

FY16 Summary of Brownfields Assessment, RLF and Cleanup (ARC) Grant Guidelines Changes

UNIVERSAL CHANGES TO THE ARC GUIDELINES		
Topic	FY14 RLF / FY15 AC Guidelines	FY16 ARC Guidelines
General Information		
OMB Uniform Grants Guidance		All 40 CFR Parts 30 and 31 and 2 CFR Part 225 references are updated with the new 2 CFR Part 200 references.
Petroleum Allocation	“EPA must expend 25 percent of the amount appropriated for brownfields grants on sites contaminated with petroleum.”	“EPA may expend up to 25 percent of the amount appropriated for brownfields grants on sites contaminated with petroleum.”
IV - Proposal Submission Information		
IV.B Due Date and Proposal Submission Instructions	<u>FY14 RLF/FY15 AC Guidelines</u> Applicants were required to submit one copy of their proposal to EPA’s contractor (through www.grants.gov or by mail).	Applicants MUST submit their complete proposal package through www.grants.gov . EPA’s contractor will not accept proposals submitted by mail. Note: Regions will continue to receive a courtesy copy of the applicant’s proposal and may begin Threshold review immediately.
	<u>FY14 RLF/FY15 AC Guidelines</u> Applicants could submit the regional courtesy copy as a hardcopy or electronic copy.	Applicants must submit the regional courtesy copy via <u>email</u> to their Regional Brownfield Contact listed in Section VII of the Guidelines.
IV.E Voluntary Cost Share/Leveraging		Per Agency policy, the Voluntary Cost Share/Leveraging section is updated.
V.B Ranking Criteria		
Community Need - Demographic Table		<i>Data updated with more current values are consistent with the demographic table in the Area-Wide Planning and Environmental Workforce Development & Job Training solicitations.</i>

		Updated data values and citations for population, unemployment, poverty rate, percent minority, and median household income.
Community Need – Description of Brownfields	<p><u>FY14 RLF/FY15 AC Guideline language</u> “Describe your brownfields, as well as their proximity to and effect on your targeted community. Provide information about the nature and extent of your brownfields such as past land uses and site activities, potentially related environmental issues or contaminants, and current conditions. Discuss the real or perceived negative environmental impacts associated with the brownfields.”</p>	<p><i>Re-organized language more clearly presents the information requested from applicants.</i></p> <p>“Describe the brownfields sites in your targeted community. Include information on the:</p> <ul style="list-style-type: none"> • nature and extent of your brownfields (such as past land uses and site activities, potentially related environmental issues or contaminants, and current conditions); • real or perceived negative environmental impacts associated with the brownfields; and • brownfields’ proximity to the targeted community.”
Community Need – Cumulative Environmental Issues	<p><u>FY14 RLF Guideline language</u> “In addition to brownfields, provide a summary of other various cumulative environmental issues (e.g. siting of power plants, incinerators, industry, landfills, congested highways, or other sources of air, water and land pollution) or other environmental justice concerns which may be present.”</p> <p><u>FY15 AC Guideline language</u> “In addition to the presence of brownfield sites, provide a summary (using existing data and studies) of other various cumulative environmental issues (e.g. siting of power plants, incinerators, industry, landfills, congested highways, or other sources of air, water and land pollution) or other environmental justice concerns (such as overburdening from existing sources of pollution) which may be present.”</p>	<p><i>Since some smaller communities do not have ‘existing data and studies’ to reference in this criterion, revised language clarifies that applicants are to use any available information.</i></p> <p>“In addition to the presence of brownfield sites, provide a summary (using available information) of other various cumulative environmental issues (e.g. siting of power plants, incinerators, industry, landfills, congested highways, or other sources of air, water and land pollution) or other environmental justice concerns (such as overburdening from existing sources of pollution) which may be present.”</p>

