant
- Ex. 35% of a \$300,000 grant is \$105,000

CLEANUP GRANTS

- Remediation Plan
- Institutional controls
- Community Engagement started
- Pre-cleanup State requirements
- Solicitation for Remediation Services

Failure to meet Sufficient Progress will require a Corrective Action Plan

EPA can terminate a Cooperative Agreement before the end date

Overstants.	Alamatica Deposit in ACDEC and a small to Depter to CEC
Quarterly	Narrative Report in ACRES or via email to Project Officer
	Budget information, accomplishments, updated schedules,
	etc.
	Make sure information in ACRES is correct
Annually	DBE* (EPA Form 5700-52A) by October 30th
	FFR* (SF-425) by October 30th
Beginning of Cooperative	Community Involvement/Engagement Plan (EPA will not approve
Agreement	this document)
	Generic QAPP following EPA template
Per Site	Phase I Environmental Site Assessment report <u>and</u> All Appropriate
	Inquiry Form (signed by CAR)
	Input information into ACRES
	Site eligibility determination sheet (if spending CA funds beyond a
	Phase I)
	Site Specific QAPP (for any data collection activities beyond a
	Phase I ESA)
	Phase II Environmental Site Assessment report
	Input information into ACRES
	Before and after photos/success stories
As Needed	Amended workplan
	Amended budget
	Key contact updates
Cooperative Agreement Close	Final technical report
Out	Final quarterly narrative report
	• Final DBE*
	• Final FFR*
	Final payment request/refund remaining CA funds
	Ensure ACRES is accurate
Post-Close Out Data Collection	Funds leveraged information (non-EPA funds)
	Redevelopment funding from other federal agencies, states,
	tribes, local governments, private entities, etc
1	+

Reporting Requirements

Community Involvement (Relations) Plan

PRESENTED BY:

OLGA PERRY, BROWNFIELD PROJECT OFFICER

What is a CIP?

Describes plans for involving and informing community members and community-based organizations in the site cleanup and reuse decisions

Describes your (the CAR's) strategies to inform and motivate local communities

It is an evolving document that should be updated as project conditions change



A CIP Should Include...

Objective

• Demonstrate
a commitment to
and strategy for twoway communication
with people living or
working near
brownfields sites

Information on community involvement

 Include location and timing of activities

Site Selection and Inventory Process

Consider
 establishing a
 community group
 which represents
 the larger
 community's
 position and
 provides input on
 project decisions

Project Description and Definition of the Project Area

- Discuss what outreach activities will be implemented
 - Public meetings, public availability sessions, fact sheets for the community, etc.

Potential Community Involvement Activities

Host a "Kick Off Meeting" with community members

Regular community meetings

Prepare and distribute fact sheets to residents and interested parties

Visits to priority sites

Show any planned Charettes





Benefits of a CIP

Community involvement activities can also help with a common problem—getting site access approval from property owners

Providing property owners with information on the assessment process, as well as the benefits of having completed environmental assessments, can help encourage site access approval

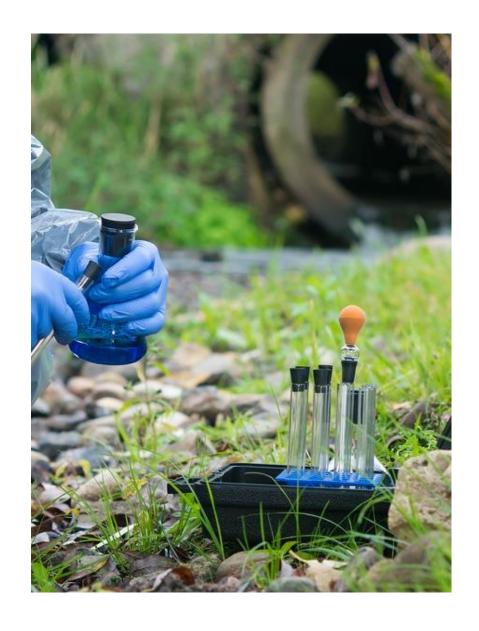
Helps the public understand how they can participate in the decision-making process

Community outreach is key to maintaining a good relationship between the CAR and local community

Quality Assurance Project Plan

PRESENTED BY:

DAVID HAYES, BROWNFIELD PROJECT OFFICER



What is a "QAPP"?

