

Region 4 Brownfields Program



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Regional Informational Session:

FY2004 Proposal Guidelines for Brownfields Assessment, Cleanup, and Revolving Loan Program Proposals



Agenda

- **Introduction**
- Proposal Process
- Threshold Criteria
- Ranking Criteria
- Successful Proposals
- Closing Comments

Introduction

What Makes a Winning Proposal

Grant requirements if successful



Program Emphasis

- Human health and the environment
- Redevelopment and jobs
- Open Space and Parks
- Rural and Urban
- Local community involvement
- Environmental Justice

FY2003 Grant Program

- EPA received over 1200 proposals
- 500 nationally were invited to 2nd round
- 176 new grants nationally
- 12 new assessment grants were funded in Region 4

All Region 4 Brownfield Grants

74 Active Brownfield Grants

8 FY04 State 128(a) Grants



Brownfield Program Grant Funding

\$200,000 @ for:

- ❖ Assessment & Remedial Planning*
 - * \$350,000 maximum
- ❖ Cleanup (@ Site)
- ❖ Job Training
- ❖ Up to \$1 M for Revolving Loan Funds

Proposal Process FY2004

- ONE STEP
- Dates for FY04 competition
 - Dec 1 – Job Training Grant proposals due
 - Dec 4 – Assessment, Cleanup, and Revolving Loan Fund proposals due

After Proposal Submission...

- Regional panels convene and rank proposals
- Highest ranking are sent to HQ
- National panel convenes and ranks proposals
- HQ makes final determinations
- Spring 2004 award announcement

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Proposal Process

**These grants are very
competitive**

*Be prepared to put time and effort
into constructing a winning
proposal*

How to Apply

- Follow directions!
- Submit a separate proposal for each grant type
- Address all criteria – if it doesn't apply; say so and explain why
- Be kind to your reviewers – minimize the use of acronyms and technical/cultural jargon
- Use “white space” and obey page limits
- Pictures & maps may speak a thousand words; but they must copy well in B&W and on letter size paper

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Threshold Criteria – MUST PASS

- Applicant Eligibility
- Community Notification
- Letter from the State or Tribal Environmental Authority
- Site Eligibility and Property Ownership Eligibility
- * Cost Share
- * Cleanup Authority and Oversight Structure
- **Legal Authority to Manage a Revolving Loan Fund

* RLF & Cleanup Grant only

** RLF only

Threshold: Applicant Eligibility

- Municipalities
- States
- Tribes
- Quasi-governmental organizations
- Redevelopment agencies
- Cleanup Grants – non-profit organizations that own the property prior to award
- Revolving Loan Fund - coalitions

Threshold: Community Notification

Describe how the affected community (ies) was notified of the preparation and submission of this grant. Demonstrate that you notified the community (ies) of this grant and provided sufficient opportunity for public comment.

Threshold: Letter from the State or Tribal Environmental Authority

- Provide a letter from the state or tribal environmental authority acknowledging that the applicant plans to conduct or oversee assessment and/or cleanup activities and to apply for grant funds.

Threshold: Site and Property Ownership Eligibility

- The Brownfields Law prohibits EPA from providing grant funds to an entity that is considered potentially liable under CERCLA Section 107.
- Not eligible site if:
Acquired by purchase or donation prior to 1/11/02 (Unless you meet CERCLA exemptions to liability)

Threshold: Site and Property Ownership Eligibility

- “Date of Acquisition” was temporarily changed this Fiscal Year
- Allowing sites **if** owner meets the definition of a Bona Fide Prospective Purchaser (BFPP).
- If you meet definition of Bona Fide Prospective Purchaser (BFPP), must meet **threshold criteria**:
 - Not a liable party or affiliated with a liable party
 - Prior to taking ownership, performed **all appropriate inquiry** (ASTM Phase 1 or equivalent)

