

**U. S. ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF ENVIRONMENTAL JUSTICE
ENVIRONMENTAL JUSTICE COLLABORATIVE PROBLEM-SOLVING GRANT PROGRAM
REQUEST FOR APPLICATIONS (May 30, 2003 - September 30, 2003)**

SUMMARY: The purpose of this notice is to solicit applications from eligible community-based organizations in order for the U.S. Environmental Protection Agency (EPA) to provide financial assistance to those organizations through the new Environmental Justice Collaborative Problem-Solving Grant Program described in this notice. Community-based organizations who are eligible to receive financial assistance must be non-government, nonprofit organizations currently exempt from taxation under Section 501 (c) (3) of the Internal Revenue Code or exempt under applicable state law, and working on or planning to work on projects to address local environmental and/or public health concerns in their communities. All awards will be made in the form of a Federal grant in the amount of \$100,000.00 to be used over a three-year period.

This Request for Applications includes the following:

- I. Scope and Purpose of the Request for Applications
- II. Commonly Asked Questions About Environmental Justice
- III. Description of the Environmental Justice Collaborative Problem-Solving Model
- IV. Evaluation Criteria (Performance Measures) for Collaborative Problem-Solving Grant Program
- V. Environmental Justice Collaborative Problem-Solving Grant Application Instructions
- VI. Selection Process and Program Schedule
- VII. Reporting Requirements/Special Conditions

Appendix A: Standard Forms 424 and 424A, Sample of Completed Forms, and Sample of a Detailed Budget

Appendix B: Additional Government Application Forms

Appendix C: Excerpt from 40 CFR 30.27 "Allowable Costs"

Appendix D: Explanation of the Collaborative Problem-Solving Model

Appendix E: Guidance on Lobbying Restrictions

Appendix F: EPA Regional Environmental Justice Coordinators

Translations Available

A Spanish translation of this material is available at 1-800-952-6215. It can also be downloaded from: <http://www.epa.gov/compliance/recent/ej.html>

I. SCOPE AND PURPOSE OF REQUEST FOR APPLICATIONS

The purpose of this notice is to solicit applications from eligible community-based organizations in order for the U.S. Environmental Protection Agency (EPA) to provide financial assistance to those organizations through the new Environmental Justice Collaborative Problem-Solving Grant Program described in this notice. Community-based organizations who are eligible to receive financial assistance must be non-government, nonprofit organizations currently exempt from taxation under Section 501 (c) (3) of the Internal Revenue Code or exempt under applicable state law, and working on or planning to work on projects to address local environmental and/or public health concerns in their communities. All awards will be made in the form of a Federal grant to 15 community-based organizations in the amount of \$100,000.00 to be used over a three-year period.

Identification Number: CFDA 66.306

Date of Notification: May 30, 2003

Submission Due Date: September 30, 2003

EPA's Office of Environmental Justice (OEJ), in coordination with the Federal Interagency Working Group on Environmental Justice (IWG), has developed an Environmental Justice Collaborative Problem-Solving Model. (See Section III of this RFA for a complete description of this model.) The purpose of the Environmental Justice Collaborative Problem-Solving (CPS) Grant Program is for EPA to provide financial assistance to community-based organizations to utilize this model to address one or more environmental and/or public health issues in their communities. An underlying purpose of the Environmental Justice CPS Grant Program is to replicate lessons learned so that the Environmental Justice Collaborative Problem-Solving Model can be utilized by other, similarly situated communities seeking to address local environmental and/or public health issues.

This Request for Applications (RFA) outlines the purpose, goals, and general procedures and guidelines for applying for the Environmental Justice CPS Grants, for Fiscal Year (FY) 2003. OEJ's Environmental Justice CPS Grants seek to accomplish a strategically defined set of objectives that address one or more local environmental and/or public health issues by focusing on two key areas (e.g., capacity-building of the community residents, and forming collaborative partnerships). Application instructions are provided in Section V of this RFA and application forms are provided in Appendix A and Appendix B.

NUMBER OF GRANTS PROPOSED: Fifteen (15) Environmental Justice CPS grants will be awarded for fiscal year (FY) 2003.

Applications must be date stamped by courier service or postmarked by U.S. Postal Service by 12 p.m. Eastern Time, September 30, 2003 Use the appropriate address below, depending on your method of delivery.

VIA U.S. Postal Service

U.S. Environmental Protection Agency
Office of Environmental Justice (MC 2201A)
1200 Pennsylvania Ave., NW
Washington, DC 20460-0001

Attention: Linda K. Smith
Project Officer
Phone: 202-564-2602

VIA Federal Express, Airborne, United Parcel Service, or other courier service

U.S. Environmental Protection Agency
Office of Environmental Justice
Ariel Rios Building South, Room 2232
1200 Pennsylvania Ave., NW
Washington, DC 20004

Attention: Linda K. Smith
Project Officer
Phone: 202-564-2602

APPLICATIONS SENT BY FAX OR E-MAIL WILL NOT BE ACCEPTED.

II. COMMONLY ASKED QUESTIONS ABOUT ENVIRONMENTAL JUSTICE

How does EPA define environmental justice?

EPA defines “environmental justice” as the *fair treatment* and *meaningful involvement* of all people regardless of race, color, national origin or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. *Fair treatment* means that no one group of people, including racial, ethnic, or socioeconomic groups, should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal environmental programs and policies. *Meaningful involvement* means that: (1) potentially affected community residents have an appropriate opportunity to participate in decisions about a proposed activity that will affect their environment and/or health; (2) the public’s contribution can influence the regulatory agency’s decision; (3) the concerns of all participants involved will be considered in the decision-making process; and (4) the decision-makers seek out and facilitate the involvement of those potentially affected.

What is the EPA’s commitment to environmental justice?

EPA Administrator Christine Todd Whitman reaffirmed the Agency’s commitment to environmental justice as the “goal to be achieved for all communities and persons across this Nation... when everyone, regardless of race, culture, or income, enjoys the same degree of protection from environmental and health hazards and equal access to the decision-making process to have a healthy environment in which to live, learn and work.” In her August 9, 2001, memorandum, the Administrator directed EPA’s senior managers and staff to integrate environmental justice into all EPA policies, programs, and activities. Consequently, in FY 2003, each Regional and Headquarters Office developed Environmental Justice Action Plans to transform the Administrator’s words into action, with strategic goals and measurable results. Each Regional and Headquarters Office began implementing these action plans which are available at: <http://epa.gov/compliance/environmentaljustice>. Inherently strategic in nature and deemed as “works in progress,” these action plans represent the commitments of each office over the next 1-5 years.

Consistent with this commitment, EPA, through OEJ, will provide financial assistance to those community-based organizations who wish to engage in capacity-building initiatives, and also utilize constructive engagement and collaborative problem-solving to seek viable solutions for their community’s environmental and/or public health issues. Moreover, OEJ staff members will provide hands-on technical assistance to those grantee community-based organizations throughout the duration of the grant.

What does the OEJ mean by capacity-building?

Capacity-building refers to the mechanisms a community uses which provide the residents with the information, skills, and tools to more effectively achieve their goals. These mechanisms may lead to better documentation and assessment of an environmental and/or public health problem. Documentation and assessment mechanisms range from neighborhood surveys to the use of mapping tools through the EPA’s geographic information systems. A particularly helpful tool in this regard would be the Environmental Justice Mapper which is available at:

<http://www.epa.gov/compliance/whereyoulive.html>

Other capacity-building mechanisms may involve increasing the community's ability to understand the permitting process and to use legal tools to participate in the environmental decisionmaking process, such as those described in the Environmental Law Institute's "A Citizen's Guide to Using Environmental Laws to Secure Environmental Justice." This publication is available at: http://www.epa.gov/compliance/resources/publications/ej/citizen_guide_ej.pdf

A third type of capacity-building mechanism may involve enhancing the community's understanding and appreciation of the partnership development process, consensus building, and the use of alternative dispute resolution to address local environmental and/or public health concerns.

What does the OEJ mean by constructive engagement and collaborative problem-solving?

Constructive engagement and collaborative problem-solving are essential approaches to address local environmental and/or public health concerns. A key starting point is the community's involvement in clearly formulating and articulating a goal to be accomplished (e.g., establishment of a health clinic or medical screening program; or replacement of diesel buses with clean fuel buses). Constructive engagement means outreach and education to affected community residents and other stakeholders. Collaborative problem-solving requires an understanding of the need to seek other partners such as industry; federal, state and local governments; academia; and environmental organizations to address the community's environmental and/or public health concerns. It involves developing strategic partnerships, by including all organizations which can play a role in addressing the problems. Collaborative problem-solving involves a well-designed and strategic plan to sustain the partnership and to work towards addressing the local environmental and/or public health issues.

