

GRANTS REQUIREMENTS/INSTRUCTIONS

U.S. EPA Region 5/GLNPO

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PART I - SUPPLEMENTAL INSTRUCTIONS

Numbered items correspond with the Checklist and provide additional instructions beyond those contained on the Forms themselves. We have found that these items are frequently the cause of errors, confusion, or delay.

Forms in the Application Package are available on the included disk and from GLNPO's website:

<http://www.epa.gov/grtlakes/fund/appforms.html> If you have the full adobe acrobat software, you can save and open the pdf files and fill in the appropriate blanks using your computer, rather than hunting for a typewriter. If you have only the free adobe acrobat reader, you can view the forms, type in the forms, print the forms, and even mail the printed forms to us; however, you will not be able to save them electronically. This would save the hunt for the typewriter, but there would be no way to go back later once your computer shuts down.

1. Transmittal Letter. Address to:

U.S. Environmental Protection Agency -
Great Lakes National Program Office (G-17J)
Attn. Eden Barragan
77 West Jackson Boulevard
Chicago, IL 60604-3590

2. SF-424 "Application For Federal Assistance"

Block 5. Include (a) your D-U-N-S number, available to you without cost from: <http://www.dnb.com/us/> (this is a new requirement), (b) the Congressional District of the Applicant, available from <http://nationalatlas.gov/congdistprint.html>, and (c) the name and telephone number of the Project Manager.

Block 7. For Indian Tribe: insert "K" in the box and include the BIA tribal code number in the space following item N. For Intertribal organization: enter N in the box and "Intertribal" in the space following item N. For non-profit organization, enter N in the box and "non-profit" in the space following item N.

Block 9. Insert "USEPA - GLNPO".

Block 10. Insert "66-469 - Great Lakes Program" (note this is the Catalog of Federal Domestic Assistance number and title which only applies to grants, such as this, issued through GLNPO).

Block 12. Identify the geographic area in which the project will be conducted. The largest geographic area should be identified. If the application is for a state program include the term STATEWIDE; if the project is to be conducted in a multi-state area include MULTISTATE.

Block 15. Identify a match in the same amount as you claimed in your preproposal.

Block 16. Applicants from the State of **Michigan** must comply with the applicable intergovernmental review procedures in 40 CFR part 29, including sending a copy of the SF424 and the proposal narrative to the applicable State Single Point of Contact, at or before submission of their applications to USEPA¹. Applicants from *other* Great Lakes should check "No - Program Has Not Been Selected By State For Review." **Michigan** applicants should check "Yes" in Block 16 and send a copy of the SF424 and the proposal narrative to:

Mr. William Parkus
Southeast Michigan Council of Governments
535 Griswold, Suite 300
Detroit, MI 48226
Phone: 313-961-4266
Fax: 313-961-4869
parkus@semcog.org

3. SF424A "Budget Information." Section A, B, C, D, and F should be completed according to the instructions provided with the forms. USEPA only requires that Sections B and F of this form be completed. Sections A, C, D, and E should be completed if the recipient's internal process requires that information. Section B should be supported with an addendum which provides detail, by object class category, to support the total amount in each object class category - see item 6 for more information.

In particular, please note the following:

Section B Line 6 (a-k). Enter TOTAL of both federal and non-federal requirements for each object class. Remember to include the "match."

Section F Line 22. If your project exceeds \$100,000, please enter three pieces of information or, if applicable, attach a copy of your federally approved indirect cost negotiation agreement which includes the information:

- the type of indirect rate (provisional, predetermined, final or fixed)
- the estimated amount of the base to which the rate is applied
- the total indirect expense.

EPA's indirect cost and special rate policy for assistance to non-profits and educational institutions is at <www.epa.gov/ogd/grants/indirect.htm>. See also item 11 below. If you do not have a federally approved indirect cost rate, submit a copy of your indirect cost rate proposal.

Section F Line 23. Indicate the **time covered** under your most recent OMB Circular A-133 audit, the **date** that the audit report was sent to the cognizant Federal Agency, and the name of the **cognizant Federal agency**. [In accordance with OMB Circular A-133 (see 40 CFR Part 31 Appendix A), State and local governments, as well as Nonprofit Institutions expending \$300,000 or more a year in Federal funds, must have a single or program specific audit for that year.]

¹Intergovernmental Review provisions of 40 CFR Part 29 apply when a grant program has been selected by the State in which an applicant resides. These regulations implement Executive order 12373 "Intergovernmental Review of Federal Programs" and are intended to foster an intergovernmental partnership and a strengthened Federalism by relying on state processes and on a state, area wide, regional and local coordinated revisit of proposed Federal financial assistance and proposed direct Federal development. Once a state process is adopted, EPA will use it to determine official views of state and local elected officials, communicate with said officials early in the planning cycle to explain specific plans and actions, and accommodate state and local officials' concerns with proposed Federal activities. State Single Point of Contacts and addresses are available at <<http://www.whitehouse.gov/omb/grants/spoc.html>>.

4. SF 424B “Assurances for Non-construction Grant Programs” certifies as to authority, access to books and records, establishment of an accounting system, completion of work, and compliance with numerous laws. Must be signed and submitted.