AND



Threshold: Site and Property Ownership Eligibility

Cleanup: **Useful tips**

- At a minimum, a PHASE 1 is required.
- Should have enough assessment completed to describe cleanup plan and estimated costs.
- Sites that are further along in the assessment process, generally score higher
- If additional assessment is needed, demonstrate it will be done prior to grant award

Threshold: Site and Property Ownership Eligibility Cleanup: tips

- If you do not own the site, describe plan for acquiring.
- If you do not own before grant award, you will not receive grant.
- Ownership demonstrated by Fee Simple Title

Threshold: Site and Property Ownership Eligibility

Petroleum

- Brownfields law requires the State or EPA to determine if petroleum sites are eligible
- The eligibility determination for petroleum sites is different than that for a hazardous substance site
- The determination is based on if:
 - site is of “relatively low risk”
 - there is “no viable responsible party” capable of performing the cleanup
 - funding will be used by a party not potentially liable; and
 - site is not subject to a corrective action order under RCRA 9003(h).

Threshold: Site and Property Ownership Eligibility Petroleum

Viable Party – **ALL** of the following factors are present:

- Court judgment or AO issued requiring assess, investigate, or clean up of site, **or**
Enforcement action by Federal or state authority or citizen suit requiring assess, investigate, or clean up of site,

AND

- Party is financially capable of satisfying federal or state law to assess, investigate, or clean up site

Threshold: Site and Property Ownership Eligibility

Assessment: **Useful tips**

- You may apply on a community-wide basis and DO NOT have to identify specific sites
- **HOWEVER**, if you identify a specific site, you must answer the site specific questions.

Threshold: Site and Property Ownership Eligibility

Assessment: **Useful tips**

- You can come in for hazardous substances and /or petroleum.
- Conducting assessment on privately owned sites is OK – must include certain site specific information.

Threshold: Cost Share

- Cleanup and RLF grant recipients are required to provide a 20% cost share.
- Calculated as 20% of the total federal funds awarded.
- (RLF and Cleanup) Applicants may petition for a hardship waiver.

Threshold: Cleanup Authority and Oversight Structure

- (**Cleanup and RLF**) Describe how you will oversee the cleanup at the site. Indicate whether you plan to enroll in a state or tribal voluntary response program.
- (**RLF-only**) Provide a legal opinion from counsel that demonstrate your authority to access and secure sites
- (**Cleanup-only**) Provide your plan to obtain access to adjacent or neighboring properties, if necessary.

Threshold: Legal Authority to Manage a Revolving Loan Fund

- (RLF-only) Provide legal opinion demonstrating your legal authority to perform the actions necessary to manage a revolving loan fund.

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Basic Ranking Criteria (Assessment, RLF & Cleanup)

- Budget -5
- Community Need -15
- Sustainable Reuse of Brownfields/Development Potential -10
- Creation &/or Preservation of Greenspace/Open Space -5
- Reuse of Existing Infrastructure -5
- Community Involvement -15
- Reduction of Threats to Human Health & the Environment -10
- Leveraging of Additional Resources -15
- Ability to Manage Grants -10
- Site Selection Process (Assessment) -10
- Description of Target Markets (RLF) -10
- Business Plan (RLF) -10
- Ability to Manage grants/Management structure-10

Ranking: Budget (Assessment or Cleanup Grant Program)

Sample Format for Budget Description

Budget Categories (programmatic costs only)	Project Tasks				
	[Task 1]	[Task 2]	[Task 3]	[Task 4]	Total
Personnel					
Fringe Benefits					
Travel					
Equipment ¹					
Supplies					
Contractual ²					
Other (specify) _____					
Total					

¹ EPA defines equipment as items that cost \$5,000 or more with a useful life of more than one year. Items costing less than \$5,000 are considered supplies. Generally, equipment is not required for assessment grants.

² Applicants must comply with the procurement procedures contained in 40 CFR 31.36, or for non-profits, with 40 CFR 30.40.