<p>Community Need – Impacts on Targeted Community</p>	<p><u>FY14 RLF Guideline language</u> “Describe how the issues discussed in this section have resulted in a disproportionate impact on the targeted community. Provide information describing the threats to health or welfare of sensitive populations such as children, pregnant women, minority or low-income communities, or other sensitive groups in the targeted community potentially subject to environmental exposures, from brownfields. Discuss the impacts the brownfields have on public health or welfare of your targeted community, such as: - possible aggravation of public health issues, such as 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 or contaminants resulting from cumulative environmental conditions, including brownfields, or - other impacts on the general health and/or welfare of the targeted community.”</p> <p><u>FY15 AC Guideline language</u> “Using existing data and available studies, please respond to the items below.</p> <ul style="list-style-type: none"> • Describe how the issues discussed in this section have resulted in disproportionate impacts (e.g., health disparities) on the targeted community. • Provide information describing the threats to health or welfare of sensitive populations such as children, pregnant women, minority or low-income communities, or other sensitive groups in the targeted community potentially subject to environmental exposures, including brownfields. 	<p><i>Since some smaller communities do not have ‘existing data and studies’ to reference in this criterion, revised language clarifies that applicants are to use any available information.</i></p> <p><i>Additionally, re-ordered and slightly revised language streamlines the information requested from applicants.</i></p> <p>“Using existing available information, please respond to the items below.</p> <ul style="list-style-type: none"> • Discuss impacts the brownfields have on public health or welfare of your targeted community. • Provide information describing the threats to health and welfare to sensitive groups in the targeted community who are potentially subject to the environmental exposures, including brownfields. (Please refer to FAQs for information on sensitive populations.) • Describe how cumulative environmental and/or brownfield issues have disproportionately impacted your targeted community.”
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	<ul style="list-style-type: none"> • Discuss impacts the brownfields have on public health or welfare of your targeted community.” 	
Project/Program Description – Introduction Paragraph	<p><u>FY14 RLF/FY15 AC Guideline language</u></p> <p>“Proposals will be evaluated, as further described below, on the quality and extent to which you demonstrate:</p> <ul style="list-style-type: none"> - How your project will further the targeted community’s land use and revitalization plans or vision; - a reasonable approach and methodology to achieve project goals - a realistic basis for project costs; - the availability of, and access to, sufficient resources to complete the project.” 	<p><i>Language is expended to comply with Agency requirements.</i></p> <p>“Proposals will be evaluated, as further described below, on the quality and extent to which you demonstrate:</p> <ul style="list-style-type: none"> - How your project will further the targeted community’s land use and revitalization plans or vision; - a reasonable approach and methodology to achieve project goals and expend funds in a timely and efficient manner - a realistic basis for project costs; - a reasonable plan to track and measure project progress; and - the availability of, and access to, sufficient resources to complete the project.”
Project Description – Task Descriptions		<p>To comply with Agency requirements, applicants must discuss their plan for measuring and tracking progress.</p> <p>“Discuss how you plan to track and measure your progress in achieving the project results (outcomes and outputs).”</p>
Project Description – Budget Table		<p><i>The below text, previously in the Task Descriptions criterion, is now in the Budget Table criterion.</i></p> <p>“Activities not supported by the grant should not be included in the budget table.”</p>

<p>Community Engagement & Partnerships – Partnerships with Community Organizations</p>		<p><i>Added language hopefully clarifies that copies of letters of commitment do not need to be sent separately to EPA.</i></p> <p>“Note: Letters of commitment must be addressed to the applicant and be included with the applicant’s proposal package. Letters should not be sent directly to EPA.”</p>
<p>Project Benefits – Policies, Planning, and Other Tools</p>	<p><u>FY14 RLF/FY15 AC Guideline language</u> “Describe how your community or organization is using planning, policies, ordinances or other tools to foster and implement sustainable redevelopment. Provide examples which may be pertinent to the proposed project such as using existing infrastructure, green buildings, energy efficiency, water management, green remediation, construction and demolition materials recycling, diesel emissions reductions, and renewable energy.”</p>	<p><i>Revised language is consistent with the Brownfields Law and clarifies that applicants must discuss the use, or reuse, of existing infrastructure.</i></p> <p>“Provide examples of how you will use your community or organization’s policies, ordinances, planning or other tools to foster and implement sustainable development outcomes, including the use of existing infrastructure, for sites addressed with this grant. Examples of sustainable development practices are listed in Section I.D of these guidelines.”</p>
<p>Programmatic Capability/ Past Performance – Past Performance and Accomplishments</p>	<p><u>FY14 RLF Guideline language</u> “If you have ever received an EPA brownfields grant, please respond to item i.</p> <p>If you have never received an EPA brownfields grant, but have received other federal or non-federal assistance agreements (an assistance agreement is a grant or cooperative agreement, but not a contract) please respond to item ii.”</p> <p><u>FY15 AC Guideline language</u> “If you have ever received an EPA brownfields grant (including Assessment, Cleanup, Revolving Loan Fund, and 128(a) grants), please respond to item i below.</p>	<p><i>Previous language regarding TBAs was confusing. Revised language clarifies that applicants who have only had Brownfields TBAs should not respond to item i.</i></p> <p>“If you have ever received an EPA Brownfields grant (including Assessment, Cleanup, Revolving Loan Fund, and 128(a) grants; excluding Targeted Brownfields Assessments), please respond to item i below.</p> <p>If you have never received an EPA Brownfields grant, but have received other federal or non-federal assistance agreements (such as a grant or cooperative agreement), please respond to item ii below.</p>

	<p>If you have never received an EPA brownfields, but have received other federal or non-federal assistance agreements (an assistance agreement is a grant or cooperative agreement, but not a contract (e.g., Targeted Brownfields Assessment grants of services)) please respond to item ii below.”</p>	
<p>Programmatic Capability/ Past Performance – Accomplishments</p>	<p><u>FY14 RLF/FY15 AC Guideline language</u></p> <p><u>“Currently or Has Ever Received an EPA Brownfields Grant</u> Describe the accomplishments and specific outputs of your grant-funded program, including at minimum, the number of sites assessed and cleaned up. Discuss whether these outputs and outcomes were accurately reflected in ACRES at the time of this proposal submission, and if not, please explain why.</p> <p><u>Has Not Received an EPA Grant but has Received Other Federal or Non-Federal Assistance Agreements</u> Discuss the specific accomplishments, and outputs and outcomes of the project supported by these grants, including specific measures of success for the project supported by each type of grant received.”</p>	<p><i>Revised language clarifies that both outputs and outcomes are types of accomplishments.</i></p> <p><u>“Currently or Has Ever Received an EPA Brownfields Grant</u> Describe the accomplishments (including specific outputs and outcomes) of your grant-funded program, including at minimum, the number of sites assessed and/or cleaned up. Discuss whether these outputs and outcomes were accurately reflected in ACRES at the time of this proposal submission, and if not, please explain why.</p> <p><u>Has Not Received an EPA Grant but has Received Other Federal or Non-Federal Assistance Agreements</u> Discuss the accomplishments (including specific outputs and outcomes) of the project supported by these grants, including specific measures of success for the project supported by each type of grant received.”</p>
<p>Programmatic Capability/ Past Performance – Compliance with Grant Requirements</p>	<p><u>FY14 RLF/FY15 AC Guideline language</u></p> <p>“Discuss your history of timely and acceptable quarterly performance and technical reporting, as well as, ongoing</p>	<p><i>Since expected types of deliverables required from grantees vary across Regions, the term “grant deliverables” is added to capture the broader range of deliverables; which may include technical reporting.</i></p> <p>“Discuss your history of timely and acceptable quarterly performance and grant deliverables, as well as, ongoing</p>