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5. Workplan. Applications must include a narrative statement which specifies the scope of work, milestones (preferably a schedule in chart or table format), the project budget, environmental outcomes and results, and your plan for measuring progress toward achieving outputs and outcomes (See Environmental Results Order 5700.7 at <http://www.epa.gov/ogd/grants/award/5700.7.pdf>) A workplan following the format requested for Funding Guidance proposals is acceptable. Please contact your Project Officer to discuss what, if any, changes need to be made to the proposal narrative you previously submitted - it may be that the proposal alone is sufficient. Following is an example of acceptable Workplan Format for a project that does not involve the use of existing environmental data or collection of new environmental data.

a. Project Title. 60 character limit.

b. Total Project Funding.

c. Name and Address of Organization.

d. Benefit to Organization. Describe how this project supports the mission of your organization. (Federal grants are not intended to principally benefit the Federal government.)

e. Contact Name, address, phone, fax, and e-mail.

f. Programmatic Capability. The technical capability of the applicant to successfully carry out a project taking into account such factors as the applicant's (1) past performance in successfully completing projects similar in size, scope, and relevance to the proposed project, (2) history of meeting reporting requirements on prior or current assistance agreements and submitting acceptable final technical reports and applicable closeout documentation, (3) organizational experience and plan for timely and successfully achieving the objectives of the project, and (4) staff expertise/ qualifications, staff knowledge, and resources of the ability to obtain them, to successfully achieve the goals of the project. (Refer also to EPA Order 5700.8 <http://www.epa.gov/ogd/grants/award/5700_8.pdf>.)

g. Brief Project Description. Summarize the project in a manner understandable to the public. Include environmental KEY TERMS that could be used as search terms (e.g., water quality, toxins, mercury, etc.). Do not use acronyms. This description may be posted to the EPA web. (595 character limit)

h. Problem Statement. Describe the issue that will be addressed and its relevance to the Great Lakes, particularly to needs and priorities in Subobjective 4.3.3 (Improve the Health of Great Lakes Ecosystems) of USEPA's Strategic Plan; Great Lakes Strategy 2002, LaMPs and RAPs.

i. Proposed Work.

j. Environmental Results. Proposed work outcomes and products, including expected environmental outcomes and results. Include well-defined outputs and, to the maximum extent practicable, well defined outcomes and their linkages to the problem statement, the Great Lakes Strategy, applicable LaMPs, and/or applicable RAPs. (See outcomes and outputs described Environmental Results Order 5700.7 at <http://www.epa.gov/ogd/grants/award/5700.7.pdf>)

k. Measuring Progress. Describe your plan for measuring progress toward achieving outputs and outcomes. See Environmental Results Order 5700.7 at <http://www.epa.gov/ogd/grants/award/5700.7.pdf>

l. Project milestones. A schedule in chart or table format.

m. Description of coordination and leveraging of project matching support.

n. Project Budget (chart) based on Total Project Funding using the following budget object classes:

Personnel

Fringe

Travel

Equipment

Supplies

Contracts (include narrative detail)

Other (include narrative detail)

Total Direct Costs

Indirect Costs

Total

Approved Indirect Cost Rate (%)

Note that for all awards (even those less than \$100,000), the application instructions (HI4) now require detailed narrative for each budget object class.

If the project will include a conference or workshop, the following questions should be answered and included as part of the project workplan:

- How will the conference/workshop be advertised?
- Whose logo will be on the agenda and materials?
- What is the percentage of Federal /recipient /public participation?
- Is the recipient going to prepare/disseminate the proceedings?

To provide sufficient information to determine the reasonableness and allocability of the budget to the work to be done, you will likely need sub-categories for the main budget categories in the chart above. For example, "Personnel" may have several entries such as Project Administrator, or Grant Overseer. The **Itemized Object Class Category Budget Narrative** you prepare will be a separate, narrative description for each of the main budget categories above which describes those categories in more detail.

The only funding which should be included in the budget chart is funding requested from USEPA-GLNPO and match. Other funding can be included as an added piece of information but should not be totaled in the budget chart or in budget form SF424. *Other federal moneys shall not be used as part of the applicant match.* Please carefully read the "Guide to Preparing Object Class Category Budget Detail" included in this Application Kit.

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6. Itemized Object Class Category Budget Narrative. For all grants, please submit a narrative document which provides detail, by object class category, to support the total amount in each object class category in SF 424A Section B. For example, the total budget for the personnel object class category should be supported with a list of job titles and chargeable salaries; the budget for equipment should be supported with a detailed list of proposed purchases and the estimated cost of each item; and, similar justifications should be provided for the other object class categories that comprise the total budget. Budgets will be reviewed vis-a-vis the guide to ensure costs are reasonable and necessary.

When there is a match or cost-sharing requirement, the provisions of 40 CFR 31.24 for state and local applicants or 30.307 for all other applicants must be met. All in-kind contributions used to meet match or cost-sharing requirements shall be fully documented and must comply fully with these regulations.

Allowability of all costs are governed by applicable cost principles set forth in **40 CFR 31.22** or **30.410**.

Personnel - Line 6a: Identify each type of staff position by job title and the number of employees in each type of staff position. Enter the annual salary for each type of staff position, percentage of time assigned to the project, and total cost for the budget period. Do not include costs of consultants or personnel costs of subgrantees or subcontractors.