- A QAPP is a formal document describing the necessary quality assurance (QA), quality control (QC), and other technical activities needed to ensure that the results of the work (environmental assessments and cleanups) performed will satisfy the stated performance criteria
- applies to all EPA-funded assistance agreements that involve environmental data collection, production or use
- ensure quality data for decision-making and reproducibility of data



Environmental Topics

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Brownfields

Brownfields Home

Overview

Program Accomplishments

Environmental and **Economic Benefits**

Types of Grant Funding

Solicitations for Brownfield

Brownfields and Land Revitalization Activities

Select Publications

Grant Recipient Success

Region 4 Quality Assurance Project Plan (QAPP) Tool Box

This Region 4 OAPP Tool Box consists of three documents: instructions, an example template, and a checklist. All Region 4 brownfields cooperative agreement recipients (CARs) as of October 1, 2020 should be using these documents. CARs should contact their Region 4 Project Officer if they have questions.

You may need a PDF reader to view some of the files on this page. See EPA's About PDF page to

- OAPP Instructions (PDF) (25 pp, 513 K)
- QAPP Checklist (PDF) (4 pp, 366 K)



EPA Region 4 Brownfields **QAPP** Toolbox

Tools on the website:

- Instructions
- Checklist
- Template

www.epa.gov/brownfields/region-4-quality-assurance-project-plan-gapptool-box

QAPP: Generic and Site Specific

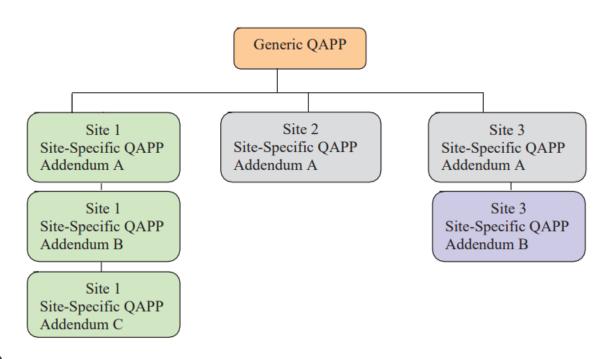
Generic QAPP:

- required for all community-wide assessment grants
- info that will be the same for all sites
- review at least annually for updates

Site-Specific QAPP Addendum:

- project sampling plan prepared for each site assessment
- developed after Generic QAPP approval and after EPA has signed a Site Eligibility Form

Only one QAPP needed if only addressing one site



QAPP Elements

SECTION A: PROJECT MANAGEMENT - How you will organize and run the project

SECTION B: MEASUREMENT AND DATA ACQUISITION - How you will collect and report data

SECTION C: ASSESSMENT AND OVERSIGHT - How you will check that all activities are completed correctly

SECTION D: DATA EVALUATION - How you will review and interpret the data

QAPP Review and Approval

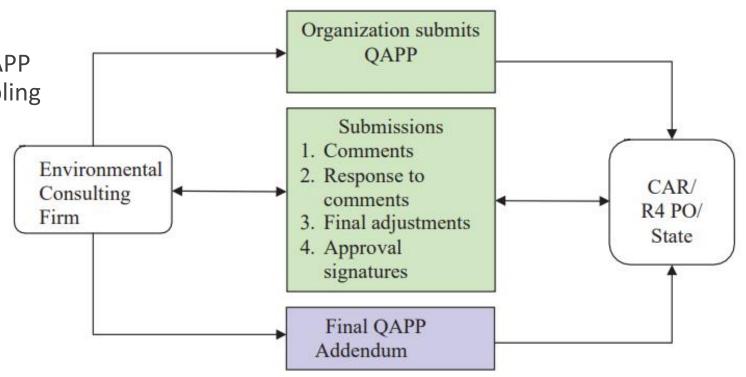
EPA must approve QAPP

EPA signature of the Site-Specific QAPP provides approval to begin the sampling

EPA approval time goals:

- 30 days for Generic QAPP
- 15 days for Site-Specific QAPP

State may also review and approve



Summary

- QAPPs are required to ensure federal funding is paying for data that is reproducible and of known quality
- No sampling can be done under the grant before QAPP approval
- Primary Resource: EPA Region 4 Brownfields QAPP Toolbox
- Lead-Based Paint and Asbestos QAPP template in development

Breakout Sessions

Choose Assessment Grants or Cleanup Grants

Workplan: Assessment Grants

PRESENTED BY:

SARA JANOVITZ, BROWNFIELD PROJECT OFFICER

Outline of an Assessment Work Plan

TABLE OF CONTENTS

1.0 PROJECT OVERVIEW

1.1	Project Description
1.2	Project Team Structure and Responsibilities
1.3	Measuring Environmental Results: Outputs and Outcomes
1.4	Budget
1.5	Pre-Award Costs (if applicable)

2.0 PROJECT TASK DESCRIPTIONS

(These descriptions are examples and should be modified as needed for your project.)