	Assessment, Cleanup and Redevelopment Exchange System (ACRES) reporting.”	Assessment, Cleanup and Redevelopment Exchange System (ACRES) reporting.”
V.C Considerations and Other Factors and Appendices		
V.C Considerations and Other Factors and Appendix 3 – Other Factors Checklist	<p><i>Let’s face it...we have too many Other Factors! The following changes are reflected in Section V.C and the Appendix 3 - Other Factors Checklist, as applicable.</i></p> <p><i>Added</i></p> <ul style="list-style-type: none"> • None of the Other Factors are applicable. <p><i>Streamlined</i></p> <ul style="list-style-type: none"> • Federally recognized Indian tribe. • United States territory. • Applicant will assist a Tribe or territory. <div style="display: flex; align-items: center; margin-left: 40px;"> <div style="font-size: 2em; margin-right: 10px;">}</div> <div>Applicant is, or will assist, a federally recognized Indian tribe or United States territory.</div> </div> <p><i>Deleted</i></p> <ul style="list-style-type: none"> • Targeted brownfield sites are contaminated with controlled substances. • Recent natural disaster(s) (2006 or later) occurred within community, causing significant community economic and environmental distress. • Community is implementing green remediation plans. • Community experienced manufacturing plant/power plant closure(s) (2008 or later) tied to the targeted brownfield sites or project area, including communities experiencing auto plant/power plant closures due to bankruptcy or economic disruptions. • Applicant will serve an area designated as a federal, state, or local Empowerment Zone or Renewal Community. To be considered, applicant must attach documentation which demonstrates this current designation. • Applicant is a HUD Promise Zone community. To be considered, applicant must attach documentation. • Whether the applicant is one of the 30-50 communities designated by EPA under the Agency’s cross-cutting initiative on <i>Making a Visible Difference in Communities</i>. 	

	<p><i>Edited</i></p> <ul style="list-style-type: none"> • a balanced the distribution of funds among EPA’s ten Regions and among the states and territories or the project is assisting a Tribe or territory. • Recent (2008 or later) significant economic disruption (unrelated to a natural disaster or manufacturing/auto plant/power plant closure) has occurred within community, resulting in a significant percentage loss of community jobs and tax base. • <i>Only July 8th, EDA announced the second round of IMCPs for a total of 24 communities. This is Other Factor will stay on the FY16 list, however, the last sentence is deleted.</i> <p>Applicant is one of the 24 recipients, or a core partner/implementation strategy party, of a “manufacturing community” designation provided by the Economic Development Administration (EDA) under the Investing in Manufacturing Communities Partnership (IMCP). To be considered, applicants must clearly demonstrate in the proposal the nexus between their IMCP designation and the Brownfield activities. Additionally, applicants must attach documentation which demonstrate either designation as one of the 24 recipients, or relevant pages from a recipient’s IMCP proposal which lists/describes the core partners and implementation strategy parties. A core partner/implementation strategy party is a local partner organization/jurisdiction that will carry out the proposed strategy, as demonstrated in letters of commitment or memoranda of understanding which documents their contributions, roles, and responsibilities to the partnership. EDA may provide to EPA a list of the core partners/implementation strategy parties for each of the 12 “manufacturing community” designees, which EPA would use to verify this other factor.</p>	
Appendix 2 – www.grants.gov Proposal Submissions Information		Per Agency policy, information on www.grants.gov submission instructions and the limited exception procedure is included.
ASSESSMENT GUIDELINES CHANGES		
Topic	FY15 Assessment Guidelines	FY16 Assessment Guidelines
Regional Priorities		
I.E Regional Priorities		<p><i>Added language:</i></p> <p>“In the narrative proposal, applicants must include information on how their proposed Brownfields</p>

		<p>Assessment project will advance the regional priorities identified in the list below that apply to the region where the project will be performed. This information may be considered by the Selection Official as an “other factor”, as described in Sections V.A and V.C of the guidelines, during the selection process. If more than one priority is listed for a region then the applicant may include information on one or both of the priorities; although addressing both does not necessarily mean it will benefit them more than if they only address one. The information provided should clearly indicate how the project addresses the applicable priority for the region in which the project is located. For example, if applying to perform a project in US EPA Region 1, then describe how the project will address a regional priority listed for Region 1. Please see Section VII to identify the region where your project is located.”</p>
Region	Regional Priority(ies)	
1	<ul style="list-style-type: none"> ▪ Assistance to Communities That Have Limited In-House Capacity to Manage Brownfields Projects - This regional priority includes proposed projects that provide support to communities that have limited capacity or administrative infrastructure to effectively manage brownfields programs. Proposals that include partnerships among governmental entities having shared jurisdiction over the targeted sites (e.g. state, regional authorities, local governments) satisfy this priority. <p><u>OR</u></p> <ul style="list-style-type: none"> ▪ Coordinated Public Funding for Brownfields – This regional priority includes proposed projects that complement other brownfield efforts receiving federal, state or local funding or where the community is working with federal, state, or local governments to address their brownfields. EPA Region 1 is particularly interested in projects where the applicant has already been working with federal, state, or local agencies, or where funding has been received and the EPA grant would “fill the gaps” to establish a comprehensive approach to Brownfields site characterization, assessment, cleanup and redevelopment. 	

