

FY15 Brownfields Area-Wide Planning (BF AWP) Grant Program

Frequently Asked Questions (FAQs) to the FY15 BF AWP Grant Program Request for Proposals (RFP)

EPA BF AWP Program website: http://www.epa.gov/brownfields/areawide_grants.htm

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BF AWP Grant Program Background

Q1. What is a brownfield site?

A1. The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended under the Small Business Liability Relief and Brownfields Revitalization Act (Brownfields Law), defines a brownfield at CERCLA § 101(39) as “...real property, the expansion, redevelopment or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant” and may include sites contaminated by controlled substances, petroleum, or mine-scarred land.

Q2. Why does the EPA offer the BF AWP grant program?

A2. The EPA works to respond to community brownfields issues with an environmental protection approach that is locally based, encourages strong public-private partnerships, and promotes innovative and creative ways to assess, clean up, and redevelop brownfield sites. This approach empowers state, tribal, and local officials to oversee brownfield activities, supports meaningful public participation, and encourages implementing local solutions to local problems.

Federal resources for brownfields are typically delivered site-by-site to assist with assessment and cleanup, which helps lead to subsequent site reuse. However, the burden of a single large site, or collective burden of multiple sites concentrated within an area (such as a neighborhood, district, city block or corridor), can weigh down an entire community. Environmental justice communities are particularly affected, as the cumulative effects of brownfields and blight exacerbate already unhealthy conditions. Where multiple sites are connected through location, infrastructure, economic, social and environmental conditions, the EPA encourages communities to take an area-wide approach to planning for the assessment and cleanup needs of these brownfields. This focus on multiple brownfield sites will result in more coordinated strategies for cleanup and area revitalization versus a single site focus.

To date the EPA has awarded BF AWP grants to 43 communities; 23 communities received BF AWP pilot grants in FY10, and 20 communities received BF AWP grants in FY13. These grants have enabled recipients¹ to conduct research and provide technical assistance and training to communities to develop area-wide plans and specific implementation strategies that integrate the cleanup and reuse of brownfield sites in larger, coordinated efforts to revitalize their neighborhoods. The resulting plans from the Brownfields Area-Wide Planning Pilot recipients will facilitate the assessment, cleanup and reuse of brownfields properties in conjunction with identifying area-wide investments and improvements necessary to revitalize the community, and include strategies for area-wide plan implementation.

Q3. What is meant by a brownfields area-wide planning project area?

A3. Brownfields area-wide planning activities must focus on a specific project area, such as a neighborhood, a district (e.g., downtown, arts or shopping area), a local commercial corridor, a community waterfront, or a city block, etc. that is affected by one or more brownfield sites. City-wide brownfields planning efforts (and likewise state-wide, county-wide or regional planning efforts) will not be considered for funding. This grant funding is not for comprehensive, city-wide, or regional planning.

Q4. Is the EPA BF AWP Program grant considered part of the Department of Housing and Urban Development (HUD) – Department of Transportation (DOT) - EPA Partnership for Sustainable Communities?

A40. Yes. The BF AWP grant program is part of the HUD-DOT-EPA Partnership for Sustainable Communities. Please visit www.sustainablecommunities.gov for more information.

¹ Visit EPA's website for more information:
http://www.epa.gov/brownfields/areawide_grants.htm

USE OF BF AWP GRANT FUNDS

Q5. For the purposes of this RFP, what is meant by “EPA grant funding”?

A5. EPA will award grant funding to successful applicants. The grant will be administered by EPA via cooperative agreement with each recipient. Cooperative agreements permit substantial involvement between the EPA Project Officer and the selected applicant in the performance of the work supported.

Q6. What types of tasks and activities are considered eligible uses of EPA grant funds under this RFP?

A6. The BF AWP program provides grant funding for research, technical assistance and/or training to recipients to enable them to develop an area-wide plan for catalyst, high priority brownfield sites within the project area, and include strategies for specific next steps and resources needed for plan implementation.

See the RFP Section I.A. for a list of common BF AWP grant-funded activities. The research, technical assistance and/or training activities that can be supported through the BF AWP grant program generally include:

- identifying community priorities related to near- and long-term brownfields cleanup, reuse and area revitalization;
- evaluating existing conditions of the project area, such as local brownfields market potential, needed infrastructure improvements, existing environmental data and health risks;
- research of other applicable community or regional plans for coordination purposes;
- developing strategies for brownfields assessment, cleanup, reuse and related improvements and consolidating them into an area-wide plan;
- identifying resources or leveraging opportunities as implementation strategies, and incorporating them into the brownfields area-wide plan; and
- building the capacity of local communities to be effectively involved in the development of the brownfields area-wide plan.

As part of their proposed BF AWP research, technical assistance or training activities, the EPA encourages applicants to consider how to connect brownfield(s) in the project area to:

- opportunities to address environmental justice concerns and promote sustainable and equitable development outcomes within the brownfield project area;
- opportunities to facilitate the reuse of existing infrastructure (e.g. transportation systems, utilities, waste water and drinking water systems, sewage systems, etc.), by taking into account infrastructure investments needed to support future uses of brownfield(s) properties as part of the assessment and cleanup process;
- strategies to involve different levels of government and community partners to ensure plan implementation occurs over time; and
- linkages to:
 - contaminated properties other than brownfields;

- other land uses within the BF AWP project area (such as housing, job centers, and transit/alternative transportation), and
- regional sustainability or planning efforts.

All research, technical assistance and training for area-wide planning must be designed to identify cleanup and reuse strategies for brownfields that will meet community health, environmental and economic development goals.

Q7. What types of tasks or activities are considered ineligible uses of EPA grant funds under this RFP?

A7. Please see RFP Sections I.B. and I.C. for the list of ineligible uses of EPA grant funds under this RFP. Examples of ineligible uses of EPA funds include:

- conducting site assessments, actual cleanups, or brownfields area-wide plan implementation;
- response activities often associated with cleanups such as demolition or groundwater extraction; construction and land acquisition; costs that are unallowable (e.g., lobbying, fund-raising, alcoholic beverages) under Cost Principles 2 CFR Part 220 (universities), 2 CFR Part 225 (state, tribal, and local governments), or 2 CFR Part 230 (nonprofit organizations), as applicable; matching any other federal funds unless there is specific statutory authority for the match (CERCLA does not provide this authority);
- marketing brownfields properties for redevelopment;
- any zoning changes, design guidelines activities or policies that are unrelated to advancing brownfields cleanup/reuse in the project area;
- area master planning, community visioning, or comprehensive planning that are unrelated to advancing cleanup and reuse of brownfields the project area;
- survey design, distribution or collection;
- proposal preparation costs;
- projects that duplicate grants awarded under other EPA Brownfields grant programs described in CFDA Nos. 66.818, “Brownfields Assessment, Revolving Loan Funds, and Cleanup Grants” and 66.815, “Environmental Workforce Development and Job Training Grant” or other federally-funded environmental training, research, or technical assistance programs in their target community or communities (projects may, however, complement community-wide planning activities EPA funds under CERCLA 104(k)(2) assessment grants);
- administrative costs, penalties, or fines; and
- tasks, activities or projects related to exploring, testing and implementing smart growth policies and applications that are unrelated to advancing brownfields cleanup/reuse in the project area and projects EPA funds under CFDA No. 66.611, “Environmental Policy and Innovation Grants” or through EPA Sustainable Communities technical assistance. For the purposes of the BF AWP Program, the tasks and activities performed using EPA assistance must inform the assessment, cleanup, and subsequent reuse of the brownfields properties within the brownfields project area. EPA assistance under this RFP may not be used for smart growth-only activities where there is no nexus to the catalyst, high priority brownfield sites. Examples of smart growth-only activities that do not have a nexus to the catalyst, high priority brownfield sites may include:

- Training and technical assistance to communities to revise local and state development regulations, such as general zoning and building codes for the project area;
- General studies of regulatory or market barriers to infill redevelopment; and
- Development of screening or evaluation tools and programs that assess post cleanup redevelopment designs for overall consistency with smart growth principles.