III. DESCRIPTION OF THE ENVIRONMENTAL JUSTICE COLLABORATIVE PROBLEM-SOLVING MODEL

The elements of the Environmental Justice Collaborative Problem-Solving Model are discussed in detail in Appendix D. Appendix D also contains a sample of a project where the elements of the Model have been used. The elements are as follow:

- 1. Issue Identification, Community Vision, and Strategic Goal Setting**
- 2. Community Capacity Building**
- 3. Consensus Building and Dispute Resolution**
- 4. Multi-Stakeholder Collaborative Partnerships, and Resource Mobilization**
- 5. Supportive and Facilitative Role of Government**
- 6. Management and Implementation**
- 7. Evaluation, Lessons Learned, and Replication of Best Practices**

More examples of how the Model has been applied can be found in two EPA documents, the "Federal Interagency Working Group on Environmental Justice Status Report, (February 2002). (<http://epa.gov/compliance/resources/publications/ej/iwg-status-02042002.pdf>) and the recent 2003 List of Revitalization Projects <http://epa.gov/compliance/resources/publications/ej/iwg-2003.pdf>

IV. EVALUATION CRITERIA (PERFORMANCE MEASURES) FOR THE COLLABORATIVE PROBLEM-SOLVING GRANT PROGRAM

As required by 40 CFR Part 30.63, anticipated accomplishments must be stated. The following criteria will be used to determine the effectiveness of the Environmental Justice CPS Grant Program in meeting its anticipated objective. The overarching goal of the Environmental Justice CPS Grant Program

is to build the capacity of the communities to address strategically defined local environmental and/or public health issues in a collaborative problem-solving partnership, and to create positive public health and/or environmental improvements in each of the affected communities selected for this program.

The Environmental Justice CPS Grant Program is intended to seek:

1. Improvements in the capacity of affected communities to think strategically and to work with other stakeholders; and
2. Improvements in the environmental conditions in the communities that are perceived to have an impact on the health of the residents of these affected communities.

The following criteria will be used by EPA to measure the success of the overall Environmental Justice CPS Grant Program. These criteria are for the evaluation of the grant program as a whole. However, each grantee must include evaluation criteria for its project at the time the application is submitted. All grant applications must reflect the following four key elements:

1. Proper documentation and assessment of the local environmental and/or public health problem.
2. Development of the appropriate partnerships, including all organizations which can play a role in addressing the problem(s).
3. Formulation of a well-designed strategic plan to sustain the partnerships and to ensure resolution of the issue(s).
4. Development of mechanisms to share lessons learned from the process.

EPA will use several measures to evaluate the success of the Environmental Justice CPS Grant Program, including, but not limited to:

- Operation and maintenance of effective collaborative partnerships are sustained throughout the period of the grant and afterwards.
- More effective oversight of the grant program by EPA is achieved with OEJ staff members and regional staff more involved in the grants.
- Significant reduction in public health and environmental risks in affected communities is achieved.
- Significant improvement in the quality of life issues for the affected communities is achieved.
- Facilitation and/or mediation services are effectively utilized to help resolve local environmental and/or public health issues in affected communities.
- Community capacity is significantly improved for program participants.
- Outcomes or lessons learned in affected communities are transferred to other similarly situated communities

V. ENVIRONMENTAL JUSTICE COLLABORATIVE PROBLEM-SOLVING GRANT APPLICATION INSTRUCTIONS

A. Who May Submit Applications and May Applicants Submit More Than One?

Any affected community-based organization with nonprofit status either demonstrated through designation by the Internal Revenue Service as a Section 501(c)(3) organization or incorporated as a nonprofit under applicable state law may submit an application during the period of this solicitation. ***Applicants must be nonprofit, non-governmental organizations*** to receive these federal funds. ***Universities are not eligible to apply for this grant program.*** Please also refer to Appendix E for Guidance on Lobbying Restrictions.

The Environmental Justice CPS Grant Program is a competitive process. EPA will consider only one application per community-based organization for any given project.

The community-based organization who applies for an Environmental Justice CPS Grant must submit one original, signed by a person authorized to receive funds for the organization, and two copies of the application (double-sided copies encouraged). Applications must be reproducible (for example, stapled once in the upper left hand corner, on white paper, and with page numbers).

B. What Activities Under the Environmental Justice CPS Grants Are Eligible For Funding?

The Environmental Justice CPS Grant Program is designed for **multi-media environmental issues and/or public health concerns**. For this reason, each project must include activities which are authorized by **two or more** of the following federal environmental statutes.

1) ***Clean Water Act***, Section 104(b) (3): conduct and promote the coordination of research, investigations, experiments, training, demonstration projects, surveys, and studies relating to the causes, extent, prevention, reduction, and elimination of water pollution.

2) ***Safe Drinking Water Act***, Section 1442(c)(3)(A): develop, expand, or carry out a program (that may combine training, education, and employment) for occupations relating to the public health aspects of providing safe drinking water.

3) ***Solid Waste Disposal Act***, Section 8001(a): conduct and promote the coordination of research, investigations, experiments, training, demonstration projects, surveys, public education programs, and studies relating to solid waste (e.g., health and welfare effects of exposure to materials present in solid waste and methods to eliminate such effects).

4) ***Clean Air Act***, Section 103(b) (3): conduct research, investigations, experiments, demonstration projects, surveys, and studies related to the causes, effects (including health and welfare effects), extent, prevention, and control of air pollution.

5) ***Toxic Substances Control Act***, Section 10(a): conduct research, development, monitoring, public education, training, demonstration projects, and studies on toxic substances.

6) ***Federal Insecticide, Fungicide, and Rodenticide Act***, Section 20(a): conduct research, development, monitoring, public education, training, demonstration projects, and studies on pesticides.

7) ***Marine Protection, Research, and Sanctuaries Act***, Section 203: conduct research, investigations, experiments, training, demonstration projects, surveys, and studies relating to the minimizing or ending of ocean dumping of hazardous materials and the development of alternatives to ocean dumping.

PLEASE NOTE: *Applications for proposed projects that are inconsistent with the above stated EPA statutory authorities or goals of the program are ineligible for funding and will not be evaluated and ranked.*

C. *Have You Received Any Other Grants or Cooperative Agreements From EPA In The Last 3 Years?*

Please list the grant or cooperative agreement number, title of the project, and amount of funding provided by EPA.

PLEASE NOTE: *DO NOT use the same project description for this application that was used for any prior award. To do so will disqualify your application.*

D. *How Much Money May be Requested, and Are Matching Funds Required?*

Costs will be determined in accordance with OMB Circular No. A-122 for nonprofit organizations. The ceiling in federal funds for individual grants is \$100,000. Funds can be dispersed as needed or up to 80% of the grant award can be obtained. The remaining 20% of the grant award will be available upon the successful completion of the grant and the acceptance by EPA of the final report as detailed in the grant. Applicants are not required to provide matching funds.

E. *Are There Any Restrictions On The Use Of The Federal Funds?*

Yes. EPA grant funds can only be used for the purposes set forth in the grant agreement, and must be consistent with the statutory authority for the award. Grant funds from this program cannot be used for matching funds for other federal grants, lobbying, or intervention in federal regulatory or adjudicatory proceedings. In addition, the grantee may not use these federal assistance funds to sue the federal government or any other government entity. Refer to 40 CFR 30.27, entitled "Allowable Costs" (see Appendix C. The scope of Environmental Justice CPS grants may not include construction, promotional items (e.g., T-shirts, buttons, hats), and furniture purchases).

F. *Who Should You Call If You Have Questions About The Environmental Justice CPS Grants?*

For questions concerning CPS grants, you may contact the Environmental Justice Coordinator in your region (see Appendix F). Because this is a competitive grant program, any questions concerning the application and review process must be submitted via e-mail or fax in order to ensure fairness to all possible applicants. You can contact the Project Officer by calling direct to 202-564-2602 or to the Toll-free number 1-800-962-6215. All questions must be sent via e-mail to smith.linda@epa.gov or by fax to 202-501-1162. They will be posted on the Web site and sent via the EJ-EPA list serv.