Fringe Benefits - Line 6b: Enter the total cost of fringe benefits unless treated as part of an approved indirect cost rate. Provide break-down of amounts and percentages that comprised fringe benefit costs, such as health insurance, F.I.C.A., retirement insurance, etc.

Travel - Line 6c: Identify the number and purpose of trips for program activities; e.g., inspection, monitoring, enforcement, etc., and administrative activities; e.g., attendance at specific conferences, meetings, training, etc. Specify the cost for each activity and the basis for determining the cost. For example, list the number of trips and average cost per trip based on last year's data or specify the location, duration and estimated cost of attending an annual conference, based on air fare and applicant per diem rates. Enter the total cost for travel.

Equipment - Line 6d: Identify each item of equipment to be purchased which has an estimated acquisition cost of \$5,000 or more per unit and a useful life of more than one year. An applicant may use its own definition of equipment provided that such definition would at least include all equipment defined above. Enter individual, as well as total, cost for equipment.

No equipment may be purchased without the expressed approval of U.S. EPA. The assistance agreement shall indicate the total approved amount of the agreement which may be expended for equipment. Any equipment purchases proposed after award must be approved by U.S. EPA in writing.

If equipment purchased wholly or in part with assistance agreement funds is to be used on more than one project/program, acquisition costs or usage fees must be approved and allocated properly.

Supplies - Line 6e: List all tangible personal property other than "equipment" as defined above. The budget detail should be as descriptive as possible. Categories of supplies to be procured, e.g., laboratory supplies or office supplies, are acceptable, are acceptable if items cannot be reasonably separated. Enter individual, as well as total, cost of supplies.

Contractual - Line 6f: Identify each proposed contract and specify its purpose, nature, period of performance and estimated cost. Do not include procurement contracts which are reflected in other object class categories such as equipment, supplies, etc. If funds allocated to this object class category include proposed expenditures not usually categorized as services to be procured at the market place, explanatory footnotes must be included. Enter total cost for contracts.

Construction - Line 6g: Construction costs are generally not allowable in non-construction assistance programs. U.S. EPA will provide additional guidance upon request.

Other - Line 6h: List each item of cost in sufficient detail for U.S. EPA to determine its reasonableness and allowability. Such costs, where applicable, may include, but are not limited to, insurance, space rental, equipment rental, printing, publication, computer use, training fees, utilities, telephone, and any cost an applicant customarily identifies as other cost. Enter individual, as well as total, cost for other.

Total Direct Charges - Line 6i: Show the totals of Lines 6a through 6h.

Indirect Charges - Line 6j: Enter the total amount of indirect costs. If indirect charges are budgeted, indicate the approved rate and its base on line 22 of section F - Other Budget information (SF 424A). It is important to note that when indirect costs are budgeted, those costs included in the indirect cost pool cannot also be charged as direct costs to the assistance agreement. Finally, include a copy of your current indirect cost agreement which reflects the approved rate.

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7. SF LLL-A. Certification Regarding Lobbying. Any grant or cooperative agreement in excess of \$100,000 awarded after December 22, 1989, is subject to the Anti-Lobbying Act and interim final guidance. Section 319 of this Act generally prohibits recipients of Federal contracts, grants and loans from using appropriated funds for lobbying the Executive or Legislative Branches of the Federal government in connection with a specific contract, grant or loan. In order to assure meeting this requirement, at least until a final regulation is published, a term and condition will be included on each assistance award over \$100,000. By accepting the assistance award, the recipient will certify that it will comply with the Anti-Lobbying Act. **Applicants must sign and submit the Certification Regarding Lobbying.**

8. SF LLL. Disclosure of Lobbying Activities. See 7 above. An SF LLL is required to disclose lobbying activity, in accordance with 31 USC 1352. The SF LLL is not required if the applicant does not lobby.

9. EPA Form #4700-4 Pre-award Compliance Review Report for Applicants Requesting Federal Financial Assistance. See the instructions on the back of the form. Note that some items may not be applicable, in which case you can write NA.

10. Letters of Support. If applicable, submit letters of support from proposed project partners.

11. Indirect Cost Rate Agreement. Applicants wishing to claim indirect costs on federal grants must have a federally approved indirect cost rate or proposal. A separate proposal is required for each applicant fiscal year for which costs are to be claimed.

State and Local Governments are covered by OMB Circular A-87 and OASC-10 (U.S. Department of Health and Human Services procedures that are applicable to grants awarded by all Federal agencies). There are different requirements for States than for localities with respect to the submission of indirect cost proposals to the Federal government:

- (1) All State department/unit indirect cost proposals must be submitted to the cognizant Federal agency for approval.
- (2) Local department/unit indirect cost proposals need be submitted for approval only when requested by the cognizant Federal agency or its authorized representative. Local governments not instructed to submit proposals, nevertheless must substantiate claims for indirect cost reimbursement. A prepared indirect cost proposal must be available as of the time a claim is made and must be retained in accordance with the retention requirements. In general, the retention requirements stipulate that financial records, supporting documents, statistical data, and all other records pertinent to Federal programs be retained for a period of three years. The retention period for cost allocation plans which are prepared and retained by a local government, starts on the last day of the fiscal year (or other accounting period) covered by the plan.