In addition, any brownfields site-specific planning for assessment or cleanup are ineligible unless they are specifically approved by the EPA. BF AWP grant recipients will need to discuss and initiate the approval process for these activities with their EPA project officer. EPA approval for such activities will be based on site eligibility and liability provisions under CERCLA § 101(39). Note that a recipient who is liable for contamination at a specific brownfields site is prohibited from conducting assessment or cleanup planning and any other response activities at that site using EPA grant funds under the BF AWP Program.

Q8. What is the Administrative Cost Prohibition?

A8. The Brownfields Law prohibits the use of any “part of a grant or loan” for the payment of an administrative cost. In implementing this prohibition, EPA has made a distinction between prohibited administrative costs and allowable programmatic costs. See Section I.C. in the RFP for more information.

Q9. Why does the EPA need to approve any site-specific assessment planning or cleanup planning activities prior to allowing the grantee to conduct them?

A9. The EPA needs to approve any site-specific assessment or cleanup planning activities because assessment and cleanup planning are considered response activities under CERCLA. CERCLA limits federal grant funding for brownfields assessment and cleanup planning, and other response activities, to be used only at eligible brownfield sites, by recipients who are not liable for the contamination under CERCLA § 107.

Q10. Can funding be used for the applicant to make subawards, acquire contract services, or fund partnerships?

A10. The EPA awards funds to one eligible applicant as the recipient even if other eligible applicants are named as partners or co-applicants or members of a coalition or consortium. The recipient is accountable to EPA for the proper expenditure of funds.

Funding may be used to provide subgrants or subawards of financial assistance, which includes using subawards or subgrants to fund partnerships, provided the recipient complies with applicable requirements for subawards or subgrants including those contained in 40 CFR Parts 30 or 31, as appropriate. Applicants must compete contracts for services and products, including consultant contracts, and conduct cost and price analyses, to the extent required by the procurement provisions of the regulations at 40 CFR Parts 30 or 31, as appropriate. The regulations also contain limitations on consultant compensation. Applicants are not required to

identify subawardees/subgrantees and/or contractors (including consultants) in their proposal. However, if they do, the fact that an applicant selected for award has named a specific subawardee/subgrantee, contractor, or consultant in the proposal/application EPA selects for funding does not relieve the applicant of its obligations to comply with subaward/subgrant and/or competitive procurement requirements as appropriate. Please note that applicants may not award sole source contracts to consulting, engineering or other firms assisting applicants with the proposal solely based on the firm's role in preparing the proposal.

Successful applicants cannot use subgrants or subawards to avoid requirements in EPA grant regulations for competitive procurement by using these instruments to acquire commercial services or products from for-profit organizations to carry out its assistance agreement. The nature of the transaction between the recipient and the subawardee or subgrantee must be consistent with the standards for distinguishing between vendor transactions and subrecipient assistance under 2 CFR Part 200.330, and the definitions of subaward at 40 CFR 30.2(ff) or subgrant at 40 CFR 31.3, as applicable. EPA will not be a party to these transactions. Applicants acquiring commercial goods or services must comply with the competitive procurement standards in 40 CFR Part 30 or 40 CFR Part 31.36 and cannot use a subaward/subgrant as the funding mechanism.

Q11. How will an applicant's proposed subawardees/subgrantees and contractors be considered during the evaluation process described in Section V of the RFP?

A11. Section V of the RFP describes the evaluation criteria and evaluation process that will be used by EPA to make selections under this announcement. During this evaluation, except for those criteria that relate to the applicant's own qualifications, past performance, and reporting history, the review panel will consider, as appropriate and relevant, the qualifications, expertise, and experience of:

- (i) an applicant's named subawardees/subgrantees identified in the proposal if the applicant demonstrates in the proposal that if it receives an award that the subaward/subgrant will be properly awarded consistent with the applicable regulations in 40 CFR Parts 30 or 31. For example, applicants must not use subawards/subgrants to obtain commercial services or products from for-profit firms or individual consultants.
- (ii) an applicant's named contractor(s), including consultants, identified in the proposal if the applicant demonstrates in its proposal that the contractor(s) was selected in compliance with the competitive Procurement Standards in 40 CFR Part 30 or 40 CFR 31 as appropriate. For example, an applicant must demonstrate that it selected the contractor(s) competitively or that a proper non-competitive sole-source award consistent with the regulations will be made to the contractor(s), that efforts were made to provide small and disadvantaged businesses with opportunities to compete, and that some form of cost or price analysis was conducted. EPA may not accept sole source justifications for contracts for services or products that are otherwise readily available in the commercial marketplace.

EPA will not consider the qualifications, experience, and expertise of named subawardees/subgrantees and/or named contractor(s) during the proposal evaluation process unless the applicant complies with these requirements.

Q12. If an applicant names a contractor or consulting firm as a “partner” in the proposal is it proper to award that firm a sole source contract on that basis?

A12. No. All contracts for professional services must be awarded competitively to the maximum extent practicable and in compliance with requirements to consider small and disadvantaged businesses and cost or price analyses. The market for consulting and legal services is robust and it is unlikely that competition is impractical.

Q13. If my proposal is selected for EPA BF AWP Program grant funding and I properly contract with a contractor to perform services within the scope of the grant (such as having a contractor assist with researching existing project area conditions, organizing the draft brownfields area-wide plan, and/or working with the community to develop key implementation strategies and next steps), does the prohibition on administrative costs prevent the recipient from using the grant money to reimburse the indirect costs of the contractor?

A13. No. The administrative cost prohibition applies to the grant recipient’s indirect costs and not to costs the grantee incurs under a contract for eligible programmatic costs.

Q14. Per ranking criterion 4.ii., is an applicant allowed to include on their list of project partners an organizational partner that already is or will be involved in the BF AWP project, but then also pay that organizational partner like a consultant to assist with completing some of the eligible BF AWP activities?

A14. It depends. If an applicant's organization partner is eligible to receive EPA grant funding under this RFP (see RFP Section III.A. Who Can Apply?), then the organizational partner may be eligible to receive a subaward or subgrant of financial assistance to perform some of the BF AWP activities. The subaward/subgrant would be subject to the OMB Cost Principles and EPA's grant regulations. However, the partner could not function as a "consultant" to assist the applicant in a manner similar to that of a commercial vendor of professional services, such as providing consulting services on a profit-making basis in the commercial marketplace.

Applicants who include an organizational partner who will provide consultant services to the BF AWP project on commercial terms must identify that partner as a contractor rather than a subawardee/subgrantee. Applicants must select contractors for the project using competitive procurement requirements. See Q11 above. Naming any entity providing commercial services as an organizational partner in the proposal does not exempt the transaction from competition requirements.

Q15. If my organization is successful in obtaining an EPA BF AWP Program grant, will EPA reimburse me for the costs incurred for a consultant to prepare our grant proposal?

A15. No. Costs for preparing proposals are an unallowable administrative cost.

Q16. If my proposal is selected for EPA grant funding, will EPA reimburse me for eligible programmatic costs I incurred prior to the award of the grant?

A16. It depends. EPA may reimburse successful applicants for pre-award costs incurred up to 90 days prior to award, even if the applicant did not request prior approval to incur pre-award costs, provided the costs are eligible, allowable, and included in the approved budget and workplan for the grant. For example, costs for contracts are allowable only if the contract was entered into in a manner that complies with the competitive procurement provisions of EPA's grant regulations.

Please note that applicants incur pre-award at their own risk and that EPA is not obligated to reimburse applicants for pre-award costs that are not included in the workplan and budget the Agency approves. EPA is under no obligation to reimburse applicants for pre-award costs if the applicant does not receive an award or if the amount of the award is less than the applicant anticipates.