G. What Must the Environmental Justice CPS Grant Contain?

Proposals from community-based organizations **must** have the following:

- 1. Form SF 424 - Application for Federal Assistance (See Appendix A for a copy of form) .**
The official form is required for all federal grants. It requests basic information about the grantee and the proposed project.
- 2. Other Forms Required (See Appendix B for copies of blank forms and examples).**
Budget Form SF 424A. Provides information on your budget. Budget figures/projections should support your workplan narrative.
Separate Detailed Budget. The detailed budget should include the specific components of the general categories you listed on the SF 424A (e.g., personnel costs, fringe benefits, specific travel, equipment, supplies, and contractor costs, broken down by project phases). See Appendix A for a copy of the form and an example of a detailed budget.
SF 424B. Assurances - Non-Construction Programs
Preaward Compliance Review Report.
Certification Regarding Lobbying
Quality Assurance Statement (if a research project)
- 3. A Project Workplan Narrative of the Proposal not to exceed 15 Typewritten Pages (See Appendix D).** A workplan narrative describes the applicant's proposed project. The typed pages of the workplan must be in 12 point font, on letter-size paper (8 ½ x 11 inches), single-spaced, single-sided, and have 1" margins. The project workplan narrative is one of the most important components of your application and (assuming that all other required materials are submitted) will be used as the primary basis for selection. The workplan narrative must include all of the information described in Item G below.
- 4. Letter(s) of Commitment.** Your application must include letters of commitment from the other stakeholder partners/organizations identified in your application.
- 5. Documentation of Nonprofit Status.** Any affected community-based organization with nonprofit status either demonstrated through designation by the Internal Revenue Service as a Section 501(c)(3) organization or incorporated as a nonprofit under applicable state law may submit an application during the period of this solicitation. ***Applicants must be nonprofit, non-governmental organizations*** to receive these Federal funds. ***Universities are not eligible to apply for this grant program.*** Please also refer to Appendix E for Guidance on Lobbying Restrictions. **The application must include documentation as evidence of the organization's current nonprofit status.**
- 6. Resumes of the Key Personnel.** The application must include resumes of the Principal Investigator or Project Manager, and two other key personnel who will be significantly involved in the project.
- 7. Evaluation Criteria for How To Determine the Success of The Project (Performance Measures)**
- 8. The answer to the question concerning past awards in Section V-C.**

NOTE: Applications that do not include ALL the information listed above will not be considered.

Please mark any information in the proposal that you consider confidential. EPA will follow the procedures at 40 CFR Part 2 if information marked confidential is requested from the Agency under the Freedom of Information Act.

H. How Will the Applications Be Evaluated?

The applications will be evaluated by an EPA Review Panel and selected according to the following criteria. The corresponding points next to each criterion are the weights EPA will use to evaluate the applications. Please note that certain sections are given greater weight than others. Your application will be ranked based on the following **evaluation criteria**:

1. Clear and concise description of the project (35 points).

The project workplan narrative is one of the most important components of your application and (assuming that all other required materials are submitted) will be used as the primary basis for selection. The workplan narrative must provide the following information:

- a. Describe your community-based organization and its qualifications to undertake this collaborative problem-solving project. In addition, describe your qualifications as the Principal Investigator/Project Manager to undertake this project. **Include whether or not your organization has received any grant/cooperative agreement from EPA in the last 3 years as described in Item V-C. above. (5)**
- b. Describe the community being served (e.g., demographics, geographic location, community history and assets, issues of concern). Provide a discussion of the environmental and/or public health issues your project seeks to address. **(5)**
- c. Describe the strategic goals your project seeks to accomplish. **(5)**
 1. Describe the process your organization and your collaborating partners used to formulate these goals (e.g., needs assessment, planning charettes)
 2. Describe how you intend to build consensus among your partners around these goals.
 3. Describe how achievement of those goals will address the issues of concern and improve the environment and/or public health of your community.
- d. Describe the specific steps you have and/or will undertake to engage in constructive engagement among collaborative partners, and to establish and manage a formal collaborative problem-solving partnership, including but not limited to the following: **(5)**
 1. Strategies used;
 2. Partnership structure (e.g., committee, work group, etc.);
 3. Key obstacles to overcome;
 4. Communications and coordination mechanisms and procedures;
 5. Use of consensus building and dispute resolution techniques;
 6. Decision-making process; and
 7. Use of formal agreements.

- e. Describe the organizations which are members of the formal collaboration, including qualifications of each organization other than the applicant; the roles of each organization; the commitments made by each organization; and the ways by which each organization will implement their commitments. **(5)**
- f. Provide an implementation plan. Describe in chronological order the activities you and your partners will undertake to carry this project. Use of a timeline is encouraged. **(5)**
 1. Describe your intended activities to build the capacity of your community-based organization, the impacted community, and other stakeholder partners to achieve the goals of your project. Describe how such capacity building activities will enhance the ability of partners to:
 - address the strategically-defined issues; and
 - undertake the collaborative problem-solving partnership.
 2. Provide the steps you intend to take to achieve the project's objectives and desired results. Include an analysis of the obstacles, gaps, and/or conflicts that your project will face, and discuss how your implementation strategies are designed to overcome them.
- g. Describe how the project will develop and incorporate an evaluation strategy, establish and track milestones and performance measures (activities, outputs, and outcomes), and share lessons learned. Areas for evaluation may include, but are not limited to, the following: **(5)**
 1. Improvements in the capacity of the community-based organization to form partnerships;
 2. Improvements in the ability of the community-based organization to build and sustain a strong working relationship with the partners in order to resolve problems in a collaborative manner; and
 3. Improvements in the environmental and/or public health conditions in the community.

2. Adherence to the Environmental Justice Collaborative Problem-Solving Model described in Appendix D. (25 points)

The following seven elements have been identified as key factors to the success of an Environmental Justice Collaborative Problem-Solving Model. (See detailed description of the Model in Appendix D):

1. Issue Identification, Community Vision, and Strategic Goal Setting;
 2. Community Capacity Building;
 3. Consensus Building and Dispute Resolution;
 4. Multi-Stakeholder Partnerships and Resource Mobilization;
 5. Supportive and Facilitative Role of Government;
 6. Management and Implementation; and
 7. Evaluation, Lessons Learned, and Replication of Best Practices.
- a. Please describe how your project utilizes the elements of a collaborative problem solving model, and how each contribute to the overall success of the project.
 - b. Describe how the project, either through its implementation or results, will contribute to further development of the Environmental Justice Problem-Solving Model.

3. A detailed budget which shows how the funds will be specifically used in terms of personnel, fringe benefits, travel, equipment, supplies, contractor costs, and other costs. **Funds cannot be used for construction, lobbying, or litigation against the government.** The budget must list proposed milestones with deadlines, and estimated costs and completion dates. **(10 points)**

4. An appendix which describes the qualifications of the Principal Investigator or Project Manager and explains why he/she is qualified to undertake this project. (10 points)

5. A Memorandum of Agreement signed by each representative of the collaborative partnership which identifies the roles and responsibilities of each partner. **Each partner is valued at 2 points with a maximum possible total of 10. (10 points)**

PLEASE NOTE: A letter of support from an individual or entity does not qualify as a reflection of an agreement to participate in a collaborative partnership.

6. A set of evaluation criteria which reflect how the success of the project will be measured. These should include qualitative and quantitative measures. (10)

I. *When and Where Must Applications Be Submitted?*

The applicant must submit one signed original application with required attachments and two copies. **Applications must be post marked by U.S. Postal Service or date stamped by courier service by 12 p.m. Eastern Time, September 30, 2003. Use the appropriate address below, depending on your method of delivery.**

APPLICATIONS SENT BY FAX OR E-MAIL WILL NOT BE ACCEPTED.

VIA U.S. Postal Service

U.S. Environmental Protection Agency
Office of Environmental Justice (MC 2201A)
1200 Pennsylvania Ave., NW
Washington, DC 20460-0001
Attention: Linda K. Smith
Project Officer
Phone: 202-564-2602

VIA Federal Express, Airborne, United Parcel Service, or other courier service

U.S. Environmental Protection Agency
Office of Environmental Justice
Ariel Rios Building South, Room 2232
1200 Pennsylvania Ave., NW
Washington, DC 20004
Attention: Linda K. Smith
Project Officer
Phone: 202-564-2602

APPLICATIONS SENT BY FAX OR E-MAIL WILL NOT BE ACCEPTED.

VI. SELECTION PROCESS AND PROGRAM SCHEDULE

A. How Will Applications Be Reviewed?

A panel of EPA employees will review, evaluate, and rank the applications of potential grant recipients. Applications will be screened to ensure that they meet all eligible activities and requirements described in sections IV and V above.

B. How Will the Final Selections Be Made?

After the individual projects are reviewed and ranked, OEJ will compare the best applications and make final selections. Additional factors that OEJ will take into account include geographic and socioeconomic balance, the diverse nature of the projects, the projected use of the funds, and projects whose environment and/or public health benefits can be sustained after the grant is completed. The OEJ Director will make the final grant selections.

Please note that this is a very competitive grants program. Limited funding is available and many grant applications are expected to be received. Therefore, the Agency cannot fund all applications. If your project is not funded, a listing of other EPA grant programs may be found in the Catalog of Federal Domestic Assistance. This publication is available on the internet at <http://www.epa.gov/compliance/recent/ej.html>.

C. How Will Applicants Be Notified?

After all applications are received, OEJ will mail acknowledgments to the applicants. Once applications have been recommended for funding, OEJ will notify the finalists. OEJ will notify those applicants in writing whose projects are not selected for funding.