Ranking: Budget Tips

- Before the budget – Short Introduction
- After the budget chart- Explain tasks in details
- You may utilize up to 10% of the grant
- If applying for both types of contaminants (Haz and Petroleum); submit separate budgets

Ranking: Budget (Revolving Loan Fund)

Sample Format for Budget Description					
	Project Tasks for Loans (at least 60 percent of amount requested)				
Budget Categories (programmatic costs only)	[Task 1]	[Task 2]	[Task 3]	[Task 4]	Total
Personnel					
Fringe Benefits					
Travel					
Equipment ¹					
Supplies					
Contractual ²					
Other (specify) _____					
Subtotal:					
	Project Tasks for Subgrants (no more than 40 percent of amount requested)				
Budget Categories	[Task 1]	[Task 2]	[Task 3]	[Task 4]	Total
Personnel (programmatic costs only)					
Fringe Benefits					
Travel					
Equipment ¹					
Supplies					
Contractual ²					
Other (specify) _____					
Subtotal:					
Total					
Cost Share					

¹ EPA defines equipment as items that cost \$5,000 or more with a useful life of more than one year. Items costing less than \$5,000 are considered supplies. Generally, equipment is not required for RLF grants.

² Applicants must comply with the procurement procedures contained in 40 CFR 31.36, or for non-profits, with 40 CFR 30.40.

Ranking: Budget

Revolving Loan Fund – Useful tips

- The RLF funding can be utilized for both loans and subgrants. Loans must constitute at least 60% of your budget.

Ranking: Community Need Question #1

- Provide a detailed description of the targeted community that the project(s) will benefit. Include demographic information for the target community and indicators such as the poverty rate, unemployment rate, special community situationsIdentify the source of this information.

Ranking: Community Need

Question #1: Detailed description of community – Useful Tips

- In this section you need to :
 - Tell the Story
 - Include demographics

Ranking: Community Need

Question #2

- Explain how the targeted community will benefit from this grant.

Ranking: Community Need Question #3

- Characterize the impact of brownfields on your community (or communities) by describing the extent of brownfields (e.g. size, number, location) and the economic, health, and/or environmental impacts of the brownfields.

Ranking: Sustainable Reuse of Brownfields/ Development Potential

- Describe your “sustainable development” strategy for the site or targeted area
- Describe your plans to ensure that the site or targeted area will be reused in a manner that leads to environmental improvement
- Describe how this project will stimulate economic development
- Describe how you are working to prevent the creation of future brownfields
- Describe how does your reuse plan fits into your master plan

Ranking: Creation and / or Preservation of Greenspace / Open Space

- Describe the extent to which the grant would facilitate the creation of, preservation of, or addition to a park, greenway, undeveloped property, recreational property, or other property used for nonprofit purposes.

Ranking: Reuse of Existing Infrastructure

- Describe whether the project will use existing infrastructure (e.g. existing roads, rail/bus/subway services, buildings, utility services, sidewalks/pedestrian trails, recreation services, landscaping, neighborhood centers/institutions) or require its expansion.

Ranking: Community Involvement

- Local community involvement in cleanup decisions or reuse planning.
- Partnerships developed at local or state level - ensure appropriate & sustainable cleanup & redevelopment
- How progress of project is communicated to citizens, including meeting bilingual needs.
- Provide a list of community-based organizations involved, contact information, & a brief description of the organization's activities & representation.

Ranking: Reduction of Threats to Human Health and the Environment

- Describe how funds will be used to address/facilitate the identification and/or reduction of threats to human health and the environment
- Describe whether you are working with your state and local public health department
- *(cleanup only) Describe proposed cleanup plan for the site and the estimated costs to complete the cleanup.*

Ranking: Leveraging of Additional Resources

- Describe the financial needs for each phase of the project, if known.
- Identify the funds that your agency/organization has committed or will commit to meet the needs described above.
- Describe all other funding sources (e.g. federal, state, non-profit, or private) that will be committed or that you are pursuing to fill in any remaining funding gaps to ensure the success of this project.