Q17. Can BF AWP Program grant funds be used to complement other brownfields or related funding provided by the state for work in the same project area?

A17. Yes. This EPA grant can complement state funding for brownfields or related work within the same project area. However, the applicant cannot charge the same costs for the same activities or tasks to both the state funding and federal funding, or duplicate activities under state funding and federal funding. The applicant must clearly distinguish how state funding and federal funding will be used in order to be sure the funds are complementary and not duplicative. Additionally, federal funds cannot be used to manage state funds.

Q18. Can BF AWP Program grant funds be used as a match for a proposed project whose purpose, design and location match the EPA's program, but which would be funded primarily by a state?

A18. It depends on the laws of the state. There is no barrier in federal law for EPA BF AWP program grant funding being used as match for a state grant. Applicants need to determine if the state law allows for federal funding to serve as a match for the proposed project.

Q19. Is there a limit to personnel funds that can be included in the grant proposal budget?

A19. No. While there is no limit on the amount of grant funds that may be used for personnel costs, the overall budget will be evaluated on its cost-effectiveness and reasonableness in achieving the goals of the project.

Q20. Is travel to BF AWP-relevant EPA Brownfield training conferences and workshops, etc. an allowable and eligible use of cooperative agreement funding under this solicitation?

A20. Yes. Travel costs for the recipient's project personnel to attend BF AWP-relevant EPA

Brownfield training conferences and workshops are considered an allowable staff training expense under the BF AWP grant program. It is up to the applicant to propose a reasonable portion of the grant budget to cover these types of trips.

APPLICANT ELIGIBILITY

Q21. How does EPA interpret “general purpose unit of local government” for the purposes of applicant eligibility under this RFP?

A21. The Agency follows the definitions of “local government” under 40 CFR Part 31.3 which provides the following: Local government means a county, municipality, city, township, local public authority (including any public and Indian housing agency under the United States Housing Act of 1937) school district, special district, intrastate district, council of governments (whether or not incorporated as a nonprofit corporation under State law), any other regional or interstate government entity, or any agency or instrumentality of a local government.

Q22. Explain the circumstances under which a state would be considered an eligible applicant for EPA BF AWP Program grant.

A22. A state may be considered an eligible applicant if they can demonstrate they are applying to serve in a grant management capacity role, to manage the fiscal and administrative grant matters, on behalf of a local community who would not otherwise have the resources to apply for or manage the BF AWP grant. The state applying for the BF AWP must demonstrate that the local community will be leading the BF AWP effort. This can be demonstrated by attaching to the proposal a memorandum of understanding (MOU) between the state and the local community. State applicants that apply to this RFP and propose a project role other than providing this type of grant management capacity to a local community will not be considered eligible under this RFP.

The MOU should be signed (executed) prior to submitting the grant proposal. If an executed MOU cannot be obtained prior to the grant proposal deadline, the applicant should explain why in their proposal, and submit a copy of the executed MOU separately to EPA a copy of the executed MOU as soon as possible but no later than October 31, 2014.

Q23. What is an example of an appropriate role for a regional council or group of general purpose units of local government, given that the BF AWP grant funding cannot be used for regional planning?

A23. A regional council, regional planning commission, or group of general purpose units of local government may appropriately conduct BF AWP grant activities by providing fiscal, administrative and programmatic capacity on behalf of, or by working in partnership with, the local community where the BF AWP project area is located. The leadership and involvement of the local community where the BF AWP project area is located should be evident throughout the project. In those circumstances where it makes more sense for the regional organization to serve as the applicant for the BF AWP project, it is the applicant’s responsibility to clearly articulate the reasons for that in their proposal and demonstrate the extent to which the local community will be heavily involved as a leader or co-leader of the BF AWP process.

Q24. How does EPA interpret “nonprofit organization” for the purposes of applicant eligibility under this RFP?

A24. EPA uses the definition of nonprofit organizations contained in Section 4(6) of the Federal Financial Assistance Management Improvement Act of 1999, Public Law 106-107, 31 U.S.C 6101. This law defines nonprofit organizations to mean any corporation, trust, association, cooperative, or other organization that:

- is operated mainly for scientific, educational, service, charitable, or similar purpose in the public interest;
- is not organized primarily for profit; and
- uses net proceeds to maintain, improve, or expand the operation of the organization.

Nonprofit organizations exempt from taxation under Section 501(c)(4) of the Internal Revenue Code that lobby are not eligible for EPA grant funding.

Q25. May a non-profit organization provide evidence other than 501(c)(3) documents to demonstrate they are an eligible entity applying for this assistance?

A25. Yes. While 501(c)(3) documents are one way to demonstrate that an applicant is a non-profit, other evidence may be provided. An organization may be incorporated as a nonprofit under state law and not obtained federal tax exempt status but still be eligible for this grant. The evidence an applicant provides must establish that it is recognized as a non-profit in its state of incorporation. Evidence of non-profit status must accompany the proposal.

Q26. Are economic development commissions that are exempt from taxation under section 501(c)(6) of the Internal Revenue Code eligible for BF AWP grants?

Q26. Yes.

Q27. Are public universities eligible to receive EPA assistance under this RFP?

A27. Yes. Public universities who meet EPA's interpretation of "non-profit organization" described above or who are instrumentalities of a state or tribal government under applicable law are eligible to receive EPA assistance under this RFP.

Q28. My city, tribe, planning commission or nonprofit organization was one of the 43 prior recipients of the FY10 or FY13 BF AWP grants. Is my city, tribe, planning commission or nonprofit organization eligible for this new round of BF AWP grant funding?

A28. No. The 43 recipients that received BF AWP grants in FY10 or FY13 are ineligible to apply for the FY15 BF AWP grant program. Since EPA's BF AWP grant program is still new, the EPA wants to maximize the opportunity to provide this grant funding to a wider audience as one way of growing BF AWP grant program. Prior recipients have already completed (or are in the middle of developing) their brownfields area-wide plans, and their next steps will focus on how to implement those plans already in existence. For these same reasons, we did not allow FY10 BF AWP pilot grant recipients to apply in the FY13 previous grant competition.

Q29. Who are the 43 prior recipients of EPA BF AWP grants that are ineligible to apply for the FY15 BF AWP grant funding?

A29. The following is a list of the prior recipients of the EPA BF AWP grant:

| BF AWP Grant Recipient | FY10 grantee | FY13 grantee |
|--|---------------------|---------------------|
| City of Sanford, ME | X | |
| Pioneer Valley Planning Commission, MA | X | |
| City of Lowell, MA | X | |
| Town of Lee, MA | | X |
| City of Burlington, VT | | X |
| Ironbound Community Corporation, Newark NJ | X | |
| City of Ogdensburg, NY | X | |
| Desarrollo Integral del Sur, Inc (DISUR), Puerto Rico | X | |
| Groundwork Hudson Valley, Yonkers, NY | | X |
| City of Ranson, WV | X | |
| City of Roanoke, VA | X | |
| Borough of Monaca, PA | X | |
| Philadelphia City Planning Commission, PA | | X |
| Cumberland County Redevelopment Authority, Carlisle, PA | | X |
| City of Atlanta, GA | X | |
| City of New Bern, NC | X | |
| Central Florida Regional Planning Council | | X |
| The Enterprise Center, Chattanooga, TN | | X |
| Louisville/Jefferson County Metro Government, KY | | X |
| City of Goshen, IN | X | |
| City of Cleveland, OH | X | |
| City of Freeport, IL | | X |
| North Branch Works (formerly LEED Council), Chicago, IL | | X |
| City of Indianapolis, IN | | X |
| City of Toledo, OH | | X |
| City of Green Bay, WI | | X |
| City of Wausau, WI | | X |
| City of Janesville, WI | | X |
| City of Tulsa, OK | X | |
| City of Shreveport, LA | | X |
| City of Kansas City, MO | X | |
| City of Council Bluffs, IA | | X |
| City of Kalispell, MT | X | |
| City and County of Denver, CO | X | |
| City of Aurora, CO | X | |
| City of Minot, ND | | X |
| City of Phoenix, AZ | X | |
| San Francisco Parks Alliance, CA | X | |
| Jacobs Center for Neighborhood Innovation, San Diego, CA | X | |

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| Communities for a Better Environment, Huntington Park, CA | X | |
| Environmental Health Coalition, National City, CA | | X |
| Confederated Tribes of the Colville Reservation, WA | X | |
| City of Vancouver, WA | | X |

Q30. May an entity apply for Brownfields Area-Wide Planning grant funding if they are the recipient of another EPA grant (except the FY10 and FY13 BF AWP Program)?