2	<ul style="list-style-type: none"> ▪ Assistance to Communities That Have Limited In-House Capacity to Manage Brownfields Projects – This regional priority includes proposed projects that provide support to communities that have limited capacity or administrative infrastructure to effectively manage brownfields programs. Proposals that include partnerships among governmental entities having shared jurisdiction over the targeted sites (e.g. state, regional authorities, local governments) satisfy this priority. <p><u>OR</u></p> <ul style="list-style-type: none"> ▪ Climate Change Resiliency – This regional priority includes proposed projects which will advance or contribute to community climate change resiliency through the “green” use or reuse of existing infrastructure, protection of greenfields, or similar activities to address flooding due to sea level rise or stormwater runoff, or extreme weather event.
3	<ul style="list-style-type: none"> ▪ Climate Change Resiliency – This regional priority includes proposed projects which will advance or contribute to community climate change resiliency through the “green” use or reuse of existing infrastructure, protection of greenfields, or similar activities to address flooding due to sea level rise or stormwater runoff, or extreme weather event. <p><u>OR</u></p> <ul style="list-style-type: none"> ▪ Coordinated Public Funding for Brownfields – This regional priority includes proposed projects that complement other brownfield efforts receiving federal, state or local funding or where the community is working with federal, state, or local governments to address their brownfields. EPA Region 3 is particularly interested in projects where the applicant has already been working with federal, state, or local agencies, or where funding has been received and the EPA grant would “fill the gaps” to establish a comprehensive approach to Brownfields site characterization, assessment, cleanup and redevelopment.
4	<ul style="list-style-type: none"> ▪ Assistance to Communities That Have Limited In-House Capacity to Manage Brownfields Projects – This regional priority includes proposed projects that provide support to communities that have limited capacity or administrative infrastructure to effectively manage brownfields programs. Proposals that include partnerships among governmental entities having shared jurisdiction over the targeted sites (e.g. state, regional authorities, local governments) satisfy this priority.

5	<ul style="list-style-type: none"> ▪ Coordinated Public Funding for Brownfields – This regional priority includes proposed projects that complement other efforts receiving federal, state or local funding or assistance. EPA Region 5 is particularly interested in projects that supplement publicly funded site characterization and remediation projects in Great Lakes Areas of Concern, projects that serve areas where there are already coordinated federal agency partnerships investing in brownfields, or similar sources of public funding that can be leveraged for brownfields purposes, or where funding has been received and the EPA grant would “fill the gaps” to establish a comprehensive approach to Brownfields site characterization, assessment, cleanup and redevelopment.
6	<ul style="list-style-type: none"> ▪ Assistance to Communities That Have Limited In-House Capacity to Manage Brownfields Projects – This regional priority includes proposed projects that provide support to communities that have limited capacity or administrative infrastructure to effectively manage brownfields programs. Proposals that include partnerships among governmental entities having shared jurisdiction over the targeted sites (e.g. state, regional authorities, local governments) relate to this priority. <p><u>OR</u></p> <ul style="list-style-type: none"> ▪ Improving Air Quality – This regional priority includes proposed projects which will reduce threats to human health (e.g. asthma and cancer) and the environment including assessment activities that support efforts to improve air quality in non-attainment areas affected by pollutants and contaminants such as ozone, particulate matter, sulfur-dioxide, oxides of nitrogen, lead, and carbon monoxide.
7	<ul style="list-style-type: none"> ▪ Assistance to Communities That Have Limited In-House Capacity to Manage Brownfields Projects – This regional priority includes proposed projects that provide support to communities that have limited capacity or administrative infrastructure to effectively manage brownfields programs. Proposals that include partnerships among governmental entities having shared jurisdiction over the targeted sites (e.g. state, regional authorities, local governments) satisfy this priority. <p><u>OR</u></p> <ul style="list-style-type: none"> ▪ Coordinated Public Funding for Brownfields – This regional priority includes proposed projects that complement other brownfield efforts receiving federal, state or local funding or where the community is working with federal, state, or local governments to address their brownfields. EPA Region 7 is particularly interested in projects where the applicant has already been working with federal, state, or local agencies, or where funding has been received and the EPA grant would “fill the gaps” to establish a comprehensive approach to Brownfields site characterization, assessment, cleanup and redevelopment.