Indirect cost proposals must be submitted to the cognizant Federal agency within six months after the close of each fiscal year. It is essential that proposals be submitted in a timely fashion. Upon specific request of a State or local department/unit, an extension of time for submittal of the proposal may be granted by the cognizant Federal agency. Failure of a State or locality to prepare, and submit as required, a timely proposal will cause that State or locality to become delinquent. Grant and contact awards made to a delinquent State or locality may not provide for indirect costs and indirect costs claimed against awards already made may be subject to disallowance. If a grant award made to a delinquent state or locality provides for indirect costs in the approved budget(s), the award will be conditioned to prohibit charging or claiming for reimbursement any indirect costs until a current acceptable indirect cost rate has been negotiated with the cognizant Federal agency.

"States" use the guidelines applicable to State governments. "Locals" and federally recognized Indian Tribal governments use the guidelines applicable to local governments.

Please include in the application package a copy of the applicant's current federally approved indirect cost negotiation agreement which reflects the approved rate and base.

Nonprofit organizations are covered by OMB Circular A-122. A nonprofit organization must develop an indirect cost proposal if it wishes to claim indirect costs on Federal grants or contracts. A separate proposal is required for each applicant fiscal year for which costs are to be claimed. Nonprofit organizations must substantiate claims for indirect cost reimbursement. The EPA indirect cost and special rate policy for grants and cooperative agreements awarded to non-profit organizations and educational institutions is at <www.epa.gov/ogd/grants/indirect.htm>.

An indirect cost negotiated agreement will be executed only when required by the cognizant Federal agency or its authorized representative.

Nonprofit organizations should include in their application package either (i) the current federally approved indirect cost negotiation agreement, or (ii) if a rate has not been formally reviewed and approved, an indirect cost proposal which supports the rate proposed in the assistance application.

PART II - ADMINISTRATIVE TERMS AND CONDITIONS

We expect the following Administrative Terms and Conditions to be included in the Award Document.

ENVIRONMENTAL RESULTS - RECIPIENT PERFORMANCE REPORTING. Applicable to Recipients subject to 40 C.F.R. Part 31 (other than recipients of State or Tribal Program grants under 40 C.F.R. Parts 35 Subparts A or B). Same language for 40 C.F.R. Part 30, (d),(f).

In accordance with 40 C.F.R. §31.40, the recipient agrees to submit performance reports that include brief information on each of the following areas: 1) a comparison of actual accomplishments to the outputs/outcomes established in the assistance agreement workplan for the period; 2) the reasons for slippage if established outputs/outcomes were not met; and 3) additional pertinent information, including, when appropriate, analysis and information of cost overruns or high unit costs.

In accordance with 40 C.F.R. § 31.40 (d), the recipient agrees to inform EPA as soon as problems, delays or adverse conditions become known which will materially impair the ability to meet the outputs/outcomes specified in the assistance agreement work plan.

DEBARMENT AND SUSPENSION - 40 CFR Part 32. Applicable to All Applicants. Executive Order 12549 provides for a government wide system of nonprocurement (grants and cooperative agreements) debarment and suspension. A person who is debarred or suspended is excluded from federal financial and nonfinancial assistance and benefits under federal programs and activities. Debarment or suspension of a participant in a program by one agency has government wide effect. Following is the new National term on Suspension and Debarment. This condition applies to all recipients and is effective immediately.

Recipient shall fully comply with Subpart C of 40 CFR Part 32, entitled "Responsibilities of Participants Regarding Transactions." Recipient is responsible for ensuring that any lower tier covered transaction, as described in Subpart B of 40 CFR Part 32, entitled "Covered Transactions," includes a term or condition requiring compliance with Subpart C. Recipient is responsible for further requiring the inclusion of a similar term or condition in any subsequent lower tier covered transactions. Recipient acknowledges that failing to disclose the information required under 40 CFR 32.335 may result in the delay or negation of this assistance agreement, or pursuance of legal remedies, including suspension and debarment.

Recipient may access the Excluded Parties List System at <http://epls.arnet.gov>. This term and condition supersedes EPA Form 5700-49, "Certification Regarding Debarment, Suspension, and Other Responsibility Matters."

DRUG-FREE - 40 CFR Part 32. Applicable to All Applicants. Subpart F - Drug-Free Workplace Requirements (Grants). The Drug-Free Workplace Act of 1988 requires that all grantees receiving grants from any federal agency certify to that agency that they will maintain a drug-free workplace, or in the case of a grantee who is an individual, certify to the agency that his or her conduct of grant activity will be drug-free. This government-wide rule implements the statutory requirements. It directs that grantees take steps to provide a drug-free workplace in accordance with the Act. This certification may be added to the award document.

FINANCIAL STATUS REPORT FORM SF 269. Regulations pertaining to the filing of Financial Status Reports are located at 40 CFR 31.41 and 40 CFR 30.52. An interim Financial Status Report must be submitted annually within 90 days following the end of each 12-month period, or more frequently if required in the Assistance Agreement. A final FSR must be submitted within 90 days after the end of the budget and project periods. All final FSRs must be submitted to the EPA Grants Specialist as identified on page one of this Assistance Agreement.

LOBBYING RESTRICTIONS - 40 CFR Part 34. Applicable to All Applicants. Recipients of Federal contracts, grants, and loans may not use appropriated funds for lobbying the Executive or Legislative Branches of the Federal Government in connection with a specific contract grant, or loan. (Section 319 of Public Law 101-121.)