A30. Yes. An applicant may apply for this round of BF AWP Program grant funding even if they have received another grant from EPA (unless they are a recipient of a FY10 or FY13 BF AWP grant – see questions above). However, applicants cannot include within their BF AWP proposal any duplicate tasks or activities that are part of another EPA grant.

Q31. If the project area affected by brownfield(s) (such as the neighborhood, district, local commercial corridor, city block, community waterfront, etc) is part of multiple jurisdictions, is the project area still eligible to receive a BF AWP Program grant?

A31. Yes. A multi-jurisdictional project area that is affected by brownfields is eligible to receive this EPA grant.

Q32. Can two nearby communities apply together to receive one BF AWP Planning grant?

A32. Two communities can apply together only if one community is named as the lead "applicant" and the other community is named a "partner" or "co-applicant." EPA will only award funds to one eligible applicant (the lead applicant) as the "recipient"-- see Q10 above. (This recipient may not be a FY10 or FY13 BF AWP grant recipient). The recipient is accountable to EPA for the proper expenditure of funds and is also responsible for working closely with EPA throughout the grant project period.

If the lead applicant chooses, they may use their EPA funding to provide subgrants or subawards of financial assistance, which includes using subawards or subgrants to fund partnerships, provided the recipient complies with applicable requirements for subawards or subgrants including those contained in 40 CFR Parts 30 or 31, as appropriate.

Please also refer to Q31; the answer provides some additional information for applicants who will identify a multi-jurisdictional brownfields area-wide planning project area.

Q33. May my organization submit more than one proposal?

A33. Yes. Applicants may submit more than one proposal so long as each one is for a different project area and is submitted separately to EPA.

Q34. Are Alaskan Native Regional Corporations and Alaska Native Village Corporations eligible to apply for EPA assistance under this RFP?

A34. Yes.

Q35. Are Alaskan native communities eligible to apply for EPA grant funding under this RFP?

A35. No. EPA may only award grants under CERCLA 104(k)(6) to an "eligible entity" as that term is defined in CERCLA 104(k)(1) or a "nonprofit organizations" as that term is defined in Section 4(6) of the Federal Financial Assistance Management Improvement Act of 1999, Public Law 106-107, 31 U.S.C 6101. Alaskan native communities are not among the eligible entities listed in CERCLA 104(k)(1).

However, an Alaskan native community that:

- has formed a non-profit organization, or
- is a unit of local government, or
- other eligible entity under Alaska law with the capacity to enter into a legally binding financial assistance agreement with EPA

is eligible to apply through their designation as an eligible non-profit or unit of government.

Q36. May an eligible entity partner with an ineligible entity within its sphere of influence (e.g., may an eligible city or Alaskan Native Regional Corporation partner with an ineligible Alaskan native community)?

A36. Yes. Eligible entities may include areas which lie within the jurisdiction or boundaries of an ineligible entity (e.g., an Alaskan native community) within the BF AWP project area. The applicant may also propose to partner with the ineligible entity by involving it in the BF AWP planning process. However, if the applicant is successful in receiving BF AWP grant funding, the applicant may not make any subawards or subgrants with EPA funding to an ineligible entity.

GENERAL GUIDELINES

Q37. What is the maximum amount of money that an applicant may be awarded?

A37. An applicant may be awarded up to \$200,000 in EPA grant funding.

Q38. How do I get help in understanding and responding to the RFP?

A38. Applicants should first review information on the EPA's brownfields website at <http://www.epa.gov/brownfields> and at http://www.epa.gov/brownfields/areawide_grants.htm. EPA staff may provide pre-proposal assistance to individual applicants regarding threshold eligibility and submission requirements only. Contact information for EPA staff is provided in Section VII. of the RFP. In accordance with EPA's Competition Policy, EPA staff will not meet with individual applicants to discuss draft proposals. Agency personnel will not review or comment on proposals drafted by potential applicants.

Q39. What are the important deadlines?

A39. Proposals are due on September 22, 2014. Proposals submitted electronically must be received by www.grants.gov by 11:59pm Eastern Time on September 22 to receive consideration. Proposals submitted in hard copy and sent through the U.S. Postal Service or via commercial delivery service must be postmarked by September 22, 2014 to be considered.

Only one method – electronic or hard copy - should be used for submission of the complete proposal.

Q40. What is the project period for awards?

A40. The maximum project period is 24 months. Applicants should plan for project completion in 24 months per the cooperative agreement terms and conditions. At a time as specified in the cooperative agreement terms and conditions, the EPA will make a determination as to whether the recipient has made sufficient progress in implementing its BF AWP project.

Q41. What is the EPA's anticipated schedule for making award decisions?

A41. EPA anticipates making award decisions in February 2015. Applicants who fail to meet threshold criteria will be notified in November 2014.

Q42. Why does EPA discourage binders and color printing in proposal submissions?

A42. Each proposal is photocopied and distributed to members of the evaluation panel. Graphics, binders, charts, color copies, etc., do not photocopy well and may distort information submitted for reproduction.

Q43. Will photos, graphics and extraneous materials be considered if included in the proposal submission?

A43. No. Photos, graphics, and extraneous materials will not be considered. See Section IV.C. in the RFP.

Q44. Per the "Application for Federal Assistance" (SF-424), what is the "Catalog of Federal Domestic Assistance Number" and the "CFDA Title"?

A44. The "Catalog of Federal Domestic Assistance (CFDA) Number" is 66.814 (see pg 1 of the RFP) and the "CFDA Title" is Brownfields Training, Research, and Technical Assistance Grants and Cooperative Agreements.

Q45. How should applicants respond question 19 on the "Application for Federal Assistance" (SF-424)?

A45. Question 19 on the SF-424 (a required proposal attachment) references Executive Order 12372, Intergovernmental Review of Federal Programs. This review is not required with the initial application and as such, applicants should not answer question 19. However, this intergovernmental review may be applicable to awards resulting from this solicitation. Applicants selected for funding may be required to provide a copy of their proposal to their State Point of Contact (SPOC) for review, pursuant to Executive Order 12372, Intergovernmental Review of Federal Programs. Not all states require such a review.

Q46. Per the RFP section describing the "Link to the HUD-DOT-EPA Partnership for Sustainable Communities", can you clarify what each of the six Livability Principles means?

A46. The [six HUD-DOT-EPA Partnership for Sustainable Communities Livability Principles](#) are described below.

1. Provide more transportation choices -- Develop safe, reliable, and economical transportation choices to decrease household transportation costs, reduce our nation's dependence on foreign oil, improve air quality, reduce greenhouse gas emissions, and promote public health.
2. Promote equitable, affordable housing -- Expand location- and energy-efficient housing choices for people of all ages, incomes, races, and ethnicities to increase mobility and lower the combined cost of housing and transportation.
3. Enhance economic competitiveness -- Improve economic competitiveness through reliable and timely access to employment centers, educational opportunities, services and other basic needs by workers, as well as expanded business access to markets.
4. Support existing communities -- Target federal funding toward existing communities— through strategies like transit-oriented, mixed-use development and land recycling—to increase community revitalization and the efficiency of public works investments and safeguard rural landscapes.
5. Coordinate and leverage federal policies and investment -- Align federal policies and funding to remove barriers to collaboration, leverage funding, and increase the accountability and effectiveness of all levels of government to plan for future growth, including making smart energy choices such as locally generated renewable energy.