Task 1	Project Management and Reporting (Including Final Report)
Task 2	Community Involvement/Engagement
Task 3	Site Inventory and/or Characterization

<u>Task 4</u> Cleanup Planning and Institutional Controls

<u>Task 5</u> Area Planning

3.0 SCHEDULE

^{*}Additional Tasks (if needed)

Assessment Planning

Begin with the end in mind:

How do the assessments fit in with the redevelopment and reuse plans?



Site Specific Work

Phase I*

- All Appropriate Inquiries
- Environmental Site Assessment Report

*You do not need to have a final Generic QAPP to conduct Phase I Environmental Site Assessments

Site Eligibility/SS QAPP

- Site Eligibility Determination
- Site-Specific QAPP

Phase II

- Environmental Site Assessment Report
- Assessment of Brownfield Cleanup Alternatives (ABCA) (optional)

All Appropriate Inquiries aka Phase I Environmental Site Assessment

Process of evaluating a property's environmental conditions and assessing the likelihood of any contamination

Every Phase I ESA conducted using EPA funds must be done in compliance with the AAI Final Rule at 40 CFR Part 312

The Cooperative Agreement Recipient (CAR) cannot be responsible, or affiliated with the party responsible, for contamination

CAR <u>MUST</u> sign!

Checklist for Phase I Site Assessments Conducted using EPA Brownfields Assessment Grant Funds				
Contact Information				
Grantee Name:				
Grant Number:				
ACRES Property ID:				
Program Manager Name: (Point of Contact)				
Contact Phone Number:				
Name / Address of Property Assessed:				
<u>Checklist</u>				
Please indicate that each of the following All Appropriate Inquiries documentation requirements we met for the Phase I assessment conducted at the above listed property:	re			
An <i>opinion</i> as to whether the inquiry has identified conditions indicative of releases or threat releases of hazardous substances, and as applicable, pollutants and contaminants, petroleum petroleum products, or controlled substances, on, at, in, or to the subject property.				
An identification of "significant" data gaps (as defined in §312.10 of AAI final rule and §12.7 of ASTM E1527-05 and E1527-13), if any, in the information collected for the inquiry, as well as comments regarding the significance of these data gaps. Significant data gaps including missing and unattainable information that affects the ability of the environmental professional to identify conditions indicative of releases or threatened releases of hazardous substances, and as applicable, pollutants and contaminants, petroleum or petroleum products, or controlled substances, on, at, in, or to the subject property.				
Qualifications and signature of the environmental professional(s). The environmental professional must place the following statements in the document and sign the document: □ '[I, We] declare that, to the best of [my, our] professional knowledge and belief, [I, we] meet the definition of Environmental Professional as defined in §312.10 of this part.'				
"[I, We] have the specific qualifications based on education, training, and experience to assess a property the nature, history, and setting of the subject property. [I, We] have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312." Note: Please use either "I" or "We."	of			
In compliance with §312.31(b) of the AAI final rule and §12.6.1 of ASTM E1527-05 and E1527-13, the environmental professional must include in the final report an <i>opinion regard</i> additional appropriate investigation, if the environmental professional has such an opinion.				
Signatura of Crantae Program Mana				
Signature of Grantee Program Manager Date				



Phase I ESA

Uses existing information to understand the property conditions by examining current and historical uses of the site and potential threats to human health or the environment

Typically the first step in conducting environmental due diligence

Done at you or your contractor's discretion if the property fits the definition of a brownfield

Submit the final report and update ACRES

Don't forget, every Phase I ESA conducted using EPA funds <u>must</u> be done in compliance with the AAI Final Rule at 40 CFR Part 312

Site Eligibility

Sites must meet the federal definition of a brownfield site

 EPA Definition in § 101(39) of CERCLA

Eligible sites are where the CAR:

- is not responsible for the contamination at the Site, and
- has a defense to liability (BFPP, Involuntary acquisition, etc.)
 - In most cases this means that a
 Phase I ESA was conducted prior
 to purchase
 UNLESS the local
 government acquired the
 property prior to January 11,
 2002

Petroleum sites must:

- Have <u>no</u> viable Responsible Party
- Not be subject to a corrective action order under RCRA Solid Waste Disposal Act

U.S. ENVIRONMENTAL PROTECTION AGENCY REGION 4 BROWNFIELDS SITE ELIGIBILITY DETERMINATION CHECKLIST

To be used for determining site eligibility for Phase II Environmental Site Assessments and Cleanups.