8	<ul style="list-style-type: none"> ▪ Protect/Enhance Water – This regional priority includes proposed projects which will reduce threats to human health and the environment from the release of hazardous substances, pollutants or contaminants, by supporting efforts to protect or enhance water supplies, including surface water, ground water and/or storm water infrastructure. EPA Region 8 is particularly interested in projects that improve or protect the quality of water associated with brownfield sites or where by addressing the brownfield site it will reduce threats to nearby residents. <p><u>OR</u></p> <ul style="list-style-type: none"> ▪ Assistance to Small and Underserved Communities – This regional priority includes proposed projects that target the majority of the work at brownfield sites in small, rural and/or low income communities unable to draw on other public or private sources of funds for environmental remediation. EPA Region 8 is particularly interested in projects that serve the needs of communities with populations of less than 50,000.
9	<ul style="list-style-type: none"> ▪ Leveraging New/Expanded Transit Investments to Reduce Air Pollution – This regional priority includes proposed projects that will reduce threats to human health (e.g. asthma and cancer) and the environment and support efforts to improve air quality through transit investments (e.g., site assessments that assist efforts to clear the right of way for transit infrastructure and transit oriented redevelopment of Brownfield sites). Note: Examples of transit investments include, light rail, high speed rail, bus rapid transit, new bus service, and bicycle infrastructure. EPA Region 9 is particularly interested in projects that reduce air pollution through the use of new or expanded transportation investments to use or reuse existing infrastructure or otherwise reduce vehicle miles traveled, and create walkable communities. <p><u>OR</u></p> <ul style="list-style-type: none"> ▪ Climate Change - Drought Stricken Communities - This regional priority includes proposed projects which address climate change impacts caused by drought. EPA Region 9 is particularly interested in projects where the brownfield assessment, cleanup and reuse activities will reduce, prevent, or address climate change issues related to drought in order to reduce the threats to the health and welfare of vulnerable populations and lessen environmental impacts to communities.
10	<ul style="list-style-type: none"> ▪ Protect/Enhance Water – This regional priority includes proposed projects which will reduce threats to human health and the environment from the release of hazardous substances, pollutants or contaminants, by supporting efforts to protect or enhance

	<p>water supplies, including surface water, ground water and/or storm water infrastructure. EPA Region 10 is particularly interested in projects that improve or protect the quality of water associated with brownfield sites or where by addressing the brownfield site it will reduce threats to nearby residents.</p> <p><u>OR</u></p> <ul style="list-style-type: none"> ▪ Threatened and Endangered Species – This regional priority includes proposed projects which facilitate the creation, addition or preservation of the habitats (e.g. state, tribal or local parks, greenways, recreational or undeveloped property dedicated to nonprofit use) of federal and state listed threatened and endangered species.
<p>V.A Review and Selection Process</p>	<p><i>Added language:</i></p> <p>“The Agency expects to select approximately 151 of the highest ranked proposals for award. Of these selections, the Agency expects to select at least two high ranking proposals from each region that address the regional priorities identified by the region in Section I.E. If among the highest approximately 151 ranked proposals that are selected there are not at least two grants from each region that address the regional priorities identified by the Region in Section I.E, then the agency intends to make additional awards until this requirement is satisfied, depending on the number of proposals received, funding availability, the quality of proposals, and other applicable considerations. In addition, the Agency intends to use approximately 50% of the total amount of funding available under this announcement for grants to “new applicants”. This percentage is an estimate and is subject to change based on funding levels, the quality of proposals received and other applicable considerations.”</p>

Appendix 3 – Considerations – Regional Priorities		Applicants must identify the regional priority being claimed, and list the page number(s) for where the information is discussed in the proposal.
III.B Site Eligibility		
III.B.4. Petroleum Site Eligibility	<p><u>FY15 Guideline language</u></p> <p>“The Brownfields Law outlines specific criteria by which petroleum sites may be eligible for brownfields grant funding. In contrast to eligibility of hazardous substance sites, which is related to the applicant’s potential liability under CERCLA, petroleum site eligibility is not related to potential liability under the Resource Conservation and Recovery Act (RCRA), which governs petroleum site liability. Instead, Congress set forth specific criteria briefly described as follows: the site must be of “relatively low risk,” there can be no viable responsible party, the applicant cannot be potentially liable for cleaning up the site, and the site must not be subject to a RCRA corrective action order. If a party is identified as being responsible for the site and that party is financially viable, then the site is not eligible for brownfields grant funds (refer to Appendix 1, Section 1.3.2 for more information). Generally, petroleum site eligibility will be determined by EPA or the state, as appropriate. Where the state is unable to make the eligibility determination, EPA will make the determination. EPA will make the determination for tribes.”</p>	<p><i>Language revised for clarity.</i></p> <p>The Brownfields Law outlines specific criteria by which petroleum sites may be eligible for brownfields grant funding. In addition to the basic brownfields eligibility criteria, eligibility for petroleum sites is determined by applying the criteria established by Congress: the site must be of “relatively low risk,” there can be no viable responsible party, the applicant cannot be potentially liable for cleaning up the site, and the site must not be subject to a RCRA corrective action order. If a party is identified as being responsible for the site and that party is financially viable, then the site is not eligible for brownfields grant funds (refer to Appendix 1, Section 1.3.2 for more information). Generally, petroleum site eligibility will be determined by EPA or the state, as appropriate. Where the state is unable to make the eligibility determination, EPA will make the determination. EPA will make the determination for tribes.</p>