D. What Is The Expected Timeframe For Reviewing And Awarding The Environmental Justice CPS Grants?

May 30, 2003	FY 2003 OEJ Collaborative Problem-Solving Grant Program Application Guidance is available and published in the Federal Register and on the Internet.
June 1, 2003 to September 30, 2003	Eligible grant recipients develop, complete and submit their applications.
September 30, 2003	Applications must be date stamped by courier service or postmarked by U.S. Postal Service by 12 p.m. Eastern Time, September 30, 2003.
October 1, 2003- November 3, 2003	EPA reviews and evaluates applications.
November 22, 2003- December 22, 2003	Applicants will be contacted if their application is being considered for funding.
January 1, 2004 January 31, 2004	The OEJ Director will make final recommendations for award. OEJ will release the national announcement of the 2003 recipients.

VII. REPORTING REQUIREMENTS/SPECIAL CONDITIONS

Activities must be complete and funds spent within the timeframe specified in the three-year grant award. Project start dates will depend on the grant award date. OEJ anticipates grant awards by January 1, 2004. Substantial communication between EPA and the grantee will include:

A. Quarterly Reports - The grant recipient's Project Manager will be required to submit quarterly reports to update OEJ on the project's progress. The reports should include, but not be limited to, information identified under the elements of the Environmental Justice Collaborative Problem-Solving Model (see Appendix D) that pertain to:

1. Specific grant activities accomplished, such as establishing an effective, collaborative partnership between the grant recipient and other stakeholders;
2. Operating and maintaining an effective collaborative partnership and problem-solving mechanism;
3. Noteworthy community capacity-building activities that took place;
4. Identifying activities that resulted in the improvement of the community's environmental and/or public health concerns;
5. Stating how funding resources were committed; and,
6. Identifying any issues/problems encountered and the methods for resolution.

B. Monthly Conference Calls - Moreover, the grantee will confer on a monthly basis with the OEJ staff person identified as the technical contact. A template will be furnished on those items to be discussed. In general, every call and report will follow the evaluation criteria described in Section IV.

C. Development of Performance Measures for Grant - As a condition to receiving Environmental Justice CPS grants, grantees are required to develop measurable outcomes to be achieved through the activities for which these grant funds were awarded. The performance measures (evaluation criteria) should focus on solid, qualitative activities related to the grantee's activities, outputs, and outcomes. These performance measures will help gather insights concerning successful implementation strategies and generate lessons learned that may be applicable to future projects under this grant program.

The success of this grant program will be entirely dependent on the work of the grantees. Therefore, EPA and the grantee will examine whether, as a result of the grantee's activities and outputs, there has been:

- Better overall environmental and/or public health protection for community residents;
- Significant improvement in the quality-of-life of community residents;
- Significant increase in the community's capacity as it relates to understanding the environmental and/or public health issues affecting the community; a better understanding of the permitting processes; a better understanding of the use of environmental laws and their implementing regulations to address environmental justice concerns; and a better understanding of alternative dispute resolution and negotiation techniques;
- Effective use of the collaborative problem-solving processes;
- Transferability of the lessons learned to other communities similarly situated; and,
- Effective community revitalization.

D. Final Report Requirement - All grant recipients must submit a Final Technical Report for EPA approval within ninety (90) days of the end of the project period. A draft of this report should

be submitted within 60 days of the end of the project period. A Financial Status Report is also required and is described in the award agreement document. The EPA will collect, review, and disseminate those final reports which can serve as models for future projects.

E. Change in Project Requiring Project Officer Approval - The grant recipient is responsible for the successful completion of the project. However, any change in the Project Manager or Principal Investigator is subject to approval by the EPA Project Officer. You must immediately submit the reason for the change and the qualifications of the new Project Manager or Principal Investigator to the Project Officer in writing. This can be sent by e-mail to smith.linda@epa.gov or by fax to 202-501-1162.

For further information about this Environmental Justice CPS grant program, please visit the EPA's website at: <http://www.epa.gov/compliance/environmentaljustice/grants/index.html> or call our hotline at 1-800-962-6215 (available in Spanish).

Appendices A-F follow.

APPENDIX A -

***Standard Forms 424 and 424A
Samples of Completed Standard Forms 424 and 424A
Sample of A Detailed Budget***

**APPLICATION FOR
FEDERAL ASSISTANCE**

1. TYPE OF SUBMISSION Application <input type="checkbox"/> Construction <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction <input type="checkbox"/> Non-Construction		2. DATE SUBMITTED	Applicant Identifier
		3. DATE RECEIVED BY STATE	State Application Identifier
		4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier
5. APPLICANT INFORMATION			
Legal Name:		Organizational Unit:	
Address (give city, county, state, and zip code):		Name and telephone number of the person to be contacted on matters involving this application (give area code)	
6. EMPLOYER IDENTIFICATION (EIN):		7. TYPE OF APPLICANT: (enter appropriate letter here) _____ A. State H. Independent School District B. County I. State Controlled Institution of Higher Learning C. Municipal J. Private University D. Township K. Indian Tribe E. Interstate L. Individual F. Intermunicipal M. Profit Organization G. Special District N. Other (Specify): _____	
_____ - _____ <input type="checkbox"/> <input type="checkbox"/> - <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			
8. TYPE OF APPLICATION: <input type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es): <input type="checkbox"/> <input type="checkbox"/> A. Increase Award B. Decrease Award C. Increase Duration D. Decrease Duration Other Specify: _____			
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: 66.306		9. NAME OF FEDERAL AGENCY:	
Title: Environmental Justice Collaborative Problem-Solving Grant Pgm.		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:	
12. AREAS AFFECTED BY PROJECT (cities, counties, states, etc.):			
13. PROPOSED PROJECT:		14. CONGRESSIONAL DISTRICT OF:	
Start Date	End Date	a. Applicant: _____	
		b. Project _____	
15. Estimated Funding:		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?	
a. Federal	\$	a. YES. THIS APPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESSES FOR REVIEW ON: DATE _____	
b. Applicant	\$		
c. State	\$	b. NO. <input type="checkbox"/> PROGRAM IS NOT COVERED BY E.O. 12372 <input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW	
d. Local	\$		
e. Other	\$	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT? <input type="checkbox"/> YES If "Yes" attach an explanation. <input type="checkbox"/> NO	
f. Program Income	\$		
g. TOTAL	\$		
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.			
a. Typed Name of Authorized Representative.		b. Title:	c. Telephone Number
d. Signature of Authorized Representative		e. Date Signed	

BUDGET INFORMATION - Non-Construction Programs

OMB Approval No. 0348-0044

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1		\$	\$	\$	\$	\$
2						
3						
4						
5. TOTALS		\$	\$	\$	\$	\$

SECTION B - BUDGET CATEGORIES

6. OBJECT CLASS CATEGORIES	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1)	(2)	(3)	(4)	
a. Personnel	\$	\$	\$	\$	\$
b. Fringe Benefits					
c. Travel					
d. Equipment					
e. Supplies					
f. Contractual					
g. Construction					
h. Other					
i. Total Direct Charges (sum of 6a-h)					
j. Indirect Charges					
k. TOTALS (sum of 6i and 6j)	\$	\$	\$	\$	\$
7. Program Income	\$	\$	\$	\$	\$

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Standard Form 424A (Rev. 7-97)
Prescribed by OMB Circular A-102

SECTION C - NON-FEDERAL RESOURCES					
(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS	
8	\$	\$	\$	\$	
9					
10.					
11.					
12. TOTAL (sum of lines 8 and 11)	\$	\$	\$	\$	
SECTION D - FORECASTED CASH NEEDS					
13. Federal	(Total for 1stYear)	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
	\$	\$	\$	\$	\$
14. Non-Federal					
15. TOTAL (sum of lines 13 and 14)	\$	\$	\$	\$	\$
SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT					
(a) Grant Program	FUTURE FUNDING PERIODS (Years)				
	(b) First	(c) Second	(d) Third	(e) Fourth	
16	\$	\$	\$	\$	
17					
18.					
19.					
20. TOTALS (sum of lines 16 - 19)	\$	\$	\$	\$	
SECTION F - OTHER BUDGET INFORMATION					
21. Direct Charges:		22. Indirect Charges:			
23. Remarks:					

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INSTRUCTIONS FOR THE SF 424

Public reporting burden for this collection of information is estimated to average 45 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0043), Washington, DC 20503

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

This is a standard form used by applicants as a required face sheet for pre-applications and applications submitted for Federal assistance. It will be used by Federal agencies to obtain applicant certification that States which have established a review and comment procedure in response to Executive Order 12372 and have selected the program to be included in their process, have been given an opportunity to review the applicant's submission.