EPA recently changed their funding policy for Cooperative Agreement Recipients ("CARs" or "grantees"). There is no longer separate funding for hazardous substances and petroleum; however, each Brownfield site must still be evaluated for its overall eligibility to receive Brownfields funds. There are different statutory requirements for determining eligibility for hazardous sites versus petroleum sites.

This checklist will provide the information necessary to determine eligibility for both hazardous and petroleum sites. The table below will help clarify the four primary categories of sites and guide users to the correct sections in which to determine eligibility.

☐ HAZARDOUS SUBSTANCE SITES: a site primarily contaminated with hazardous substances. This also includes mine-scarred lands or sites contaminated with controlled substances. Minimal petroleum contamination (hydraulic lifts, oil-filled equipment, etc.) may be present. Complete the general sections A through D and the Hazardous Substances section E.

COMPLETE SECTIONS A through E

☐ PETROLEUM SITE: a site with petroleum product remaining in underground or aboveground storage tanks or in associated piping or dispensing equipment, and/or where petroleum product has been dispensed, disposed or discharged from tanks, drums, piping, etc. Minimal hazardous substance contamination may be present. Complete the general sections A through D and the Petroleum section F.

COMPLETE SECTIONS A through D. F

Phase II ESAs

A Phase II ESA is recommended if the Phase I ESA show known or potential environmental contamination on the site

An environmental professional then develops a sampling plan to evaluate the potential presence of contamination from hazardous substances and petroleum on the site and determines the

sources and exposures



Before conducting a Phase II ESA, you **must**:

- Submit a site eligibility determination sheet and get EPA approval
- Submit a site-specific QAPP and get EPA approval

Submit the final report and update ACRES





Other activities allowed in an assessment work plan

SITE REUSE AND CLEANUP PLANNING

Workplan: Cleanup Grants

PRESENTED BY:

BRIAN GROSS, EPA PROJECT OFFICER

Cleanup grant work occurs after assessment has been conducted:

Phase I Environmental Site Assessment

Phase II Environmental Site Assessment

Potentially additional site assessment

Must have approved Site Eligibility determination from EPA

Analysis of Brownfields Cleanup Alternatives (ABCA) - Cleanup Plan

Cooperative Agreement Recipient (CAR) must own the property







Outline of a Cleanup Work Plan

TABLE OF CONTENTS

PROJECT OVERVIEW

- 1. Project Description
- 2. Project Team Structure and Responsibilities
- 3. Measuring Environmental Results: Outputs and Outcomes
- 4. Budget
- 5. Pre-Award Costs

2.0 PROJECT TASK DESCRIPTIONS

(These descriptions are examples and should be modified as needed for your project.)

Task 1 Project Management and Reporting

(Including Final Report and Cleanup Completion Report)

Task 2 Community Involvement/Engagement

Task 3 Brownfields Cleanup Planning, Implementation and Completion

3.0 SCHEDULE

Cleanup Planning

Begin with the end in mind

- How will the cleanup fit into site reuse / redevelopment plans?
- What state cleanup programs applicable / available?
- What are the applicable cleanup standards?
- Will engineering or institutional controls be needed for compliance?

Ensure that cleanup will support future property use

EPA and State roles:

- EPA oversight related to grant funding
- State oversight related to completion of state cleanup program
- Understand state cleanup requirements, options

Eligible Costs

Generally, costs related to cleanup that are not prohibited are eligible (see Terms and Conditions).