6. Value communities and neighborhoods -- Enhance the unique characteristics of all communities by investing in healthy, safe, and walkable neighborhoods—rural, urban, or suburban.

As part of ranking criterion 3, proposals will be evaluated on the degree to which they include specific details and examples to support how the project will advance the Livability Principles.

Q47. What are some examples of the types of sustainable and equitable development outcomes that EPA supports through the BF AWP and other brownfields grant programs?

A47. The EPA encourages applicants to research sustainable and equitable cleanup and reuse approaches, and incorporate them into their proposed BF AWP project. Sustainable and equitable approaches can ensure brownfields are cleaned up and reused in ways that:

- contribute to greener and healthier homes, buildings, and neighborhoods;
- mitigate environmental conditions through effective deconstruction and remediation strategies which address solid and hazardous waste, and improve air and water quality;
- improve access by residents to greenspace, recreational property, transit, schools, other nonprofit uses (e.g., libraries, health clinics, youth centers, etc.), and healthy and affordable food;
- improve employment and affordable housing opportunities for local residents;
- reduce toxicity, illegal dumping, and blighted vacant parcels; and
- retain residents who have historically lived within the area affected by brownfields.

Q48. How does area-wide planning for brownfields assessment, cleanup and reuse tie to improving local public health?

A48. Through the BF AWP process, a community has the opportunity to research existing conditions in the project area (including public health conditions) and work with local stakeholders to develop a plan/strategy for assessing, cleaning up and reusing brownfield sites. For example, a community may want to research and analyze existing public health conditions in the BF AWP project area and develop cleanup and reuse priorities around those concerns. EPA strongly encourages applicants to consider how to work with the local public health agency in any research and analysis of the existing public health conditions/risks.

Assessing and cleaning up brownfields protects public health by removing and reducing community exposures to contaminants found on brownfields (i.e., petroleum, lead, arsenic and other metals as well as asbestos, PAHs, VOCs, PCBs; as well as construction and demolition debris, illegally dumped wastes, and pesticides). Addressing a brownfield through assessment and cleanup can also help protect humans from exposure to biological contaminants such as cryptosporidium, hepatitis A, E. Coli bacteria, giardia, etc., when active or recently decommissioned septic tanks, cesspools or defective sewer lines are removed from a site in an area where these structures are contaminating well water.

Q49. What are examples of how my local and state public health agencies can be involved in my BF AWP project?

A49. Local and state health agencies can help identify health risks associated with specific sites or areas, particular sensitive populations (i.e., children, pregnant women, and the elderly) or certain redevelopment options that require special consideration (i.e., daycare centers, schools, elderly care or healthcare facilities). These agencies can also assist in risk communication, and explain to the public about removing exposure pathways through risk-based corrective actions that reduce potential for inhalation, ingestion or dermal contact with contaminants at the brownfield sites. Local and state health agencies and health advocates, using local health data, also can highlight other health risks, such as pedestrian injuries near heavily trafficked roads or other public health issues near brownfields that may be considered where solutions may be available through redevelopment planning.

Q50. Must the applicant own the catalyst, high priority brownfield site(s) around which they propose to conduct the grant activities and develop the brownfields area-wide plan?

A50. No. The applicant does not need to own the catalyst, high priority brownfield site(s) for the purposes of conducting research, training or technical assistance activities and develop the brownfields area-wide plan.

Q51. Please provide some information about how the EPA expects BF AWP grant recipients to develop and include plan implementation strategies within their brownfields area-wide plan.

A51. As part of the brownfields area-wide plan, EPA expects grantees to identify and include within their plan specific implementation strategies, such as 1) next steps, 2) resources already available and those needed, 3) realistic leveraging opportunities, 4) key partnerships, and 5) a plan implementation steering committee that will endure over the implementation timeframe. These strategies should be designed to lead to on-the-ground brownfields cleanup, reuse and community revitalization transformation. Examples of questions that should be considered for the implementation strategies section include: What is the plan for investment (or investment strategy) for the short, medium and long-term (e.g., 1-2 year, 5 year, and 10 year) timeframes? What are the strategies for obtaining the right type of funding to make the necessary improvements for this area? How do you plan to put together the funding components needed for the priority investments in the area? Which of the key partners will be taking responsibility for leading specific implementation activities for specific parts of the brownfields area-wide plan?

Q52. Will the EPA impose any deadlines on recipients for implementation of the brownfields area-wide plans developed using this EPA grant funding?

A52. No. The EPA will not impose deadlines on the grant recipients for brownfield area-wide plan implementation. Since EPA is not funding implementation of the brownfield area-wide plans, EPA cannot impose a deadline on when the plans will be implemented.

Q53. May an applicant use a brownfields inventory they created under a prior EPA grant to help identify and describe the BF AWP project area and specific catalyst, high priority brownfield site(s)?

A53. Yes.

Q54. May an applicant propose to develop an area-wide plan for an area affected by brownfields which happens to also be part of the same area covered by a different EPA grant (such as a Brownfields Community-Wide Assessment grant)?

A54. Yes. An applicant may propose a BF AWP project area that covers the same, or overlaps with the same, area as another EPA grant. However, applicants must not include within their BF AWP proposal any duplicate tasks or activities that are part of another EPA grant.

Q55. What resources does EPA provide to help communities assess brownfields sites?

A55. EPA provides the following brownfields site assessment resources:

- Brownfields Assessment Grant (national competitive funding opportunity): http://www.epa.gov/brownfields/assessment_grants.htm
- Targeted Brownfields Assessment: http://www.epa.gov/brownfields/grant_info/tba.htm (contact your EPA Regional Office for more information)
- State and Tribal Response Programs http://www.epa.gov/brownfields/state_tribal/index.html (contact your state or tribe for more information)

A brownfields site assessment cannot be conducted under a BF AWP grant.

Q56. Are past or current recipients of EPA Brownfields funds more likely to be considered for BF AWP Program grant funds than applicants who have not been awarded any Brownfields funding?

A56. Neither. All applicants will be evaluated based on the criteria listed in the Section V.B. of the RFP. The ranking criteria include evaluation of "Programmatic Capability and Past Performance" which includes managing past or current federal or non-federal assistance agreements similar in size, scope and relevance to the proposed project that the organization performed within the last three years. As such, all applicants will be evaluated on their history of managing past or current federal grants. Those applicants who do not have relevant or available past performance or past reporting information (and so indicate that in the proposal) will receive a neutral score in this area to avoid prejudice.

Q57. If my organization is selected to receive a grant, will the EPA grant project officer be from my EPA Regional office or from EPA's Headquarters Office of Brownfields and Land Revitalization in Washington, D.C.?

A57. EPA grant projects officers will be in the appropriate EPA Regional office. EPA Regional project officers will coordinate with staff in the EPA Headquarters Office of Brownfields and Land Revitalization.

Q58. How will my proposal be evaluated?

A58. If your proposal is received by the closing date and time as listed in the RFP, your proposal will be evaluated by staff from EPA and staff from relevant federal agency partners. There are two different types of criteria: threshold criteria and ranking criteria. Threshold and ranking criteria are clearly indicated in the RFP. If a proposal fails to meet any of the threshold criterion listed in Section III.C., the proposal will be disqualified from further consideration and the applicant will be notified. However, EPA representatives may seek clarification from an applicant regarding its response to a threshold criterion. EPA will not seek clarification of responses to any ranking criteria.