- | Item: | Entry: | Item: | Entry: |
|-------|--|-------|--|
| 1. | Self-explanatory. | 12. | List only the largest political entities affected (e.g., State counties, cities). |
| 2. | Date application submitted to Federal agency (or State if applicable) & applicant's control number (if applicable). | 13. | Self explanatory. |
| 3. | State use only (if applicable). | 14. | List the applicant's Congressional District and any District(s) affected by the program or project. |
| 4. | If this application is to continue or revise an existing award, enter present Federal identifier number. If for a new project, leave blank. | 15. | Amount requested or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, indicate <u>only</u> the amount of the change. For decreases, enclose the amounts in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals and show breakdown using same categories as item 15. |
| 5. | Legal name of applicant, name of primary organizational unit which will undertake the assistance activity, complete address of the applicant, and name and telephone number of the person to contact on matters related to this application. | 16. | Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process. |
| 6. | Enter Employer Identification Number (EIN) as assigned by the Internal Revenue Service. | 17. | This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes. |
| 7. | Enter the appropriate letter in the space provided. | 18. | To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.) |
| 8. | Check appropriate box and enter appropriate letter(s) in the space(s) provided:

"New" means a new assistance award.
"Continuation" means an extension for an additional funding/budget period for a project with a projected completion date.
"Revision" means any change in the Federal Government's financial obligation or contingent liability from an existing obligation. | | |
| 9. | Name of Federal agency from which assistance is being requested with this application. | | |
| 10. | Use the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested. | | |
| 11. | Enter a brief descriptive title of the project. If more than one program is involved, you should append an explanation on a separate sheet. If appropriate (e.g., construction or real property projects), attach a map showing project location. For preapplications, use a separate sheet to provide a summary description of this project. | | |

SF 424 (REV 7-97) Back

INSTRUCTIONS FOR THE SF-424A

Public reporting burden for this collection of information is estimated to average 180 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collections of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0044), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

General Instructions

This form is designed so that application can be made for funds from one or more grant programs. In preparing the budget, adhere to any existing Federal grantor agency guidelines which prescribe how and whether budgeted amounts should be separately shown for different functions or activities within the program. For some programs, grantor agencies may require budgets to be separately shown by function or activity. For other programs, grantor agencies may require a breakdown by function or activity. Sections A, B, C, and D should include budget estimates for the whole project except when applying for assistance which required Federal authorization in annual or other funding period increments. In the latter case, Section A, B, C, and D should provide the budget for the first budget period (usually a year) and Section E should present the need for Federal assistance in the subsequent budget periods. All applications should contain a breakdown by the object class categories show in Lines a - k of Section B.

Section A. Budget Summary Lines 1 - 4, Columns (a) and (b)

For applications pertaining to a *single* federal grant program (Federal Domestic Assistance Catalog number) and *not requiring* a functional or activity breakdown, enter on Line 1 under Column (a) the catalog program title and the catalog number in Column (b).

For applications pertaining to a *single* program *requiring* budget amounts by multiple functions or activities, enter the name of each activity or function on each line in Column (a), and enter the catalog number in Column (b). For applications pertaining to multiple programs where none of the programs require a breakdown by function or activity, enter the catalog program title on each line in Column (a) and the respective catalog number on each line in Column (b).

For applications pertaining to *multiple* programs where one or more programs require a breakdown by function or activity, prepare a separate sheet for each program requiring the breakdown. Additional sheets should be used when one form does not provide adequate space for all breakdown of data required. However, when more than one sheet is used, the first page should provide the summary totals by programs.

Lines 1 - 4, Columns (c) through (g).

For *new* applications, leave Columns (c) and (d) blank. For each line entry in Columns (a) and (b), enter in Columns (e), (f), and (g) the appropriate amounts of funds needed to support the project for the first funding period (usually a year).

For *continuing grant program* applications, submit these forms before the end of each funding period as required by the grantor agency. Enter in Columns (c) and (d) the estimated amounts of funds which will remain unobligated at the end of the grant funding period only if the Federal grantor agency instructions provide for this. Otherwise, leave these columns blank. Enter in columns (e) and (f) the amounts of funds needed for the upcoming period. The amount(s) in Column (g) should be the sum of amounts in Columns (e) and (f).

For *supplemental grants and changes to existing grants*, do not use Columns (c) and (d). Enter in Column (e) the amount of the increase or decrease of Federal funds and enter in Column (f) the amount of the increase or decrease of non-Federal funds. In Column (g) enter the new total budgeted amount (Federal and non-Federal) which includes the total previous authorized budgeted amounts plus or minus, as appropriate, the amounts shown in Columns (e) and (f). The amount(s) in Column (g) should not equal the sum of amounts in Columns (e) and (f).

Line 5 - Show the totals for all columns used.

Section B. Budget Categories

In the column headings (1) through (4), enter the titles of the same programs, functions, and activities shown on Lines 1 - 4, Column (a), Section A. When additional sheets are prepared for Section A, provide similar column headings on each sheet. For each program, function, or activity, fill in the total requirements for funds (both Federal and non-Federal) by object class categories.

Lines 6a-i - Show the totals of Lines 6 a to 6h in each column.

Line 6j - Show the amount of indirect cost.

Line 6k - Enter the total of amounts on Lines 6i and 6j. For all applications for new grants and continuation grants the total amount in column (5), Line 6k, should be the same as the total shown in Section A, Column (g), Line 5. For supplemental grants and changes to grants, the total amount of the increase or decrease as shown in Columns (1)-(4), Line 6k should be the same as the sum of the amounts in Section A, Columns (e) and (f) on Line 5.

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INSTRUCTIONS FOR THE SF-424A (continued)

Line 7 - Enter the estimated amount of income, if any, expected to be generated from this project. Do not add or subtract this amount from the total project amount. Show under the program narrative statement the nature and source of income. The estimated amount of program income may be considered by the federal grantor agency in determining the total amount of the grant.

Section C. Non-Federal-Resources

Lines 8-11 - Enter amounts of non-Federal resources that will be used on the grant. If in-kind contributions are included, provide a brief explanation on a separate sheet.

Column (a) - Enter the program titles identical to Column (a), Section A. A breakdown by function or activity is not necessary.

Column (b) - Enter the contribution to be made by the applicant.

Column (c) - Enter the amount of the State's cash and in-kind contribution if the applicant is not a State or State agency. Applicants which are a State or State agency should leave this column blank.

Column (d) - Enter the amount of cash and in-kind contributions to be made from all other sources.

Column (e) - Enter totals of Columns (b), (c), and (d).

Line 12 - Enter the total for each of Columns (b)-(e). The amount in Column (e) should be equal to the amount on Line 5, Column (f), Section A.

Section D. Forecasted Cash Needs

Line 13 - Enter the amount of cash needed by quarter from the grantor agency during the first year.

Line 14 - Enter the amount of cash from all other sources needed by quarter during the first year.

Line 15 - Enter the totals of amounts on Lines 13 and 14.

Section E. Budget Estimates of Federal Funds Needed for Balance of the Project

Lines 16-19 - Enter in Column (a) the same grant program titles shown in Column (a), Section A. A breakdown by function or activity is not necessary. For new applications and continuation grant applications, enter in the proper columns amounts of Federal funds which will be needed to complete the program or project over the succeeding funding periods (usually in years). This section need not be completed for revisions (amendments, changes, or supplements) to funds for the current year.

If more than four lines are needed to list the program titles, submit additional schedules as necessary.

Line 20 - Enter the total for each of the Columns (b)-(e). When additional schedules are prepared for this Section, annotate accordingly and show the overall totals on this line.

Section F. Other Budget Information

Line 21 - Use this space to explain amounts for individual direct object-class cost categories that may appear to be out of the ordinary or to explain the details as required by the Federal grantor agency.

Line 22 - Enter the type of indirect rate (provisional, predetermined, final or fixed) that will be in effect during the funding period, the estimated amount of the base to which the rate is applied, and the total indirect expense.

Line 23 - Provide any other explanations or comments deemed necessary.