MINORITY BUSINESS ENTERPRISE/WOMEN'S BUSINESS ENTERPRISE (MBE/WBE). In accordance with EPA's Program for Utilization of Small, Minority and Women's Business Enterprises in procurement under assistance programs, the recipient agrees to:

a) Accept the applicable FY 2004 "fair share" goals negotiated with EPA by the State, or if the recipient does not want to rely on applicable State's MBE/WBE goals, the recipient agrees to submit proposed MBE/WBE goals based on availability of qualified minority and women-owned businesses to do work in relevant market for construction, services, supplies and equipment. "Fair share" objectives must be submitted to the MBE/WBE Coordinator, within 30 days of award and approved by EPA no later than 30 days thereafter.

b) Ensure to the fullest extent possible that at least the FY 2004 "fair share" objective [see a) above] of Federal funds for prime contractors or subcontracts for supplies, construction, equipment or services are made available to organizations owned or controlled by socially and economically disadvantaged individuals, women and historically black colleges and universities.

c) Include in bid documents "fair share" objectives of 2004 fair share percentage [see a) above] and require all of its contractors to include in their bid documents for subcontracts the negotiated fair share percentages.

d) Follow the six affirmative steps stated in 40 CFR 30.44(b) 40 CFR 31.36(e), 35.3145(d), or 35.6580, as appropriate.

e) For assistance awards for continuing environmental programs and assistance awards with institutions of higher education, hospitals and other non-profit organizations, submit an EPA Form 5700-52A, "MBE/WBE Utilization Under Federal Grants, Cooperative Agreements and Interagency Agreements" to the EPA Award Official by October 30 of each year.

f) In the event race and/or gender neutral efforts prove to be inadequate to achieve a fair share objective for MBE/WBEs, the recipient agrees to notify EPA in advance of any race and/or gender conscious action it plans to take to more closely achieve the fair share objective.

g) Until the recipient has completed its fair share negotiations with EPA, it agrees to maintain state Agency's fair share objectives. Once the recipient has completed its fair share negotiations with EPA, it will apply those objectives. The recipient also agrees to include in its bid documents the applicable FY 2004 "fair share" objectives and require all of its prime contractors to include in their bid documents for subcontracts the applicable FY 2004 "fair share" percentages and to comply with paragraphs (c) through (e) above.

RURAL AREA BUSINESS ENTERPRISE DEVELOPMENT PLAN. Section 129 of Public Law 100-50 dated November 3, 1988, the Small Business Administration Reauthorization and Amendment Act of 1988, requires agencies with substantial procurement or grant-making authority to establish a Rural Area Business Enterprise Development Plan. The Administrator of the Small Business Administration has identified EPA as a Federal agency having substantial procurement and grant-making authority.

Therefore, it is EPA policy that recipients of EPA financial assistance awards utilize the services of small businesses in rural areas (SBRAs), to the maximum extent practicable. The objective is to assure that such small business entities are afforded the maximum practical opportunity to participate as subcontractors, suppliers and otherwise in EPA-awarded financial assistance programs. This policy applies to all contracts and subcontracts for supplies, construction and services under EPA grants or cooperative agreements. Small purchases are also subject to this policy.

As an interim measure, EPA will insert the following term and condition in all financial assistance awards:

If a contract is awarded under this assistance agreement, the recipient agrees and is required to utilize the following affirmative steps.

- (a) placing SBRAs on solicitation lists;
- (b) making sure that SBRAs are solicited whenever they are potential sources;
- (c) dividing total requirements, when economically feasible, into small tasks or quantities to permit maximum participation by SBRAs;
- (d) establishing delivery schedules, where the requirements of work will permit, which would encourage participation by SBRAs;
- (e) using the services of the Small Business Administration and the Minority Business Development Agency of the U.S. Department of Commerce, as appropriate; and,
- (f) requiring the contractors to take the affirmative steps in subparagraphs a. through e. if subcontracts are awarded.

RECYCLED PAPER. In accordance with EPA Order 1000.25 and Executive Order 13101, *Greening the Government Through Waste Prevention, Recycling, and Federal Acquisition*, the recipient agrees to use recycled paper for all reports which are prepared as a part of this agreement and delivered to EPA. This requirement does not apply to reports prepared on forms supplied by EPA, or to Standard Forms, which are printed on recycled paper and are available through the General Services Administration.

USE OF RECYCLED MATERIAL. Any State agency or agency of a political subdivision of a State which is using appropriated Federal funds shall comply with the requirements set forth in Section 6002 of the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. 6962). Regulations issued under RCRA Section 6002 apply to any acquisition of an item where the purchase price exceeds \$10,000 or where the quantity of such items acquired in the course of the preceding fiscal year was \$10,000 or more. RCRA Section 6002 requires that preference be given in procurement programs to the purchase of specific products containing recycled materials identified in guidelines developed by EPA. These guidelines are listed in 40 CFR 247.

RECYCLED PRODUCTS. STATE AND LOCAL INSTITUTIONS OF HIGHER EDUCATION, HOSPITALS, AND NON-PROFIT ORGANIZATIONS: Pursuant to 40 CFR 30.16, State and local institutions of higher education, hospitals, and non-profit organizations that receive direct Federal funds shall give preference in their procurement programs funded with Federal funds to the purchase of recycled products pursuant to EPA's guidelines.