For proposals that pass threshold criteria review, national evaluation panels will assess how well each proposal meets the ranking criteria outlined in Section V.B. of the RFP. The national evaluation panels will be comprised of EPA staff and may include representatives from other federal agencies. Each proposal will be evaluated according to the ranking criteria and rated under a points system, with 100 total points possible. Scores on each ranking criterion will be totaled to determine the national evaluation panel's recommended proposal rankings.

EPA senior management at Headquarters, as the EPA Selection Official, will take into consideration the recommendations of the national evaluation panels when making final selection and funding decisions.

EPA's Selection Official may consider the "Other Factors" listed in Section V.C. of the RFP. Applicants must complete and submit the Other Factors Checklist and attach supporting documentation as needed, as described in the RFP (Appendix 2), as part of their proposal submission. This information will not be considered by the EPA Selection Official unless appropriate documentation is attached to the proposal. The EPA may verify these disclosures prior to selection and consider this information during the evaluation process.

Q59. For the purposes of ranking criterion 1 (Community Need), what are examples of the types demographic information I could provide in my proposal about my community, and where do I find demographic information about my community?

A59. The EPA requests applicants provide census-based demographic data to the extent possible, as well as other data or additional information that provides a compelling explanation of community need and why the brownfields area was selected for this project. To assist applicants with finding potentially relevant and appropriate information, the EPA is providing the following weblinks as authoritative sources of health, environmental and demographic information which may be useful to consider in preparing your proposal. Applicants should select the type of demographic information to support their proposals based on their assessment of what information will make the best case that their community needs BF AWP grant funding. The below are examples only; applicants may choose to provide different or additional information. The applicant is responsible for assessing the importance of types of demographic information that will best describe the specific challenges of the community being served.

The EPA does not require that applicants include the "sample format for demographic information" provided as an example in ranking criterion 1.

Economic & Social data examples include:

- Low property values
- Low tax base for the community
- Percentage of the community unemployed/underemployed
- Percentage of the community below the poverty line
- Factors that make leveraging funds for the project difficult
- Percentage of community on welfare

Tools for locating this information for your community:

- Fedstats.gov: this website provides links to all relevant agencies based on your search criteria, such as income, health, labor, education, and crime levels and allows you to search by state as well.
- Census.gov: this website is the home page of the U.S. Census Bureau and provides statistics on economics, employment, health, housing, employment, and other categories. You can search by state, and find detailed reports on each state.
- FactFinder.census.gov: this webpage provides information on a more specific area than Census.gov. You can search by state, but also by zip code to find statistics on your specific community.
- US Census Bureau, US Department of Commerce: American Community Survey, <http://www.census.gov/acs/www/>. Maps county level data based on the 2000 Census (some 2010 Census data available) and 2005-2011 American Community Survey estimates.
- Bureau of Labor Statistics, US Department of Labor, <http://www.bls.gov/>: Provides national, state and local unemployment and employment data. <http://www.bls.gov/bls/unemployment.htm>

Health/Welfare/Environment data examples include:

- Asthma rates among children
- The incidence of illness amongst the population in contact with the site
- Cancer, diabetes, obesity rates in the community
- Health care access
- Teen pregnancy rate
- Number of vulnerable inhabitants (women of child-bearing age, children, the elderly)
- Information showing that the targeted community is disproportionately impacted by the environmental issues of the site (e.g. sizes and numbers of brownfields sites, suspected or known level of contamination, past uses of the site, etc.)
- Crime rate
- Education levels and other education statistics (e.g. graduation rate, drop out rate)

Tools for locating this information for your community:

While not exhaustive, many authoritative public health information sources from the Department of Health and Human Services Agencies, US EPA, US Census and other sources are listed below.

- Department of Health and Human Services (HHS), Health Resources and Services Administration (HRSA): Provides state profiles for medical professional shortage areas and grants for health care <http://datawarehouse.hrsa.gov/>
- Agency for Toxic Substances and Disease Registry (ATSDR): ATSDR has toxicity profiles, health consultations and education tools at: <http://www.atsdr.cdc.gov/>
- Centers for Disease Control and Prevention (CDC), National Center for Health Statistics (NCHS): CDC has a National Vital Statistics System (NVSS) that includes national birth and death statistics. <http://www.cdc.gov/nchs/nvss.htm>. A FastStats section provides summary statistics and links to State and territorial data sources on:
 - Asthma <http://www.cdc.gov/nchs/fastats/asthma.htm>
 - Diabetes <http://www.cdc.gov/nchs/fastats/diabetes.htm>
 - Heart disease <http://www.cdc.gov/nchs/fastats/heart.htm>
- National Institutes of Health (NIH), National Cancer Institute (NCI): NCI has a webpage that provides State specific cancer statistics, <http://statecancerprofiles.cancer.gov/>

Cancer trends and maps can also be found at that site.

- NIH, National Institute of Diabetes and Digestive and Kidney Diseases: NIDDK compiles and presents national diabetes statistics on the following website: <http://diabetes.niddk.nih.gov/populations/index.htm>
- Office of Minority Health, Department of Health and Human Services: General health and racial, and health disparities data can be found at: <http://minorityhealth.hhs.gov/>
- Indian Health Service, Health Promotion Disease Prevention, <http://www.ihs.gov/hpdp/index.cfm>
- US Department of Housing and Urban Development (HUD):_Grants for community lead hazard abatement, training and to support creating healthy homes. <http://www.hud.gov/offices/lead/> and other community programs http://www.hud.gov/offices/cpd/about/cpd_programs.cfm

US Environmental Protection Agency

- Air Quality Index, <http://www.airnow.gov/>
- America's Children and the Environment, <http://www.epa.gov/economics/children/index.html>
- Cleanups in My Community, <http://iaspub.epa.gov/Cleanups/>
- Environmental Indicators Gateway, <http://www.epa.gov/igateway/>

- Fish/ Shellfish Advisories, <http://water.epa.gov/scitech/swguidance/fishshellfish/fishadvisories/states.cfm>
- Radon Zone Map, <http://www.epa.gov/radon/zonemap.html>
- Toxic Release Inventory, <http://www.epa.gov/tri/>
- State and Territorial Environmental Agency links, <http://www.epa.gov/epahome/state.htm>
- Water, Where You Live map. <http://water.epa.gov/type/location/states/>

Here is a sample format for organizing information about public health or EJ concerns in the BF AWP project area in your proposal. Please note, the EPA does not require that applicants include use this format in their proposals.

| Public Health and/or EJ concern in your community | Source of public health/EJ concern (e.g., contamination or potential contamination) | Type(s) of Contamination & exposure route | Receptors and/or Sensitive Groups | Long-Term Intervention Strategy (based on projected reuse of the site) |
|---|---|---|-----------------------------------|--|
| | | | | |
| | | | | |

Q60. What project start date should an applicant use when creating the project milestone schedule (as requested in Section V.B., ranking criterion 2 of the RFP)?

A60. Applicants may indicate a project start date of May 2015 or later. Keep in mind that projects should only last up to 24 months. If recipients have not received their grant award by May 2015, EPA will work with the recipients to appropriately adjust the project milestones schedule if needed.

Q61. May an applicant cite other EPA grants they have received for projects that lie within the same brownfields project area as leveraged funds?

A61. Provided there is a strong nexus between the other EPA grant(s) to the proposed BF AWP project, the applicant may list other EPA grants they have (as well as other sources of funding) within the same brownfields project area as leveraged funding. However, applicants cannot include within their BF AWP proposal any duplicate tasks or activities that are part of another EPA grant. Please closely review ranking criteria 2 and 3 for how to properly include leveraging sources.

Q62. Please explain the difference between the leveraging sub-criteria found in ranking 2.vii. and 3.v.