APPLICATION FOR FEDERAL ASSISTANCE (SAMPLE)		2. DATE SUBMITTED 9/20/03	Applicant Identifier
1. TYPE OF SUBMISSION Application <input checked="" type="checkbox"/> Construction <input type="checkbox"/> Non-Construction	<input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction	3. DATE RECEIVED BY STATE	State Application Identifier
		4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier
5. APPLICANT INFORMATION			
Legal Name: Collaborative Project X		Organizational Unit:	
Address (give city, county, state, and zip code): 101 Main Street Any Town, Any State, Zip		Name and telephone number of the person to be contacted on matters involving this application (give area code) G.W. Doe (111) 000-0000	
6. EMPLOYER IDENTIFICATION (EIN): □ □ - □ □ □ □ □ □ □ □		7. TYPE OF APPLICANT: (enter appropriate letter here) _____ A. State B. County C. Municipal D. Township E. Interstate F. Intermunicipal G. Special District H. Independent School District I. State Controlled Institution of Higher Learning J. Private University K. Indian Tribe L. Individual M. Profit Organization N. Other (Specify): _____	
8. TYPE OF APPLICATION: <input type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es): □ □ A. Increase Award B. Decrease Award C. Increase Duration D. Decrease Duration Other Specify: _____		9. NAME OF FEDERAL AGENCY:	
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: 66.306 TITLE: Environmental Justice Collaborative Problem-Solving Grants		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: Town Water Quality Project	
12. AREAS AFFECTED BY PROJECT (cities, counties, states, etc.): City of Town, Any State			
13. PROPOSED PROJECT: 01/01/2004		14. CONGRESSIONAL DISTRICT OF: You Fill In	
Start Date 2/1/04	End Date 1/31/07	a. Applicant: 02	b. Project 01, 02, 03
15. Estimated Funding:		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?	
a. Federal	\$ 100,000	a. YES. THIS APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESSES FOR REVIEW ON: DATE 9/20/2003	
b. Applicant	\$	b. NO. <input type="checkbox"/> PROGRAM IS NOT COVERED BY E.O. 12372	
c. State	\$	<input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW	
d. Local	\$	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?	
e. Other	\$	<input type="checkbox"/> YES If "Yes" attach an explanation. <input type="checkbox"/> NO	
f. Program Income	\$	18. To the Best of My Knowledge and Belief, All Data in this Application Are True and Correct, the Document Has Been Duly Authorized by the Governing Body of the Applicant and the Applicant Will Comply with the Attached Assurances If the Assistance Is Awarded.	
g. TOTAL \$ 100,000		a. Typed Name of Authorized Representative: G. W. Doe	b. Title: Executive Director
d. Signature of Authorized Representative G. W. Doe		c. Telephone Number (111) 000-0000	
		e. Date Signed 8/30/2003	

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1 EJ CPS Grnt Pg.	66.306	\$	\$	\$ 100,000	\$	\$100,000
2.						
3.						
4.						
5. TOTALS		\$	\$	\$ 100,000	\$	\$ 100,000

SECTION B - BUDGET CATEGORIES

6. OBJECT CLASS CATEGORIES	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1)	-2	-3	(4)	
a. Personnel	\$25,000	\$	\$	\$	\$25,000.00
b. Fringe Benefits @ 11 percent	2,750				2,750.00
c. Travel	6,000				6,000.00
d. Equipment	21,000				21,000.00
e. Supplies	7,000				7,000.00
f. Contractual	31,250				31,250.00
g. Construction					
h. Other	7,000				7,000.00
i. Total Direct Charges (sum of 6a-h)	\$100,000				\$100,000.00
j. Indirect Charges					
k. TOTALS (sum of 6i and 6j)	\$ 100,000	\$	\$	\$	\$100,000.00
7. Program Income	\$	\$	\$	\$	\$

SAMPLE

DETAILED BUDGET

•	<u>Personnel</u>		
	0.5 FTE Community Outreach Worker @ \$10.00/hour		\$ 10,00.00
	0.2 FTE Project Manager @ \$12.00/hour		12,000.00
	0.2 FTE Office Manager @ \$7.00/hour		<u>3,000.00</u>
			25,000.00
•	<u>Fringe Benefits at 11%</u>		
	0.5 FTE Community Outreach Worker		\$ 1,100.00
	0.2 FTE Project Coordinator		1,320.00
	0.2 FTE Office Manager		<u>330.00</u>
			2,750.00
•	<u>Travel</u>		\$ 6,000.00
	Local Travel @ \$0.36/mile		
	Meetings with Partners 7,450 Miles @ .36 =	\$2,682	
	2 Trip to D.C. to Meet with EPA		
	Airfare Estimated	\$550	
	Hotel 2 nites @ \$150 =	\$300	
	Per Diem 3 days @ \$46 =	\$256 x 2	\$3,318
•	<u>Equipment</u>		\$ 21,000.00
	Computer Equipment	\$ 4,000	
	Environmental Technical Equipment	\$ 9,500	
	Printer Equipment	\$ 2,000	
	Facsimile Equipment	\$ 500	
	Audio Visual and Projector Rental	\$ 1,000	
	Furniture	\$ 1,000	
	Camera	\$ 1,000	
	Telephones	\$ 2,000	
•	<u>Supplies</u>		\$ 7,000.00
	Paper	\$ 1,500.00	
	Computer and Printer Supplies	2,500.00	
	Fax Supplies	1,500.00	
	Envelopes	700.00	
	Pencils/Pens	300.00	
	Folders	<u>500.00</u>	
•	<u>Other</u>		\$ 7,000.00
	Printing		
	Postage		
	Telephone		
•	<u>Contractual</u>		\$ 31,250.00
	XYZ Engineering Company	\$ 15,000.00	
	ABC Environmental Abatement	\$ 16,250.00	
	Total		\$100,000.00

Appendix B

Additional Government Application Forms

*SF 424B - Non-Construction Grant Assurances
Certification Regarding Debarment, Suspension and Other Responsibility Matters
Preaward Compliance Review Report*

ASSURANCES - NON-CONSTRUCTION PROGRAMS SF-424B

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

Note: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of the project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 795), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply with the provision of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§ 276a-7), the Copeland Act (40 U.S.C. §§ 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally assisted construction subagreements. Previous Edition Usable
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.

11. Will comply with environmental standards which may be prescribed to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplain in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S. C. §§ 1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.)
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
APPLICANT ORGANIZATION	DATE SUBMITTED

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U.S. Environmental Protection Agency

CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS

The prospective participant certifies to the best of its knowledge and belief that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three year period preceding this proposal been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
- (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

I understand that a false statement on this certification may be grounds for rejection of this proposal or termination of the award. In addition, under 18 USC Sec. 1001, a false statement may result in a fine of up to \$10,000 or imprisonment for up to 5 years, or both.

Typed Name & Title of Authorized Representative

Signature of Authorized Representative

Date

I am unable to certify to the above statements. My explanation is attached.

Appendix C

Excerpt from 40 CFR 30.27 “Allowable Costs”

Code of Federal Regulations][Title 40, Volume 1, Part 1 to 49]

[Revised as of July 1, 2000]

From the U.S. Government Printing Office via GPO Access

[CITE: 40CFR30.27] [Page 311]

TITLE 40--PROTECTION OF ENVIRONMENT

CHAPTER 1--ENVIRONMENTAL PROTECTION AGENCY

PART 30--UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND AGREEMENTS WITH INSTITUTIONS OF HIGHER EDUCATION, HOSPITALS, AND OTHER NON-PROFIT ORGANIZATIONS--Table of Contents

Subpart C--Post-Award Requirements

Sec. 30.27 Allowable costs.

(a) For each kind of recipient, there is a set of Federal principles for determining allowable costs. Allowability of costs shall be determined in accordance with the cost principles applicable to the entity incurring the costs. Thus, allowability of costs incurred by State, local or federally-recognized Indian tribal governments is determined in accordance with the provisions of OMB Circular A-87, “Cost Principles for State and Local Governments.” The allowability of costs incurred by non-profit organizations is determined in accordance with the provisions of OMB Circular A-122, “Cost Principles for Non-Profit Organizations.” The allowability of costs incurred by institutions of higher education is determined in accordance with the provisions of OMB Circular A-21, “Cost Principles for Educational Institutions.” The allowability of costs incurred by hospitals is determined in accordance with the provisions of appendix E of 45 CFR part 74, “Principles for determining Costs Applicable to Research and Development Under Grants and Contracts with Hospitals.” The allowability of costs incurred by commercial organizations and those non-profit organizations listed in Attachment C to Circular A-122 is determined in accordance with the provisions of the Federal Acquisition Regulation (FAR) at 48 CFR part 31. In addition, EPA's annual Appropriations Acts may contain restrictions on the use of assistance funds. For example, the Acts may prohibit the use of funds to support intervention in Federal regulatory or adjudicatory proceedings.

(b) EPA will limit its participation in the salary rate (excluding overhead) paid to individual consultants retained by recipients or by a recipient's contractors or subcontractors to the maximum daily rate for level 4 of the Executive Schedule unless a greater amount is authorized by law. (Recipient's may, however, pay consultants more than this amount.) This limitation applies to consultation services of designated individuals with specialized skills who are paid at a daily or hourly rate. This rate does not include transportation and subsistence costs for travel performed; recipients will pay these in accordance with their normal travel reimbursement practices. Contracts with firms for services which are awarded using the procurement requirements in this part are not affected by this limitation.