Ranking: Ability to Manage Grants (Assessment and Cleanup Programs) ONLY

- Describe your ability to manage this grant and oversee the work, or describe the system(s) you have in place to acquire the requisite expertise.
- Describe your history of managing federal funds... any adverse audit findings...special “high risk” terms and conditions...

Ranking: Ability to Manage Grants (Assessment and Cleanup Grant Programs) ONLY

If you are, or have been, a recipient of an EPA Brownfields cooperative agreement(s),

3. provide information regarding your compliance with reporting requirements
4. indicate the year of award and the amount of funds remaining.
5. highlight significant accomplishments generated through the use of the funds.

Ranking: Site Selection Process

Assessment Questions #1- 3

- Describe how sites were selected
- Describe past or planned inventory activities
- If conducting assessment on privately owned, discuss access

Ranking: Description of Target Markets

Revolving Loan Fund Program ONLY

- If you have not identified particular borrowers or subgrantees, describe your target market, including types of borrowers & subgrantees and types of sites.
- If you plan to award subgrants under the RLF, describe how you will take the following into consideration;
 - ✓ Does the subgrant create or preserve greenspace?
 - ✓ Does the subgrant assist a community that has an inability to draw on other funding sources?
 - ✓ Does the subgrant facilitate the reuse of existing infrastructure?
 - ✓ How does the subgrant promote long-term availability of the RLF?

Ranking: Business Plan

Revolving Loan Fund Program ONLY

- Describe your anticipated loan structure.
- Describe your advertising plan and any redevelopment incentives that may be made available.
- Describe how your program will promote long-term availability of funds if you provide subgrants. Describe how this will effect your RLF.
- Describe how you will make use of the RLF within the grant period. Include a schedule and timeline.

Ranking: Ability to Manage Grants/Management Structure

Revolving Loan Fund Program ONLY

- Describe your history of managing federal funds... any adverse audit findings...special “high risk” terms and conditions...
- Provide your plan for managing the loan fund...Include information on the qualifications of staff and institutions the applicant intends to use for financial, analytical, legal, and record keeping...
- If you plan to acquire any fund management expertise, describe the relationship...

Ranking: Ability to Manage Grants (continued)

Revolving Loan Fund Program ONLY

- If you are, or have been, a recipient of an EPA Brownfields cooperative agreement(s), provide information regarding your compliance with quarterly progress reports, brownfields reporting measures, and annual financial status reporting.

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Successful Proposals

- Will be notified in writing
- Funding awarded as a Cooperative Agreement
- **Application package will be required**

Application Package

- EPA –Approved Workplan
- A Final budget
- All required Forms, such as:
 - Key Contacts List
 - Quality Assurance Statement
 - State Clearing House (Intergov. Review Office)
 - Anti-Lobbying Certification
 - Disclosure of Lobbying Activities
 - Property Profile

Cooperative Agreement

- Terms and Conditions
- Quarterly Reports
- MBE/WBE
- Financial Status Reports

How to Draw Funds

- Enroll in EPA's ASAP System
(Automated Standard Applic. For Pymts)
- Request payment through ASAP
- Send Reimbursement requests (SF 270)
to Project Officers

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Proposal Preparation Assistance

- Consult With Region On Threshold & Eligibility Questions ONLY!
- EPA Cannot review drafts or coach applicants
- Visit EPA's Website for Guidelines and Frequently Asked Questions (FAQs)

Goals

- Clean up our nation's contaminated land resources so that communities are able to safely return them to productive use
- Ensure that cleanups protect public health, welfare, and the environment; ensure that cleanups are consistent with future land use; communicate information about cleanups that may be relevant to reuse



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For the Latest Brownfields Information

- Brownfields National Homepage

www.epa.gov/brownfields

- EPA Region 4

www.epa.gov/region4

- National Brownfield's Conference

www.brownfields2004.org