Examples of eligible costs include:

- Entry into the State Brownfield Program
- Sampling needed to finalize the ABCA and confirm the cleanup
- Clearing of the property prior to cleanup
- Fencing and security of the property
- Background studies (e.g., arsenic)
- Purchase of environmental insurance
- Institutional controls
- Excavation of contaminated soil
- Capping of the site (grass or hardscape)
- Removal of source materials, including free product recovery

Cost Share Tracking

Ensure tracking of all eligible costs, report cost share quarterly – retain records

REMINDERS:

- Recipient cost share is 20% of the federal funds awarded
- The accounting for this 20% belongs in the Final Report
- Know where and how Davis-Bacon applies
- Must be for eligible costs
- Forms of cost share:
 - Money, including some other grants (check with Project Officer)
 - Labor
 - Materials
 - Services

Cleanup Completion

- Final technical report to EPA documenting work completed according to Workplan
- Final reporting to state* for cleanup program approval





*Programs and requirements vary by state

Getting Started with the Brownfield Grant Databases

PRESENTED BY:

BRIAN GROSS, BROWNFIELDS PROJECT OFFICER

Databases for Grant Management

Automated Standard Application for Payments

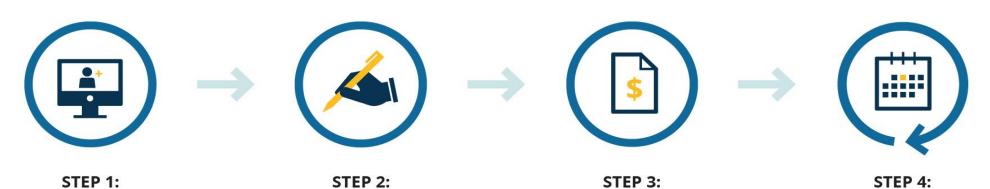
Assessment, Cleanup and Redevelopment **Exchange System**





Managing Payments in ASAP

How ASAP Works



Federal agency & recipient both enroll in ASAP.gov

Agency adds money to recipient account & sets rules for payments

Recipient requests payment via ASAP.gov

Approved payments can settle as quickly as the same day.

www.asap.gov

Enrolling in ASAP

1. Complete the ASAP Initiate Enrollment Form

https://www.epa.gov/financial/asap-enrollment-form



- 2. Designate a Point-of-Contact, and email the completed form to rtpfc-grants@epa.gov
- 3. Wait to receive an email with login credentials to submit payment requests.



Note: Must also be active in SAM.gov (must be renewed annually)



To enroll:

https://www.fiscal.treasury.gov/asap/

EPA Contact:

Email Work Phone

Nguyen.aiquocjohnson@epa.gov 919-541-7833

ACRES What's It For?

Highlight Your Work

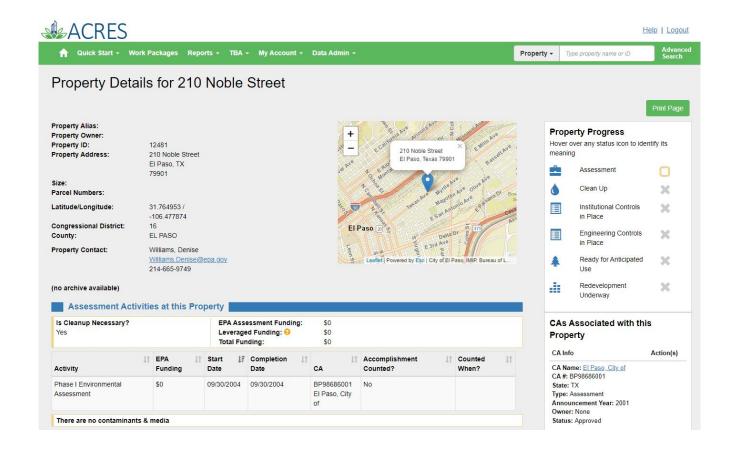
Track Grant Spending

Report/Update Site Conditions (Historical Record)

Populate Public-Facing Information Systems

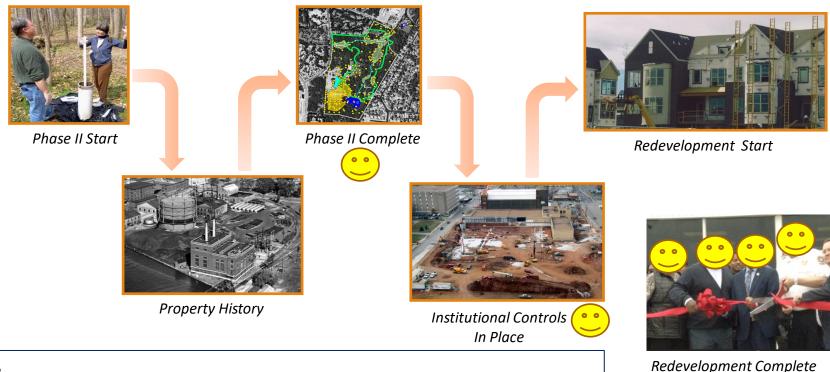
Data Entry includes:

- -Site Location
- -Environmental Work
- -Voluntary Cleanup Information



When Do I Submit Data in ACRES?