CONSULTANT CAP

Payment to consultants. EPA participation in the salary rate (excluding overhead) paid to individual consultants retained by recipients or by a recipient's contractors or subcontractors shall be limited to the maximum daily rate for a Level IV of the Executive Schedule (formerly GS-18), to be adjusted annually. This limit applies to consultation services of designated individuals with specialized skills who are paid at a daily or hourly rate. As of January 1, 2006, the limit is \$548.08 per day and \$68.51 per hour. This rate does not include transportation and subsistence costs for travel performed (the recipient will pay these in accordance with their normal travel reimbursement practices).

Subagreements with firms for services which are awarded using the procurement requirements in 40 CFR 30 or 31, as applicable, are not affected by this limitation unless the terms of the contract provided the recipient with responsibility for the selection, direction, and control of the individuals who will be providing services under the contract at an hourly or daily rate of compensation. See 40 CFR 31.36(j) or 30.27(b)

PART III - PROGRAMMATIC TERMS AND CONDITIONS

[Applicable requirements should be incorporated into project workplans. Assistance Applicants should be told of these requirements before they are put into Award Documents as Special Conditions.]

1. QUALITY SYSTEM DOCUMENTATION

Projects involving use of existing environmental data or collection of new environmental data (use or collection of environmental data) must meet the American National Standard Specifications and Guidelines for Quality Systems for Environmental Data Collection and Environmental Technology Programs, ANSI/ASQC E4-1994. "Environmental data" means measurements or information that describes environmental processes, location, or conditions; ecological or health effects and consequences; or the performance of environmental technology. The term "Quality System Documentation" includes a Quality Management Plan (QMP), a Quality Assurance Project Plan (QAPP), or such other documentation which demonstrates compliance with ANSI/ASQC E4-1994.

An Applicant without current, approved Quality System Documentation shall submit Quality System Documentation for approval to GLNPO by the earlier of (i) the 30th day prior to use or collection of environmental data and (ii) the 90th day after the project start date. An Applicant with current, approved Quality System Documentation will, by the earlier of (i) the 30th day prior to use or collection of environmental data and (ii) the 90th day after the project start date, deliver notification to GLNPO's Quality Assurance Manager. Notification shall, at a minimum state (i) that the Applicant has reviewed the proposed project in light of ANSI/ASQC E4-1994, (ii) whether or not the quality requirements of ANSI/ASQC E4-1994 apply to the project, and (iii) if those quality requirements apply, what steps the Applicant has taken or will take to comply with ANSI/ASQC E4-1994. The Applicant will adjust its implementation schedule accordingly. Costs associated with use or collection of environmental data are not allowable costs until Quality System Documentation is approved by the GLNPO Quality Manager.

Contact GLNPO's Quality Manager, Louis Blume (312) 353-2317 with questions or to request sample documentation. Further guidance is available in the Grants Requirements/Instruction in the online Application materials and from < http://www.epa.gov/quality/qa_docs.html >, which includes the document "QA/R-5: EPA Requirements for Quality Assurance Project Plans."

2. REPORTING

Semi-annual progress reports shall be submitted electronically to the USEPA Project Officer by the 30th day after each six month period following the start date of the project. Progress reports shall document progress under the project in writing and in pictures. Item M2 in the online application materials kit provides a suggested outline, addressing (1) work accomplished for the period, quantifying results; (2) Object Class Category changes; (3) corrective actions; (4) projected new work; (5) percent completion of scheduled work; (6) percent of budgeted amounts spent; (7) any change in principal investigator; and (8) any change needed in project period.

The **Final Report** shall incorporate project outputs and summarize the nature and extent of the project, methodologies employed, significant events and experiences, and a compilation of the data collected. The final report shall also include analysis of the data, conclusions, and recommendations. The final report shall incorporate photo documentation of the project and environmental progress under the project at appropriate phases, and appropriate illustrations, diagrams, charts, graphs, and maps to express the data and findings. The draft Final Report will be submitted electronically to the USEPA Project Officer no later than 45 days before the end of the project period for review and comment. Electronic and paper versions of the Final Report shall be submitted no later than the end of the project period. All work products shall carry attribution to the USEPA Great Lakes National Program Office for funding assistance and should also acknowledge significant contributions by others.

Locational Information. Locational information (latitude and longitude) shall be reported for all areas of interest in this agreement (ex: sampling sites/areas, restoration sites/areas, etc.) according to the format available on the Internet at < www.epa.gov/glnpo/fund/ldp.html >. Contact Pranas Pranckevicius at (312) 353-7996 with questions.

Copies, formats, etc. 3 printed, camera-ready copies of all reports and supplemental data, text, and graphics shall be submitted along with either:

(i) Original electronic copy on disk or cd. Both MacIntosh and Windows are acceptable. All major word processing and desktop publishing formats are acceptable. Digital graphics should be submitted in their original form. Any special fonts used within the document should also be provided. OR

(ii) Hypertext markup language (HTML) or Portable Document File (PDF) version.