A62. Leveraged resources that will help an applicant perform the BF AWP project in the short-term will be evaluated separately from leveraged resources that will help an applicant achieve the outcomes desired in the project area over the long-term. Therefore, the leveraging information

requested under ranking sub-criterion 2.vii. is distinct from the leveraging information requested under ranking criteria 3.v.

The leveraging information requested under ranking criteria 2.vii. is for resources leveraged in direct support of the BF AWP project activities and outputs. This type of leveraging includes resources that will help you accomplish the tasks/activities you are proposing for your BF AWP grant-funded project.

The leveraging information requested under ranking criteria 3.v. is for resources leveraged in support of achieving project outcomes and creating benefits for the communities within the project area. This type of leveraging includes resources that will help you accomplish the BF AWP project outcomes as you describe them through your responses to other sub criteria listed under ranking criteria 3.

If you list the same source of leveraged resources under both ranking criteria 2 and 3, you must clearly explain the amount to be used for BF AWP project activities and outputs versus project outcomes. An unclear explanation will result in EPA giving consideration for the leveraging resource under one criterion only.

Q63. How many other letters of commitment are to be submitted per ranking criterion 4.ii., (Community Involvement and Partnerships)?

A63. Submit letters of commitment from each project partner (organization, government entity and stakeholders) you listed in your proposal when you responded to this criterion. Letters of commitment must be attached to your proposal or they will not be considered.

Q64. To whom should the letters of commitment (required per threshold criterion 5 and requested per ranking criterion 4) be addressed?

A64. The letters of commitment should be addressed to the applicant, as the letters are being written to support the applicant's project and demonstrate commitment to it. Please note each letter of commitment must be submitted with your proposal. Letters of commitment submitted separately from your proposal will not be accepted.

Q65. Per ranking criterion 4, what if an applicant's engagement with the community has resulted in an existing, inclusive and collaborative community revitalization effort within the proposed BF AWP project area, but has not labeled that effort specifically as "brownfields area-wide planning"?

A65. The applicant should clearly describe in the proposal how the existing, inclusive and collaborative effort underway in the project area includes consideration of the catalyst, high priority brownfields sites and include when the effort was initiated ,the effectiveness of the effort to-date, including recent accomplishments. The applicant should further describe how the BF AWP grant funding requested will serve as the next logical steps to the ongoing project area revitalization effort, and why it will further prepare the community to implement the brownfields area-wide plan once completed.

Q66. What does EPA mean by “assistance agreements” under Programmatic Capability and Past Performance (ranking criterion 5 in the RFP)?

A66. The EPA uses the term "assistance agreement" to describe a federal grant or cooperative agreement. When EPA transfers funds for a public purpose, it uses a legal instrument called an assistance agreement, which may be in the form of a grant or cooperative agreement. Under this criterion, the EPA is requesting applicants to submit a list of up to five grants or cooperative agreements, from the last three years that were funded by federal agencies, where the funding received was similar in size, scope, and relevance to the proposed project. If your organization has not received federal funding before, you may include information regarding projects funded by non-federal entities such as state, tribal or local governments or private foundations.

THRESHOLD CRITERIA

Q67. Must an applicant fill out and submit the Threshold Criteria Worksheet?

A67. No. The example Threshold Criteria Worksheet (Appendix 1) is provided to assist applicants in organizing and submitting the responses required for threshold criteria. An applicant is not required to complete and submit the worksheet. However, the applicant should still provide all the responses required for threshold criteria as a separate attachment to the narrative proposal.

Q68. Why is a map of the project area required per threshold criterion 2?

A68. An applicant must submit a legible black and white map, with scale and street-level detail, to clearly show the size/shape of the BF AWP project area, and provide a visual to how this project area fits into the larger city or community context. A small black and white map (no bigger than a letter-sized page) is all that is allowed (for ease with photocopying); oversized or specialty maps cannot be considered.

A small but clear map, for the purposes of helping to describe or clarify the BF AWP project area, is not the type photo/graphic artwork that the Agency meant to exclude, as per Section IV.C. of the RFP.

Q69. Per threshold criteria 2 and ranking criteria 2, what is an appropriate project area size, and an appropriate number of catalyst, high priority brownfield sites, that an applicant should identify for their BF AWP project?

A69. It depends. Neighborhoods, downtown districts, city blocks, community waterfronts, local commercial or industrial corridors, etc vary in size, as do the brownfields that affect them. It is the responsibility of the applicant to carefully and thoughtfully delineate and describe in their proposal an appropriate project area size and a reasonable project approach, given the specific project area and community challenges, project goals, stakeholders involved, number and size of catalyst, high priority brownfield sites, and amount of EPA and/or other leveraged funding available for the project.

Applicants must describe the project area in their proposals (per threshold criterion 2) and demonstrate that the area is affected by a single large or multiple brownfields sites. Catalyst, high priority brownfield site(s) are the specific site(s) identified by the community which, once remediated and reused, have the strongest potential to spur additional revitalization within the area. The proposal must describe why these specific site(s) are the properties around which the applicant will focus their BF AWP project efforts.

Applicants must identify one specific catalyst, high priority brownfield site per threshold criterion 3. Additional catalyst, high priority brownfield site(s) should be identified and described in ranking criterion 2.

Successful applicants will have identified and described a reasonable number of catalyst, high priority brownfield sites and a more focused BF AWP project approach, given project area size and limited amount of grant funding available. It is the responsibility of the applicant to make the case in their narrative proposal that the number of catalyst, high priority brownfield sites they put forward is reasonable, given the project budget, cost effectiveness of their project approach, and the unique characteristics of their project area. If the applicant cannot develop a focused BF AWP project because the project area size is too large or they have identified too many catalyst, high priority catalyst sites, then they are encouraged to designate only a portion of the large district, neighborhood, corridor, etc when submitting their BF AWP proposal.

BF AWP grant funding cannot be used for city-wide, comprehensive or regional planning.

Q70. If an applicant identifies a catalyst, high priority site under threshold criterion 3 that does not meet the definition of a “brownfield site” per CERCLA § 101(39), may the applicant substitute another site in the project area?

A70. No. If the site submitted for threshold criterion 3 does not meet the definition of a brownfield site, the proposal will not pass threshold review. Please contact the EPA Regional contact listed in Section VII.C. of the RFP early on and well in advance of the proposal deadline if you have questions about brownfields site eligibility.

Q71. If an applicant identifies that a National Priorities List (NPL), federally-owned, or other site ineligible for funding under this RFP exists within the BF AWP project area, will the proposal be disqualified?

A71. No. The project area affected by one or more catalyst, high priority brownfield sites may also contain a NPL, federal facility, and/or other site that does not meet the definition of “brownfield site.” However, a NPL, federally-owned, or other non-brownfield must not be proposed as a catalyst, high priority site. Such non-brownfields sites are ineligible for funding under this RFP. Therefore, while the project area may contain such sites, EPA’s grant funding for BF AWP activities cannot be used to for any site reuse planning activities, such as site reuse planning, programming, charrettes, etc., at any ineligible site.

Q72. Can an applicant propose a site to be a catalyst, high priority brownfield site(s) even if they have do not have prior documentation from the state or EPA that it is a brownfield site, nor do they have preexisting information about the environmental conditions of the site?

A72. Yes. An applicant can propose a site to be a catalyst, high priority brownfield site if they suspect the site is contaminated and they know the site is not ineligible for funding under CERCLA 101 (39) (see Q70, threshold criterion 3 and Appendix 3 for more information about threshold information required for the proposed catalyst, high priority site). However, the EPA strongly encourages all applicants to consult with the EPA Regional Brownfields Contact listed in Section VII.C. in the RFP on all site eligibility questions well prior to submitting a proposal for this grant.

Q73. Please explain how my proposal will be evaluated for ineligible activities under threshold criterion 4.