ACRES should reflect FINISHED activity at the site



Best Practices:

- 1. Enter and Submit Data as soon as accomplishments are complete
- 2. Identify ONE person who is responsible for ACRES data entry

ACRES - Quarterly Reporting Tool

Grantees may use ACRES to submit Quarterly Reports

Each quarter, ACRES will automatically compile all property data that has been reported (site name, activity, costs, etc.)

Will be Submitted to your Project Officer, and be stored in ACRES

Advantage: easy-to-locate; consistent tracking of property and financial data; durable record system;



How Does EPA Use the Data in ACRES?

ACRES is the Brownfields Program system of record

Programmatic data are primarily used to:

- Respond to Congressional inquiries, FOIA requests, ad hoc analysis requests, and budget-related queries,
- Track and report Program goals and accomplishments,
- Analyze data to identify trends and needs of the Brownfields program, and most importantly,
- Highlight strong work of YOU and other grantees

REGISTRATION: acres6.epa.gov

What if I Have Questions?

- ACRES Help Desk
- acres help@usepa.onmicrosoft.com or (703)-284-8212
- Contact Your Project Officer
- Attend a Training
- https://www.epa.gov/brownfields/brownfields-online-acres-training



Closeouts

PRESENTED BY:

NICHOLE RODGERS, BROWNFIELD PROJECT OFFICER

Preparing for Closeout: Assessments and Cleanup Grants

- •Plan to complete all activities by your project end date
- Enter accomplishments in ACRES
 - Capture any redevelopment that has happened, leveraged jobs, site work
- Submit all technical (quarterly) reports for site work to your
 Project Officer
- Continue to draw down funds as costs are incurred (on a timely basis!)
 - Quarterly drawdowns are required at a minimum even if they are nominal
 - Costs incurred after the project end date will not be reimbursed
- Final requests for reimbursement
- Cleanup Completion Report (Cleanup Grants)

Documents Required for Closeout

A. Final Technical Report

- Documents project activities over the entire project period.
- This is NOT the last Quarterly Report

B. Federal Financial Report (SF-425)

 This should be marked as final and submitted to the Research Triangle Park (RTP).

C. MBE/WBE Forms (EPA Form 5700-52A)

 Ensure that the 3 forms from the grant period have been submitted.

https://www.epa.gov/grants/epa-grantee-forms

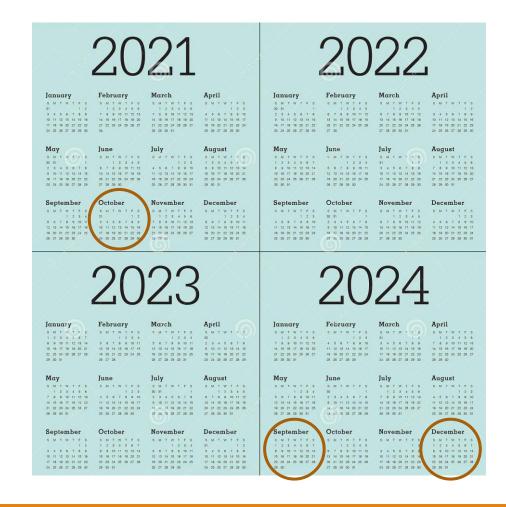
https://www.epa.gov/grants/frequent-questions-about-closeouts

Record Retention is required for 3 years after the closeout of the grant!



An updated R4 Brownfield Grant Closeout Checklist is forthcoming!





You may closeout early.
You may request an extension.

Project End Date: September 30 Documents to EPA: December 30

Parting Thoughts on Success

1

Talk to your Project Officer and inform him/her of issues

- There are no bad questions!
- Copy your PO on all EPA correspondence

2

Reach out to your state program



Find a mentor, either a current or former grantee recipient

 Your state contacts or project officer can help you find one WHAT'S NEXT?

ICMA TAB Overview

WHAT'S NEXT?

State Roundtable