V.B Ranking Criteria		
Community Need – Description of Brownfields and Cumulative Environmental Issue	Description of Brownfields – 5 points Cumulative Environmental Issues – 10 points	<i>Redistributed 5 points.</i> Description of Brownfields – 10 points Cumulative Environmental Issues – 5 points
Project Description – Site Selection	<u>FY15 Guideline language</u> “For community-wide and assessment coalition proposals, describe the process for prioritizing and selecting sites to assess, and for obtaining access to those sites.”	<i>Revised language requests assessment coalition applicants to specifically address their governance structure to ensure all partners are invested in and will benefit from the coalition partnership.</i> “For community-wide proposals, describe the process for prioritizing and selecting sites to assess, and for obtaining access to those sites. OR For assessment coalition proposals, describe the proposed governance structure amongst your coalition partners which be implemented to prioritize and select sites to assess, and the process for obtaining access to those sites.”
CLEANUP PROPSOALS		
Topic	FY15 Cleanup Guidelines	FY16 Cleanup Guidelines
III.B Site Eligibility and III.C Threshold Criteria		
III.B.4. Petroleum Site Eligibility	<u>FY15 Guideline language</u> The Brownfields Law outlines specific criteria by which petroleum sites may be eligible for brownfields grant funding. In contrast to eligibility of hazardous substance sites, which is related to the applicant’s potential liability under CERCLA, petroleum site eligibility is not related to potential liability under the Resource Conservation and Recovery Act (RCRA), which governs petroleum site liability. Instead, Congress set forth specific criteria briefly described as follows: the site must be of	<i>Language revised for clarity.</i> The Brownfields Law outlines specific criteria by which petroleum sites may be eligible for brownfields grant funding. In addition to the basic brownfields eligibility criteria, eligibility for petroleum sites is determined by applying the criteria established by Congress: the site must be of “relatively low risk,” there can be no viable responsible party, the applicant cannot be potentially liable for cleaning up the site, and the site must not be

	<p>“relatively low risk,” there can be no viable responsible party, the applicant cannot be potentially liable for cleaning up the site, and the site must not be subject to a RCRA corrective action order. If a party is identified as being responsible for the site and that party is financially viable, then the site is not eligible for brownfields grant funds (refer to Appendix 1, Section 1.3.2 for more information). Generally, petroleum site eligibility will be determined by EPA or the state, as appropriate. Where the state is unable to make the eligibility determination, EPA will make the determination. EPA will make the determination for tribes.</p>	<p>subject to a RCRA corrective action order. If a party is identified as being responsible for the site and that party is financially viable, then the site is not eligible for brownfields grant funds (refer to Appendix 1, Section 1.3.2 for more information). Generally, petroleum site eligibility will be determined by EPA or the state, as appropriate. Where the state is unable to make the eligibility determination, EPA will make the determination. EPA will make the determination for tribes.</p>
III.C.5. Statutory Cost Share		<p><i>Added language:</i></p> <p>“Successful applicants will be notified at the time of the grant announcement if their cost share waiver request was approved. Approval of a cost share waiver does not increase the amount of funding which will be provided by EPA in the grant award. Rather, approval of the cost share waiver, will relieve the applicant of the responsibility for providing the cost share amount for the grant award.”</p>
REVOLVING LOAN FUND GUIDELINES		
Topic	FY14 RLF Guidelines	FY16 RLF Guidelines
General Information		
Applicant Eligibility	Applicants who had an open RLF cooperative agreement were not eligible to apply for FY14 RLF funds.	All eligible applicants may apply for a FY16 RLF grant.
Policy and Competition References		Per Agency policy, language has been inserted in Sections IV and VI to incorporate existing and additional provisions by reference. The full text of those provisions

		incorporated by reference have been deleted throughout the Guidelines.
Solicitation Content		Section IV.C is re-organized to more clearly identify the main proposal components.
Point Distribution	Community Need – 15% Project Description & Feasibility Success – 30% Community Engagement & Partnerships – 15% Project Benefits – 20% Programmatic Capability – 20%	Community Need – 15% Program Description & Feasibility Success – 30% Community Engagement & Partnerships – 20% Project Benefits – 15% Programmatic Capability – 20%
I – Funding Opportunity Description		
I.A Description of Grant		Section is re-organized and streamlined. Expanded language on RLF Coalitions aligns more closely with the information on Assessment Coalitions (in the Assessment Guidelines).
III.B Threshold Criteria		
III.B.5. Statutory Cost Share		<i>Added language:</i> “Successful applicants will be notified at the time of the grant announcement if their cost share waiver request was approved. Approval of a cost share waiver does not increase the amount of funding which will be provided by EPA in the grant award. Rather, approval of the cost share waiver, will relieve the applicant of the responsibility for providing the cost share amount for the grant award.”
V.A Review and Selection Process		
Ranked Lists of Eligible Proposals	FY14 process selected highest ranking proposals using two lists – one list of new applicants that have never received a post-law Brownfields grant and a second list of “existing” brownfields grantees.	<i>Revised language redefines how ‘new’ and ‘existing/recent recipient’ applicants are characterized; is consistent with Assessment Guidelines.</i>

