

AGENCY: ENVIRONMENTAL PROTECTION AGENCY (EPA)

TITLE: “Proposal Guidelines for Brownfields Cleanup Grants”

ACTION: Request for Proposals (RFP) - Amendment 001.

RFP NO: EPA-OSWER- OBLR-10-11

CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NO: 66.818

SUMMARY: This notice is issued to include new mandatory OMB and EPA clauses; correct regional office address and to add clarifying language regarding this Request for Proposals (EPA-OSWER-OBLR-10-11).

Accordingly,

A. **Section I.A., Description of Grant**, (Page 4), is hereby amended as follows:

1. Paragraph 2 is revised to read:

An applicant **must be the sole owner of the site** that is the subject of its cleanup grant proposal to receive a cleanup grant. **An applicant must own the site at time of proposal submission.** For the purposes of eligibility determinations in these guidelines only, the term “own” means fee simple title **through a legal document, for example a recorded deed.** EPA will find applicants that do not meet this requirement ineligible. The grantee must maintain sole ownership of the site until the grant is closed out. Refer to threshold criterion Section III.C.1.b for additional information.

2. Paragraph 4 is revised to read:

Cleanup grant applicants must have an ASTM E1903-97 Phase II site assessment report or equivalent **site investigation report complete** prior to proposal submission.

B. **Section III.C.3.h., Information on Liability and Defenses/Protections**, (Page 15), is hereby amended as follows:

1. Under “**i) Information on the Property Acquisition,**” bullet #2 is revised to read:

- The date you acquired the property;

2. “**Footnote 1**” is revised to read:

¹ Because current owners of sites are potentially liable under CERCLA, cleanup grant applicants who own the site must be able to meet the requirements of one of the CERCLA landowner liability protections, such as the bona fide prospective purchaser provision (CERCLA §107(r)), the innocent landowner defense (CERCLA §107(b)(3))

and 101(35)(A)), or the exclusion for state or local governments that involuntarily acquire property (CERCLA §101(20)(D)).

3. “**ii) Timing and/or Contribution Toward Hazardous Substances Disposal,**” is revised to read:

Timing and/or Contribution Toward Hazardous Substances Disposal. Identify whether all disposal of hazardous substances at the site occurred before you acquired the property and whether you caused or contributed to any release of hazardous substances at the site. Affirm that you have not, at any time, arranged for the disposal of hazardous substances at the site or transported hazardous substances to the site.

4. “**iv) Post-Acquisition Uses,**” is revised to read:

Post-Acquisition Uses. Describe all uses to which the property has been put since you acquired ownership through the present, including any uses by persons or entities other than you. Please provide a timeline with the names of all current and prior users during the time of your ownership; the dates of all uses; the details of each use, including the rights or other reason pursuant to which the use was claimed or taken (e.g., lease, license, trespass); and your relationship to the current and prior users.

5. “**v) Continuing Obligations,**” is revised to read:

Continuing Obligations. Describe **in detail** the specific appropriate care that you exercised with respect to hazardous substances found at the site by taking **reasonable steps** to:

- C. **Section VII., Agency Contacts,** (Page 38), is hereby amended as follows:

1. Under “**Regional Brownfields Coordinators**” row #2 is revised to read:

REGION & STATES		ADDRESS/PHONE NUMBER
EPA Region 1 Diane Kelley Kelley.Diane@epa.gov	CT, ME, MA, NH, RI, VT	5 Post Office Square Suite 100, Mailcode: OSRR7-2 Boston, MA 02109-3912 Phone (617) 918-1424 Fax (617) 918-1291

- D. **Section VI, Award Administration Information,** (Page 37), is hereby amended to add the following clauses:

VI.G. Sub-Award and Executive Compensation Reporting

Applicants must ensure that they have the necessary processes and systems in place to comply with the sub-award and executive total compensation reporting requirements

established under OMB guidance at 2 CFR Part 170, unless they qualify for an exception from the requirements, should they be selected for funding.

VI.H. Central Contractor Registration (CCR) and Data Universal Numbering System (DUNS) Requirements

Unless exempt from these requirements under OMB guidance at 2 CFR Part 25 (e.g., individuals), applicants must:

1. Be registered in the CCR prior to submitting an application or proposal under this announcement. CCR information can be found at <https://www.bpn.gov/ccr/>
2. Maintain an active CCR registration with current information at all times during which it has an active Federal award or an application or proposal under consideration by an agency, and
3. Provide its DUNS number in each application or proposal it submits to the agency. Applicants can receive a DUNS number, at no cost, by calling the dedicated toll-free DUNS Number request line at 1-866-705-5711, or visiting the D&B website at: <http://www.dnb.com>.

If an applicant fails to comply with these requirements, it will, should it be selected for award, affect their ability to receive the award.

VI.I. Unliquidated Obligations

An applicant that receives an award under this announcement is expected to manage assistance agreement funds efficiently and effectively and make sufficient progress towards completing the project activities described in the work-plan in a timely manner. The assistance agreement will include terms/conditions implementing this requirement.

- E. Except as noted above, all terms and conditions of the original RFP (EPA-OSWER-OBLR-10-11) remain unchanged and in full force and effect.