All **environmental monitoring data** collected under this agreement shall be reported to GLNPO in spreadsheet format, preferably using Microsoft Excel. Contact Louis Blume (312) 353-2317 or Kenneth Klewin (312) 886-4794 with questions or to receive a hard copy of the format for environmental monitoring data. See < http://www.epa.gov/glnpo/monitoring/data_proj/glenda/index.html > for additional information.

3. PAYMENT

Payment of Federal funds shall be in accordance with the award agreement, up to 95% of the total allowable award. When the Final Report is delivered to the USEPA Project Officer and approved, the remaining 5% of the Federal share of total allowable costs will be paid.

4. MEETINGS/CONFERENCES

Time and travel costs along with participation in professional meetings and conferences funded under this agreement shall be approved by the USEPA Project Officer in advance.

5. SUBCONTRACTING

No portion of this work shall be subcontracted, without the explicit notification and written approval by the USEPA Project Officer.

6. SAFETY MANUAL

Lab and field activities conducted for this project must be in accordance with provisions of the GLNPO Health, Safety, and Environmental Compliance Manual. Contractors and Recipients are required to have read the contents of the Manual prior to initiating field operations on the USEPA owned vessels Lake Guardian and Mudpuppy.

7. SIGNAGE

The Recipient will erect a visible project identification sign at each significant access point to the project. Each sign must give project information and credit the United States Environmental Protection Agency - Great Lakes National Program Office for funding. Subject to the USEPA Project Officer's approval, the Recipient will determine the design, placement, and materials for each sign. [Source: 40 CFR §30.515]

8. DISPOSITION OF WASTES

Disposal of all wastes will be in accordance with State and Federal regulations, and is the responsibility of the Recipient.

9. PARTIAL FUNDING

This action approves the workplan and anticipated total budget of \$ _____ proposed in the application dated _____ and amended on _____. Federal funds obligated by this action, in the amount of \$ _____, represent less than the full federal share, i.e., \$ _____ of the anticipated total budget. Approved object class category costs in this action have been reduced to reflect the reduced obligation. An EPA award for the balance of the total budget at a later date is subject to appropriations and availability of federal funds, changes in Program Office priorities, and satisfactory progress as certified by the EPA

Project Officer upon review of the project and progress reports. If additional funds are not available for any of these reasons, it is understood that the scope of work and the federal and non-federal shares will be renegotiated to reflect the amount awarded.

PART IV - MISC. FEDERAL GRANT REQUIREMENTS APPLICABLE TO GRANT

COST PRINCIPLES (OMB CIRCULARS A-21, A-87, OR A-122), ADMINISTRATIVE REQUIREMENTS, (OMB CIRCULARS A-102 OR 110), AND AUDIT REQUIREMENTS (A-133). **Applicable to All Applicants.** *All grantees* must adhere to requirements for accounting, administration, and audits found in the applicable OMB circulars, available from <<http://www.whitehouse.gov/omb/grants/>>.

Audits. In accordance with OMB Circular A-133 (as contained in 40 CFR Part 31 Appendix A), State and local governments, as well as Nonprofit Institutions expending \$300,000 or more a year in Federal funds must have a single or program specific audit for that year. Audits shall be made annually unless the state or local government has, by January 1, 1987, a constitutional or statutory requirement for less frequent audits. For those governments, the cognizant agency shall permit biennial audits, covering both years, if the government so requests. Only nonprofit organizations that had biennial audits for all biennial periods ending between July 1, 1992 and January 1, 1995 may elect a biennial audit.

NONDISCRIMINATION - 40 CFR Parts 7 and 12. Applicable to All Applicants. This rule implements statutes which prohibit discrimination on the grounds of race, color, national origin, sex and handicap. Instead of a separate rule to implement each statute; the consolidated rule includes all requirements of the statutes and clarifies the requirements imposed on EPA assistance.

This rule stipulates that no person shall be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity receiving EPA assistance on the basis of race, color, national origin, or on the basis of sex or handicap in any program or activity receiving EPA assistance.

GENERAL ASSISTANCE REGULATIONS - 40 CFR Part 30. Applicable to Other Than State and Local Governmental Applicants. These regulations inform applicants, other than state and local governments, how to apply for and manage an EPA project, describe EPA involvement in the process, and identify recipient responsibilities.

ADMINISTRATIVE REQUIREMENTS - 40 CFR Part 31. Applicable to State, Local, and Tribal Governments. This part establishes uniform administrative rules for federal grants and cooperative agreements to State, local and Indian Tribal governments. Items addressed include:

- Pre-Award Requirements
- Post-Award Requirements, including
- Financial Administration (standards for financial management systems, payment methods, matching, etc.)
- Changes (budget & program) and Property Management
- Reports, Records, Retention, and Enforcement
- After-the-Grant Requirements

PART V. QUALITY ASSURANCE

In general, projects involving use of existing environmental data or collection of new environmental data (use or collection of environmental data) must meet the American National Standard *Specifications and Guidelines for Quality Systems for Environmental Data Collection and Environmental Technology Programs*, ANSI/ASQC E4-1994. To demonstrate conformance to this standard, EPA requires two forms of documentation:

- Documentation of the organization quality system (usually called a Quality Management Plan or QMP), and/or
- Documentation of the application of QA and QC activities to an activity-specific effort (usually called a Quality Assurance Project Plan or QAPP).