A73. EPA grant funding under the BF AWP Program cannot be used for any site assessment, site cleanup, or plan implementation activities; as well as any of the tasks/activities included in the list under Sections I.B. and I.C. of the RFP. Under this RFP, costs for these tasks/activities are ineligible and will not be funded. During threshold review, the EPA will evaluate the proposal for ineligible tasks/activities. Any proposal that contains over 50% of the project budget for such ineligible tasks/activities is ineligible for funding, and the proposal will not be further reviewed.

Q74. How many letters of commitment are applicants required to submit to meet the threshold criterion?

A74. In order to pass threshold review (threshold criterion 5), applicants are required to submit one letter of commitment. The letter must be attached to the grant proposal. The letter must be from a relevant governmental entity if the applicant is a nonprofit entity. The letter must be from a relevant nonprofit entity if the applicant is a government or quasi-governmental entity.

New FAQs Added or Updated Since the RFP Opened

Use of BF AWP Grant Funds

Q75. The RFP states on pgs 7-8 that brownfields site-specific planning for assessment or cleanup requires EPA approval in advance of a grant recipient being allowed to conduct such activities, and that these types of activities, if necessary for the project, should constitute a limited portion of the BF AWP project and budget. At what point in the BF AWP grant process will EPA determine whether a grant recipient will be allowed to conduct limited site-specific planning for assessment or cleanup activities?

A75. If an applicant who is selected to receive a grant award has included a limited amount of site-specific assessment and cleanup planning activities in their BF AWP project and budget, EPA will need to conduct a more robust site eligibility and liability determination before approving these activities for grant funding. The additional approval process will take place during the grant workplanning process, which is after the recipient is selected for award but before the grant award is made by EPA. This additional approval process is needed for each site where the applicant has requested to do site-specific assessment or cleanup planning.

Whether or not EPA approves site-specific assessment or cleanup planning will be based on site eligibility and liability provisions under CERCLA § 101(39). A recipient who is liable for contamination at a specific brownfields site is prohibited from conducting assessment or cleanup planning at that site using EPA grant funds under the BF AWP Program. If EPA finds the site-specific assessment or cleanup planning activities proposed by the recipient are ineligible, the grant amount awarded to the recipient may be reduced.

General guidelines

Q76. How can I obtain a copy of a successful grant application that was awarded BF AWP grant funds under the prior grant rounds (FY10 or FY13)?

A76. EPA can provide you with a copy of a previously submitted grant application that was awarded if you submit a Freedom of Information Act (FOIA) request (<http://www.epa.gov/foia/>). EPA does not make them available otherwise. Please note that FOIA requests may take several weeks to process.

Q77. Under ranking criterion 5 (Programmatic Capability and Past Performance), can you explain if it is appropriate to list personal grants management experience versus organizational grants management experience?

A77. Personal experience with managing grants can be used to address sub-criterion 5. i. Under 5. i., applicants include information regarding both their staff and organization knowledge, experience, and qualifications or how they plan to acquire these things in order to manage the cooperative agreement.

The ranking criterion for sub-criterion 5. ii. asks applicants to list assistance agreements of similar size, scope and relevance that the “organization” has had in the past these 3

years. The criteria specifically states “that your organization performed,” therefore, under this sub-criterion you should not include cooperative agreements that you worked on for other organizations. You would only list those agreements that the applicant performed that were similar in size, scope, and relevance. These do not need to be brownfield grants, but can be any type of federal or non-federal grant of a similar nature that the organization managed (e.g., EPA brownfields assessment, cleanup, revolving loan fund, etc; grants from Economic Development Administration, HUD, DOT, etc). If your organization has not had any cooperative agreements in the past 3 years, then you need to state this to receive a neutral score.

Threshold Criteria

Q78. Is a former National Priorities List (NPL) site that was delisted by EPA considered an eligible catalyst, high priority brownfield site for the purposes of the BF AWP grant program?

A78. A site that EPA has de-listed from the NPL may be eligible to be a catalyst, high priority brownfield site if the site meets the other eligibility requirements as described in Appendix 3. A site that is listed or proposed for listing to the NPL is not eligible.

Q79. Is a site that is under the possession of the RACER (Revitalizing Auto Communities Environmental Response) Trust an eligible catalyst, high priority brownfield site for the purposes of the BF AWP grant program?

A79. Maybe. Any site (including a RACER Trust site) that an applicant proposes as a catalyst, high priority site for the BF AWP grant program must meet the following conditions:

- a. The site must meet the general definition of a “brownfield site” under CERCLA § 101(39)
- b. The site must not be a type of property that is specifically excluded from the CERCLA § 101(39) definition of a brownfields site. This includes:
 - i. Facilities listed (or proposed for listing) on the National Priorities List (NPL);
 - ii. Facilities subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA; and
 - iii. Facilities that are subject to the jurisdiction, custody, or control of the U.S. government. (Note: Land held in trust by the U.S. government for an Indian tribe is eligible for brownfields funding.) The EPA’s view is that this exclusion may not extend to:
 - Privately-owned, Formerly Used Defense Sites (FUDS);
 - Privately-owned, Formerly Utilized Sites Remedial Action Program (FUSRAP) properties; and
 - Other former federal properties that have been disposed of by the U.S. government.
- c. If the site is contaminated or potentially contaminated by petroleum, additional site eligibility requirements apply.

Please see RFP Appendix 3 for more information.

Note: If any of the ineligible conditions apply to the RACER Trust site (including whether the site is under enforcement through an administrative order on consent), or if the additional eligibility requirements due to petroleum are not met, then the site cannot be considered a catalyst, high priority brownfield site under the BF AWP grant program. Please work with your EPA Regional contact listed in Section VII of the RFP to get clarification on whether your site is an eligible brownfield site well in advance of the proposal submission due date.

Updated FAQs

FAQs #22 and #48 have been updated since the RFP opened, please see below (updates in blue):

Q22. Explain the circumstances under which a state would be considered an eligible applicant for EPA BF AWP Program grant.

A22. A state may be considered an eligible applicant if they can demonstrate they are applying to serve in a grant management capacity role, to manage the fiscal and administrative grant matters, on behalf of a local community who would not otherwise have the resources to apply for or manage the BF AWP grant. The state applying for the BF AWP must demonstrate that the local community will be leading the BF AWP effort. This can be demonstrated by attaching to the proposal a memorandum of understanding (MOU) between the state and the local community. State applicants that apply to this RFP and propose a project role other than providing this type of grant management capacity to a local community will not be considered eligible under this RFP.

The MOU should be signed (executed) prior to submitting the grant proposal. If an executed MOU cannot be obtained prior to the grant proposal deadline, the applicant should explain why in their proposal, and submit a copy of the executed MOU separately to EPA a copy of the executed MOU as soon as possible but no later than October 31, 2014.

Q48. How does area-wide planning for brownfields assessment, cleanup and reuse tie to improving local public health?

A48. Through the BF AWP process, a community has the opportunity to research existing conditions in the project area (including public health conditions) and work with local stakeholders to develop a plan/strategy for assessing, cleaning up and reusing brownfield sites. For example, a community may want to research and analyze existing public health conditions in the BF AWP project area and develop cleanup and reuse priorities around those concerns. EPA strongly encourages applicants to consider how to work with the local public health agency in any research and analysis of the existing public health conditions/risks.

Assessing and cleaning up brownfields protects public health by removing and reducing community exposures to contaminants found on brownfields (i.e., petroleum, lead, arsenic and other metals as well as asbestos, PAHs, VOCs, PCBs; as well as construction and demolition debris, illegally dumped wastes, and pesticides). Addressing a brownfield through assessment and cleanup can also help protect humans from exposure to biological contaminants such as cryptosporidium, hepatitis A, E. Coli bacteria, giardia, etc., when active or recently

decommissioned septic tanks, cesspools or defective sewer lines are removed from a site in an area where these structures are contaminating well water.