	<p>“For evaluation and selection purposes, EPA’s Office of Brownfields and Land Revitalization (OBLR) will prepare two ranked lists of eligible RLF proposals. One list will be comprised of “new” applicants defined as those applicants who have never received an EPA brownfields RLF grant before with the exception of a pilot grant EPA awarded in 2002 or earlier. A second list will be comprised of “existing and former” applicants defined as those applicants who have a current brownfields RLF grant or have had a grant that was awarded in 2003 or later.”</p>	<p>“For evaluation and selection purposes, EPA’s Office of Brownfields and Land Revitalization (OBLR) will prepare two ranked lists of eligible proposals. One list will be comprised of “new applicants” for brownfield agreements defined as:</p> <ul style="list-style-type: none"> • applicants who have never received an EPA brownfields grant, or • applicants who were awarded a brownfields grant that closed in 2007 or earlier. <p>A second list will be comprised of “existing and recent recipients” defined as:</p> <ul style="list-style-type: none"> • applicants who have a current brownfields grant, or • applicants who were awarded a brownfields grant that closed in 2008 or later.”
<p>V.B Ranking Criteria</p>		
<p>Community Need – Introduction Paragraph</p>	<p><i>Added language is consistent with requested information from Assessment Coalitions.</i></p> <p>“Coalition proposals should demonstrate how the grant will serve coalition partners and their communities.”</p> <p><i>Revised language emphasizes that EPA anticipates selecting and funding proposal that demonstrate high community need.</i></p> <p>EPA anticipates selecting proposals which demonstrate that the identified targeted community(ies) experience significant socio-economic challenges (e.g., high percent low-income, high percent poverty, increased health disparities) and where the assessment/cleanup could be an anchor of transformation for the community(ies).”</p>	

<p>RLF Program Description – Introduction Paragraph</p>	<p><u>FY14 Guideline language</u> “All proposals should demonstrate the majority of grant funds are allocated for tasks directly associated with loans and subgrants and the associated environmental cleanup. In addition, proposals should demonstrate the existence of firm leveraging commitments, including funds or other resources, that will result in an effective program and/or facilitate a greater likelihood of completion of funded projects.”</p>	<p><i>Revised language places a stronger emphasis on applicants allocating the majority of funds towards the loan pool and on leveraging private resources.</i></p> <p>“Proposals should demonstrate the majority of grant funds are allocated for tasks directly associated with loans and subgrants and the associated environmental cleanup. Applicants must allocate 50% or more of the grant funds towards the loan pool. Proposals with a higher loan-to-subgrant ratio will be evaluated more favorably; unless there are compelling reasons that only 50% of the total grant funds can be allocated towards the loan pool. In addition, proposals should demonstrate the existence of firm leveraging commitments, including funds or other resources (specifically private resources), that will result in an effective program and/or facilitate a greater likelihood of completion of funded projects. “</p>
<p>RLF Program Description – Program Description</p>	<p><u>Program Description</u> “Describe your RLF program, including a description of your program’s loan and subgrant products and how your program will</p> <ul style="list-style-type: none"> - structure and maintain a competent team to ensure an effective program; - select borrowers/projects; - structure and administer loans and subgrants; - incorporate reasonable and prudent lending practices; - leverage funding to cover all brownfields redevelopment activities and costs; and, - be sustained after the cooperative agreement is closed.” 	<p><i>Revised language addresses AA comments.</i></p> <p><u>Program Description</u> “Describe your RLF program, including a description of your program’s loan and subgrant products and how your program will:</p> <ul style="list-style-type: none"> - align efforts with targeted community’s land use and revitalization plans; - structure and maintain a competent team to ensure an effective program or (for coalition proposals) implement an effective governance structure amongst coalition partners; - select borrowers/projects; - structure and administer loans and subgrants, and facilitate financial underwriting;

		<ul style="list-style-type: none"> - incorporate reasonable and prudent lending practices; - leverage funding to cover all brownfields redevelopment activities and costs; - incorporate innovative approaches to encourage the funds to revolve and be sustained after the cooperative agreement is closed; and - maximize resources (especially private resources) for lending and provide gap financing to address high-risk sites in vulnerable communities.”
RLF Program Description – Task Descriptions & Budget Table	<p><u>FY14 Guidelines language in Task Descriptions</u> “Applicants must demonstrate that funds allotted to subgrants will not exceed 50% of the total amount of federal funding.”</p> <p><u>FY14 Guidelines language in Budget Table</u> “Subgrants (not to exceed 50 percent of amount requested)”</p>	<p><i>Revised language emphasis applicants using at least 50% of funding towards loans instead of up to 50% for subgrants.</i></p> <p>“Applicants must demonstrate that funds allotted to loans is at least 50% of the total amount of federal funding.”</p> <p>“Loans (must be at least 50% of the amount requested)”</p>
RLF Program Description – Ability to Leverage	<p>“Describe the other sources of funding or resources that you have or may be seeking to ensure the completion of the cleanup and successful revitalization of brownfields sites cleaned up addressed by loans or subgrants from this grant. This should include public or private resources (beyond this grant) to achieve assessment, cleanup, and/or redevelopment needs of brownfields sites. Provide any letters or documentation as attachments to substantiate firm commitments of leveraged funding.”</p>	<p>“Describe other sources of funding or resources that you have, or may be seeking, to ensure the successful revitalization of brownfields sites cleaned up with this grant. This should include public and private resources (beyond this grant) to achieve the assessment, cleanup, and/or redevelopment needs of the program/project candidate sites. Attach copies of any letters or documentation to substantiate firm commitments of leveraged funding.”</p>
Community Engagement & Partnerships – Introduction Paragraph		<p><i>Expanded introductory paragraph provides additional guidance how responses to the criteria will be evaluated; is consistent with Assessment and Cleanup Guidelines.</i></p>