Appendix D

COLLABORATIVE PROBLEM-SOLVING MODEL

The elements of the Environmental Justice Collaborative Problem-Solving Model are discussed in detail below. A sample of a project where the elements of the Model have been used is also included below. More examples of how the Model has been applied can be found on the Internet, the “Federal Interagency Working Group on Environmental Justice Status Report, (February 2002). (<http://epa.gov/compliance/resources/publications/ej/iwg-status-02042002.pdf>) and the recent 2003 List of Revitalization Projects (<http://epa.gov/compliance/resources/publications/ej/iwg-2003.pdf>).

1. Issue Identification, Community Vision, and Strategic Goal Setting

Long-standing concerns in the affected community tend to surface from the efforts of one individual or a small group of individuals who are particularly active in the community. These concerns can include “substantive issues” such as high asthma rates, children suffering from high levels of lead poisoning, undesirable land uses, the close proximity of residences to pollution-generating facilities, the lack of parks and recreational areas, or the lack of access to health care or medical monitoring. These concerns also can include “process issues” such as the need to strengthen public participation, identifying leaders or leadership development, improved education of stakeholders, and trust among stakeholder groups to work together. Collaborative problem-solving stresses moving beyond merely identifying the issues to formulating viable strategies to address and resolve them. Involving the broader community in a planning process usually leads to greater clarity in the goals set, common understanding and trust, and the ability to act collectively. Strategic goals should not only address the problem but also lead to greater community capacity, viable partnerships, and leveraging of resources—institutional, technical, and financial. A key step in the goal-setting process is determining whether or not the conditions are ripe for a collaborative problem-solving process. The following list provides several important steps a community-based organization can take to identify an issue, articulate a community vision, and set strategic goals:

- Building upon existing leadership and expertise in the affected community;
- Conducting local education and outreach efforts, fact-finding and assessments;
- Involving affected community residents early in identifying concerns and crystallizing issues;
- Identifying early on potential partners from all stakeholder groups;
- Building upon a strong understanding of community history and practices;
- Building upon a clearly articulated community vision of its goals; and,
- Employing tools for involving the affected community residents in planning project activities.

2. Community Capacity Building

Capacity building refers to mechanisms which provide the community-based organizations with information, skills, and tools to more effectively achieve the community’s goals. These mechanisms may involve better documentation and assessment of a problem, use of consensus building, and alternative dispute resolution. Capacity building efforts should focus on residents of the affected community as well as other stakeholders. Leadership skills in areas such as strategic thinking, management processes, and effective communications are very critical. The ability to build trust and build partnerships across stakeholder groups is one such leadership skill. Therefore, particular attention should be paid to nurturing the leadership skills of key individuals in a project. Capacity building and leadership development can be accomplished through a range of activities, from attendance at meetings, workshops, and training sessions to participation in mentoring opportunities. Several key steps toward community capacity building and to acquiring successful leadership skills could include:

- Building upon existing organizational capacity in the affected community;
- Identifying specific capacity building mechanisms which are tailored to community needs and project goals;
- Fostering capacity through training, mentoring, technical assistance, or resource support;

- Ensuring capacity building for those community representatives directly involved in the collaborative problem-solving processes; and
- Developing processes that help ensure capacity building and leadership development of community residents in the future.

3. Consensus Building and Dispute Resolution

Collaborative problem-solving encourages all parties to seek to find common ground and derive “mutual gains” from participating in a consensus building process. More often than not, this will lead to greater capacity to address the community’s concerns and the eventual resolution of issues. Moreover, consensus building efforts often result in greater understanding and trust among different stakeholders that will lead to a greater capacity to address other issues. There also will be cases in which crystallized disputes require the use of a facilitator or mediator to help resolve such disputes. There exists a wide array of approaches within the area of dispute resolution—ranging from unassisted negotiation to arbitration—that communities can employ to best suit their needs. Several key steps a community can employ to achieve consensus building and successful dispute resolution are:

- Designing processes, both formal and informal, to help ensure fair treatment and meaningful participation of all collaborative problem-solving stakeholders;
- Instituting processes which promote the development of a common vision, and goals among all partners;
- Identifying, nurturing and promoting collaborations with win/win scenarios and the “mutual gains” approach;
- Promoting the use of facilitation or mediation to ensure understanding of the consensus building process; and
- Ensuring that existing or potential conflicts are resolved, where necessary, through the use of alternative dispute resolution techniques.

4. Multi-Stakeholder Partnerships, and Resource Mobilization

Building a successful partnership requires vision, clear problem identification, organizational capacity and commitment, individual leadership, use of technical resources, and, in some cases, use of a facilitator. This is an evolving process that grows with existing capacity on the part of the affected community as well as other stakeholder groups. Different stakeholder groups will require different assistance to ensure their effective participation. For example, community groups may need support in accessing government resources while industry may need education on how to work effectively and proactively with communities. Well-structured partnerships assemble the needed capacity to resolve issues. They are important vehicles for creating a broad-based framework that mobilizes the resources necessary—human, institutional, technical, legal, and financial—to address a problem. In this way, they are a critical part of a capacity building strategy. Several ways to achieve well structured multi-stakeholder collaborative partnerships include:

- Establishing dialogues which lead to possible partnerships with all relevant stakeholders/parties, which invariably include the community, business, and government;
- Ensuring clarity of goals, objectives, and common vision among all members of the partnership;
- Developing a clear, workable organizational structure and workplan to address communications and coordination needs of the collaborative partnership;
- Identifying and recruiting partners to address the resource needs of a project (e.g., human, institutional, technical, legal, and financial);
- Strengthening partnerships as new issues and relationships are understood; and
- Establishing processes that allow for the inclusion of new partners as they emerge.

5. Supportive and Facilitative Role of Government

Environmental and public health government agencies can play an important role in addressing a community’s concerns because the agencies are invested with the statutory authority to address those issues. They make decisions of a regulatory nature, provide technical assistance and resources, and can help ensure that all relevant stakeholders come to the table. It is important that community

organizations seeking to resolve a problem formulate a clear strategy to engage government agencies at the local, state, tribal, and/or Federal levels. Securing support from environmental and public health government regulatory agencies can be accomplished by:

- Securing commitments from multiple agencies, whether Federal, state, local, or tribal government agencies, as appropriate;
- Seeking to ensure interagency and intergovernmental cooperation and coordination to address complex environmental and/or public health, housing, transportation, economic development, community revitalization, etc.; and
- Accessing and securing support for a specific community need that coincides with a current activity being conducted by an environmental and/or public health government agency.

6. Management and Implementation

Realizing a vision to address identified issues requires attention to three major areas: (1) action plans; (2) management; and (3) partnership design. Plans to address these areas should be formulated and executed in ways that build upon the unique assets and challenges of specific communities and stakeholder partners. Action plans should include clear objectives, timelines, and delegation of responsibilities. Management plans should ensure proper communications, coordination, and utilization of resources. Well-formulated partnership designs should address the convening processes, the role of lead organizations, planning for regular meetings, and understanding ways to increase the capacity of partner organizations. As a result, all partners must articulate and follow through on commitments for the project to: (1) address the identified issues thoroughly; (2) strengthen and maintain partnerships; and (3) realize the shared goals. Several ways that could accomplish a successful management plan include:

- Ensuring tangible outcomes and improvements in community conditions;
- Developing strategies tailored to the community's assets and deficits;
- Designing projects to meet the strength of partnerships, resources and the capacity of the partners;
- Producing clearly defined, well-formulated action plans;
- Identifying and building upon small successes achieved along the way;
- Ensuring clear commitments on the part of all partners; and
- Clustering and ordering tasks to promote the efficient use of time and resources.

7. Framework, Lessons Learned, and Replication of Best Practices

Key to deepening and sustaining the work is the ability to sum up progress in quantitative, qualitative, institutional, and social terms, and to incorporate lessons learned into a continuous process. Formulating a plan for evaluating one's work is an important element of success. Not only will it help the project implementation plan stay on course, but such a plan will also allow for greater clarity of lessons learned. Lessons learned need to be shared not only with the affected community residents, but also with other communities and stakeholders so that best practices can be replicated broadly. Several key steps that should be included in developing an evaluation framework for lessons learned can consist of:

- Clearly defining measures of success of project objectives, process, outputs, institutional effects, and quality-of-life results;
- Understanding and evaluating, from different stakeholder perspectives, indicators used to measure success;
- Developing a "template" for successful collaborative models, based on experience in a specific community;
- Developing mechanisms to integrate the lessons into future efforts as new issues and challenges are identified; and
- Sharing, publishing, and disseminating experiences and lessons learned.

EXAMPLE OF A PROJECT WHERE THE ENVIRONMENTAL JUSTICE COLLABORATIVE PROBLEM-SOLVING MODEL IS USED

An example of a community-based organization that has successfully utilized elements of the Environmental Justice Collaborative Problem-Solving Model is outlined below. CPS Project X, located in Any Town, USA, is a proactive community-based organization of 1,400 members who have taken the lead in establishing collaborative partnerships to address local environmental and/or public health issues through environmental cleanup and community revitalization initiatives.