GLNPO uses the term “Quality System Documentation” to include a Quality Management Plan (QMP), a Quality Assurance Project Plan (QAPP), or such other documentation which demonstrates compliance with ANSI/ASQC E4-1994.

Applicants *without* current, approved Quality System Documentation shall submit Quality System Documentation for approval to GLNPO by the earlier of (i) the 30th day prior to use or collection of environmental data and (ii) the 90th day after the project start date. An applicant *with* current, approved Quality System Documentation will, by the earlier of (i) the 30th day prior to use or collection of environmental data and (ii) the 90th day after the project start date, deliver notification to GLNPO’s Quality Assurance Manager. Notification shall, at a minimum state (i) that the Applicant has reviewed the proposed project in light of ANSI/ASQC E4-1994, (ii) whether or not the quality requirements of ANSI/ASQC E4-1994 apply to the project, and (iii) if those quality requirements apply, what steps the Applicant has taken or will take to comply with ANSI/ASQC E4-1994. Costs associated with use or collection of environmental data are not allowable costs until Quality System Documentation is approved by the GLNPO Quality Manager.

For projects involving environmental data collection, there may be some potential for savings and efficiency if you prepare your proposal in the form of a QAPP. The general outline of a QAPP is included on the following page. To prepare the proposal in the form of a QAPP, you would use the Project Elements in column 1 as the framework for your proposal

In addition, the applicant should assure that all QMP elements are covered in some fashion in the proposal. The elements to be addressed in a QMP include: management and organization; quality system and description; personnel qualifications and training; procurement of items and services; documentation and records; computer hardware and software; planning; implementation of work processes; assessment and response; and quality improvement. Following the QAPP outline should allow coverage of most of the QMP elements.

Guidelines for Quality Management Plans and Quality Assurance Project Plans for **non-EPA organizations** can be found on the web at:

http://www.epa.gov/quality1/qa_docs.html

Descriptions of each element are included in Chapter 3 of both documents.

REQUIRED ELEMENTS IN A QUALITY ASSURANCE PROJECT PLAN (QAPP)

Elements	Requirements
PROJECT MANAGEMENT	
A1 Title and Approval Sheet	Title and approval sheet.
A2 Table of Contents	Document control format.
A3 Distribution List	Distribution list for the QAPP revisions and final guidance.
A4 Project/Task Organization	Identify individuals or organizations participating in the project and discuss their roles, responsibilities and organization.
A5 Problem Definition/ Background	1) State the specific problem to be solved or the decision to be made. 2) Identify the decision maker and the principal customer for the results.
A6 Project/Task Description	1) Hypothesis test, 2) expected measurements, 3) ARARs or other appropriate standards, 4) assessment tools (technical audits), 5) work schedule and required reports.
A7 Data Quality Objectives for Measurement Data	Decision(s), population parameter of interest, action level, summary statistics and acceptable limits on decision errors. Also, scope of the project (domain or geographical locale).
A8 Special Training Requirements/ Certification	Identify special training that personnel will need.
A9 Documentation and Record	Itemize the information and records that must be included in a data report package, including report format and requirements for storage, etc.
MEASUREMENT/DATA ACQUISITION	
B1 Sampling Process Designs (Experimental Design)	Outline the experimental design, including sampling design and rationale, sampling frequencies, matrices, and measurement parameter of interest.
B2 Sampling Methods Requirements	Sample collection method and approach.
B3 Sample Handling and Custody Requirements	Describe the provisions for sample labeling, shipment, chain-of-custody forms, procedures for transferring and maintaining custody of samples.
B4 Analytical Methods Requirements	Identify analytical method(s) and equipment for the study, including method performance requirements.
B5 Quality Control Requirements	Describe routine (real-time) QC procedures that should be associated with each sampling and measurement technique. List required QC checks and corrective action procedures.
B6 Instrument/Equipment Testing Inspection and Maintenance Requirements	Discuss how inspection and acceptance testing, including the use of QC samples, must be performed to ensure their intended use as specified by the design.
B7 Instrument Calibration and Frequency	Identify tools, gauges and instruments, and other sampling or measurement devices that need calibration. Describe how the calibration should be done.
B8 Inspection/Acceptance Requirements for Supplies and Consumables	Define how and by whom the sampling supplies and other consumables will be accepted for use in the project.
B9 Data Acquisition Requirements (Non-direct Measurements)	Define the criteria for the use of non- measurement data such as data that come from databases or literature.
B10 Data Management	Outline the data management scheme including the path and storage of the data and the data record-keeping system. Identify all data handling equipment and procedures that will be used to process, compile, and analyze the data.
ASSESSMENT/OVERSIGHT	
C1 Assessments and Response Actions	Describe the assessment activities needed for this project. These may include DQA, PE, TSA, MSR/ PR/RR
C2 Reports to Management	Identify the frequency, content and distribution of reports issued to keep management informed.
DATA VALIDATION AND USABILITY	
D1 Data Review, Validation, and Verification Requirements	State the criteria used to accept or reject the data based on quality.
D2 Validation and Verification Methods	Describe the process to be used for validating and verifying data, including the chain-of-custody for data throughout the lifetime of the project.
D3 Reconciliation With Data Quality Objectives	Describe how results will be evaluated to determine if DQOs have been satisfied.

GLNPO added note: The above elements are the minimum requirements for a QAPP, and therefore, should be used during the QAPP development.