		<ul style="list-style-type: none"> - demonstrate actions or plans to effectively involve and inform the targeted community and relevant stakeholders; - identify how partnership with the state/tribal environmental authority will ensure the cleanup is protective of human health and the environment, or if not applicable, explains demonstrates how they will ensure the cleanup is protective; - identify roles of other relevant governmental partnerships. including health agencies if applicable; and - identify the relevant roles of community organizations and affirm their involvement in the project through commitment letters.”
<p>Community Engagement & Partnerships – Plan for Involving/Communicating Progress</p>	<p><u>FY14 RLF Guideline language</u> “Describe your plan for communicating the progress of your program to citizens, addressing the needs of the targeted community discussed under Community Need. The description should include a discussion of why the plans identified are appropriate for the targeted community.”</p>	<p><i>Language for Communicating Progress is revised to more accurately describe what information should be included in the applicant’s response; and is consisted with Assessment Guidelines.</i></p> <p>“Describe your plans for communicating the progress of your project to community members. Also, describe how the identified communication plans are appropriate and effective for the targeted community(ies).”</p>
<p>Community Engagement & Partnerships – Partnerships with Gov’t Agencies</p>		<p><i>Revised language more accurately reflects the partnerships that should be established. In addition, revised language clarifies that applicants must only describe their partnership with a ‘health agency’ when the health agency is the environmental authority or when the health agency is relevant to the program goals and activities. Revised language is also consistent with Assessment and Cleanup Guidelines.</i></p>

	<p><u>FY14 RLF Guideline language</u></p> <p>“Describe your current efforts and plans to initiate and develop new, or to access existing, partnerships with the following governmental entities, including a description of the role they would play to ensure your brownfields program is successful. Include a discussion of:</p> <p>i. Environmental and Health Agencies your local/state/tribal environmental and health agencies as applicable to your state and local procedures to ensure cleanups are protective of human health and the environment – briefly explain whether cleanups will be enrolled in or overseen by a state or tribal cleanup program; for sites that are not enrolled in or overseen by a state/tribal program, briefly explain your local environmental oversight structure;</p> <p>ii. Other Agencies other relevant, state, and local governmental agencies”</p>	<p>“Describe your current efforts and plans to initiate and develop new partnerships <u>or</u> to develop your existing partnerships with relevant governmental entities; including a description of the role they may play to ensure your brownfields program is successful.</p> <p><u>Local/State/Tribal Environmental Authority</u> Please identify and provide information on the agency which runs the relevant brownfields, voluntary cleanup or other similar program at the local/state/tribal level (i.e., the environmental agency and/or health agency). Discuss the roles they may have in ensuring your cleanup meets applicable standards or otherwise is protective of human health and the environment.”</p> <p><u>Other Governmental Agencies</u> Identify and provide information on other relevant federal, state, and/or local governmental agencies with which you will partner during your RLF program (e.g., EPA, DOT, HUD, a health agency).</p>
<p>Community Engagement & Partnerships – Partnerships with Community Organizations</p>	<p>FY14 Guidelines required applicants to attach Letters of Support from community organizations that affirmed their role and commitment to the proposed project. Also included a statement that the numbers of partners was not as important as the contributions of their organization.</p>	<p><i>Revised language more accurately reflects the level of involvement community organizations should have in the applicant’s project.</i></p> <p>FY16 Guidelines required applicants to attach Letters of Commitment from community organizations that affirmed their role and commitment to the proposed project. Also, the numbers of partners is not as important as the contributions and the relevance of their organization.</p>

<p>Project Benefits – Health and/or Welfare and Environmental Benefits</p>	<p>Written as one criterion in FY14 Guidelines.</p> <p>“Describe the health and/or welfare and environmental benefits anticipated from this grant (or broader project). Describe how these benefits will address the health and/or welfare challenges in the Community Need section (Section V.B.1).”</p>	<p><i>Revised language requires applicants to provide the same information as in FY14, however the criterion is divided into two subcriteria.</i></p> <p>i. <u>“Health and/or Welfare Benefits</u> Describe the health and/or welfare benefits anticipated from this grant (or broader project), and how these benefits will address the health and/or welfare challenges discussed in the Community Need section of your narrative (Section V.B.1.).</p> <p>ii. <u>Environmental Benefits</u> Describe the environmental benefits anticipated from this grant (or broader project), and how these benefits will address the environmental challenges discussed in the Community Need section of your narrative (Section V.B.1.).”</p>
<p>Project Benefits</p>	<p>4.b.ii. subtitle in FY14 Guidelines: Example of Efforts</p>	<p><i>Revised 4.b.ii subtitle is consistent with the Assessment and Cleanup Guidelines: Integrating Equitable Development or Livability Principles</i></p>
	<p>4.c.i. subtitle in FY14 Guidelines: Economic or non-Economic Benefits (long-term)</p>	<p><i>Revised 4.c.ii. subtitle is consistent with Assessment and Cleanup Guidelines: Economic and Community Benefits</i></p>
	<p>4.c.ii subtitle in FY14 Guidelines: Local Hiring/Procurement</p>	<p><i>Revised 4.c.iii. subtitle is consistent with Assessment and Cleanup Guidelines: Job Creation Potential: Partnerships with Workforce Development Programs</i></p>