A synopsis of the CPS Project X Partnership as it relates to the Environmental Justice Collaborative Problem-Solving Model follows:

- 1. Issue Identification/Vision:** A community survey confirmed concerns about public health problems associated with two abandoned toxic waste sites. The community developed a vision of environmental cleanup and community revitalization. Their goals included cleanup and redevelopment plans involving improved housing, and the need for a technology and job-training center, greenway development, and a health clinic.
- 2. Community Capacity Building:** Proactive, committed, and strategic leadership provided by a champion resulted in the formation of CPS Project X, a community-based organization, and the development of the broad-based CPS Project X Partnership. Among other things, the CPS Project X Partnership educated the community on the fundamentals of brownfields redevelopment and sustainable development.
- 3. Consensus Building and Dispute Resolution:** Partners have been and continue to be committed to a consensus building process that rests upon a common vision among its partners. All major stakeholders have participated in the development of a common vision for the project.
- 4. Multi-Stakeholder Collaborative Partnerships:** The CPS Project X Partnership established a steering committee co-chaired by CPS Project X, the City of Any Town, and the County of All Towns, and EPA. Other partners included: local banks; State Department of Health and Environmental Control; State Economic Development Administration; the University of State; and several elected officials. These partners have brought significant resources—human, technical, and institutional—to help realize the community’s goals.
- 5. Supportive and Facilitative Role of Government:** Several Federal agencies have provided resources and technical assistance, including EPA; the Departments of Transportation, Housing and Urban Development, and Energy; the National Institute for Environmental Health Sciences, and the Agency for Toxic Substances and Disease Registry. Federal funding for this effort has exceeded \$1.5 million.
- 6. Management and Implementation:** A well-formulated partnership design, which included specific subcommittees geared to address the project goals, and a set of clear objectives have resulted in a viable workplan. Assistance in organizational management issues is being provided by an expert in nonprofit organizations. Ongoing coordination is being provided by a partnership consisting primarily of the steering committee co-chairs.
- 7. Evaluation Framework/Lessons Learned:** While the CPS Project X Partnership has not developed an overall evaluation framework, some measures of success are built into discreet project components such as the Health Care Clinic Workplan, Brownfields Assessment Workplan, and the Dump Superfund Initiative Workplan. A case study of this project has been completed by EPA: another is being planned by a non-government organization.

Appendix E

GUIDANCE ON LOBBYING RESTRICTIONS

The purpose of this guidance is to remind nonprofit organizations, universities, and other non-government recipients of EPA grants¹ that, with very limited exceptions, you may not use Federal grant funds or your cost-sharing funds to conduct lobbying activities. The restrictions on lobbying are explained in Office of Management and Budget (OMB) Circular No. A-21, "Cost Principles for Educational Institutions," 61 Fed. Reg. 20880 (May 8, 1996),² and OMB Circular No. A-122, "Cost Principles for Nonprofit Organizations; 'Lobbying' Revision," 49 Fed. Reg. 18260 (April 27, 1984). As a recipient of EPA funds, you must be aware of and comply with these restrictions.³

The general objective of the restrictions is to prohibit the use of appropriated funds for lobbying, publicity, or propaganda purposes designed to support or defeat legislation. The restrictions do not affect the normal sharing of information or lobbying activities conducted with your own funds (so long as they are not used to match the grant funds).

Unallowable Lobbying Activities

Under Circulars A-21 and A-122, the costs of the following activities are unallowable:

- (1) Contributions, endorsements, publicity or similar activities intended to influence Federal, State or local elections, referenda, initiatives or similar processes.
- (2) Direct and indirect financial or administrative support of political parties, campaigns, political action committees, or other organizations created to influence elections. Recipients may help collect and interpret information. These efforts must be for educational purposes only, however, and cannot involve political party activity or steps to influence an election.
- (3) Attempts to influence the introducing, passing, or changing of Federal or State legislation through contacts with members or employees of Congress or State legislatures, including attempts to use State and local officials to lobby Congress or State legislatures. For example, you may not charge a grant for your costs of sending information to Members of Congress to encourage them to take a particular action.

The term "grant" as used in this guidance refers to grants and cooperative agreements.

Grants awarded before May 8, 1996, are subject to the previous version of Circular No. A-21, but the provisions on lobbying have remained essentially unchanged.

This guidance does not address the restrictions on lobbying contained in 40 CFR Part 34, the EPA regulations implementing section 319 of P.L. No. 101-121, known as "the Byrd Amendment," generally prohibit recipients of Federal grants, contracts, and loans from using Federal funds for lobbying the Executive or Legislative Branches of the Federal Government in connection with a specific grant, contract, or loan. Part 34 includes detailed certification and disclosure requirements. This guidance also does not address section 18 of the Lobbying Disclosure Act of 1995, P.L. No. 104-65, which provides that organizations described in section 501(c)(4) of the Internal Revenue Code that engage in lobbying activities are not eligible for Federal grants or loans.

Appendix E

GUIDANCE ON LOBBYING RESTRICTIONS

Also prohibited are contacts with any government official or employee to influence a decision to sign or veto Federal or State legislation. The restriction does not address lobbying at the local level.

(4) Attempts to influence the introducing, passing, or changing of Federal or State legislation by preparing, using, or distributing publicity or propaganda, i.e., grass roots lobbying efforts to obtain group action by members of the public, including attempts to affect public opinion and encourage group action. For example, the costs of printing and distributing to members of the public or the media a report produced under a grant, if intended to influence legislation, are unallowable.⁴

(5) Attending legislative sessions or committee hearings, gathering information about legislation, and similar activities, when intended to support or prepare for unallowable lobbying.

Exceptions

There are three exceptions to this list of unallowable lobbying activities in Circulars A-21 and A-22. These exceptions do not necessarily make the cost of these activities allowable; they make the costs potentially allowable. Allowability will be determined based on whether the costs in a particular case are reasonable, necessary, and allocable to the grant.

The first exception is for technical and factual (not advocacy) presentation to Congress, a State legislature, member, or staff, on a topic directly related to performance of the grant, in response to a request (not necessarily in writing) from the legislative body or individual. For requests that are not made in writing, recipients should make a note for their files documenting the requests. The information presented must be readily available and deliverable. Costs for travel, hotels, and meals related to the presentation are generally unallowable unless related to testimony at a regularly scheduled Congressional hearing at the written request of the chairperson or ranking minority member of the congressional committee.

The second exception is for actions intended to influence State legislation in order to directly reduce the actual cost of performing the Federal grant project or to protect the recipient's authority to perform the project. The exception does not apply to actions intended merely to shift costs from one source to another. For example, in response to Federal funding cutbacks, a Federally-funded recipient lobbies for State funds to replace or reduce the Federal share of project costs for next year. The cost of that lobbying activity would not be allowable because its purpose is not to directly reduce the actual cost of performing the work but merely to shift from Federal funding to State funding.

Finally, Circulars A-21 and A-122 allow lobbying costs if they are specifically authorized by law.

Indirect Cost Rate

When you seek reimbursement for indirect costs (overhead), you must identify your total lobbying costs in your indirect cost rate proposal so that the Government can avoid subsidizing lobbying. This is consistent with the circulars' requirement of disclosure of the costs spent on all unallowable activities. This

⁴ Circular A-122 addresses public information service costs that do not relate to lobbying. Attachment B to the Circular, at paragraph 36, makes allowable, with prior approval of the Federal agency, costs associated with pamphlets, news releases and other forms of information services if their purpose is: to inform or instruct individuals, groups or the general public; to interest individuals or groups in participating in a service program of the recipient; or to disseminate the results of sponsored and non-sponsored activities.

requirement is necessary so that when the Government calculates the amount of an organization's indirect costs that it will pay. It does not include the costs of unallowable activities that the organization happens to count as indirect costs

Enforcement

In cases of improper lobbying with grant funds, EPA may recover the misspent money, suspend or terminate the grant, and take action to prevent the recipient from receiving any Federal grants for a certain period. Your project officer is available to handle any questions or concerns.

APPENDIX F

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REGION 1 STATES

Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont

REGION 2 STATES

New Jersey, New York, Puerto Rico, U.S. Virgin Islands

REGION 3 STATES

Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia

REGION 4 STATES

Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee

REGION 5 STATES

Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin

REGION 6 STATES

Arkansas, Louisiana, New Mexico, Oklahoma, Texas

REGION 7 STATES

Iowa, Kansas, Missouri, Nebraska

REGION 8 STATES

Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming

REGION 9 STATES

Arizona, California, Hawaii, Nevada, American Samoa, Guam

REGION 10 STATES

Alaska, Idaho, Oregon, Washington

Approved for Publication

/signed/ Barry E. Hill

Barry E. Hill, Director, Office of Environmental Justice

5/30/03

Date: _____