

OVERVIEW SECTION

AGENCY: ENVIRONMENTAL PROTECTION AGENCY (EPA)

TITLE: “FY 2010 HAZARDOUS WASTE MANAGEMENT GRANT PROGRAM FOR TRIBES”

ACTION: Request for Proposals (RFP) - Initial Announcement

RFP NO: EPA-OSWER-ORCR-10-03

CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NO.: 66.812

DATES: The closing date and time for receipt of proposals is April 26, 2010, 5:00 p.m. EDT. Proposals, as described in *Section 4(C)* of this announcement, must be received in the EPA Headquarters Program Office via electronic mail, hand delivery, U.S. Postal Service, or express mail service by April 26, 2010, 5:00 p.m. EDT in order to be considered for funding. Proposals received after the closing date and time of this announcement will be returned to the sender without further consideration. Because of the unique situation involving U.S. mail screening, EPA highly recommends that applicants submitting a proposal in hard copy use a commercial delivery service or express mail option to transmit their proposals.

SUMMARY: This notice announces the availability of funds and solicits proposals from federally-recognized tribes, intertribal consortium or consortia for the development and implementation of hazardous waste programs and for building capacity to address hazardous waste management in Indian Country. In accordance with the EPA Indian Policy of 1984, EPA recognizes tribal governments as the primary parties for managing programs for reservations.

FUNDING/AWARDS: The total estimated funding available under this competitive opportunity is \$319,000, subject to the availability of funds and quality of proposals received. EPA anticipates award of up to 4 cooperative agreements whose maximum estimated value each shall not exceed \$79,750 resulting from this competitive opportunity. (*Refer to Section 2(B).*)

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Section 1. Funding Opportunity Description

A. Introduction

Improper management of hazardous waste poses a serious threat to the health of people, the environment, and wildlife. Some threats are obvious, such as chemical accidents, spills of hazardous waste on or close to transportation routes, and illegal hazardous waste dumping. Even when hazardous waste is managed and disposed of in a careful manner, it may still pose a serious threat. For example, toxic hazardous wastes can leak from a poorly constructed or improperly maintained landfill. Such waste contamination can severely, and sometimes irreversibly, impact plants, wildlife, and humans.

Improper management and disposal of hazardous waste has polluted ground water, streams, rivers, lakes, and other surface waters. Careless waste disposal has been linked to respiratory illnesses, skin diseases (including skin cancer), and elevated levels of toxic materials in humans, plants, and animals. In some cases, the improper management of hazardous waste has resulted in fires, explosions, or the generation of toxic gases that have killed or seriously injured workers and firefighters.

To address hazardous waste management issues, EPA is responsible for implementing the Resource Conservation & Recovery Act (RCRA) Subtitle C program. The RCRA Subtitle C program is a comprehensive effort to ensure that hazardous waste is managed safely from “cradle to grave:” from the moment it is generated; while it is transported, treated, or stored; until it is finally re-used or disposed of in a safe manner.

B. Types of Projects EPA Will Fund Under this Grant Program

This grant program will support projects designed to develop and implement hazardous waste management programs. These programs must improve the applicant’s ability to properly identify, manage, or dispose of hazardous waste. All hazardous waste management activities that address the RCRA Subtitle C “cradle to grave” approach are eligible. Each of the following hazardous waste management program activities are considered central to a “cradle to grave” program:

1. Hazardous Waste Identification;
2. Hazardous Waste Generator Siting, Monitoring, & Compliance (Large Quantity, Small Quantity, and Conditionally Exempt Small Quantity Generators);
3. Hazardous Waste Minimization and Recycling, and the Management of Used Oil, and Universal Wastes;
4. Hazardous Waste Transportation;
5. Treatment, Storage, and Disposal Facility Siting, Permitting, Monitoring, Corrective Action, & Enforcement;
6. Land Disposal Restrictions; and
7. Combustion.

C. Examples of Program Activities

The following activities are suggestive and do not limit the range of activities considered eligible under this grant program. These activities are eligible when they are performed in support of developing and implementing a tribal program to manage hazardous waste:

1. Develop and implement codes, regulations, ordinances, policies, and/or guidance to regulate hazardous waste management activities and facilities, such as generators, transporters, treatment, storage and disposal facilities.
2. Develop and implement hazardous waste program enforcement policies and procedures to ensure regulatory compliance, including monitoring and inspection schemes.
3. Develop legal and administrative infrastructure adequate to implement and maintain regulatory and/or non-regulatory hazardous waste management programs.
4. Identify and assess hazardous waste generation and ongoing management of concern to the community, including:
 - a. Inventory of active and inactive dump/disposal sites and assess contamination potential;
 - b. Characterize hazardous waste stream; and
 - c. Identify sensitive sites with potential or actual impacts on water bodies, soil, air, cultural/historic resources, threatened or endangered species, etc.
5. Develop and implement tribal integrated hazardous waste management plans (including source reduction/recycling).
6. Implement used oil collection and other programs to reduce the improper management of hazardous waste in the community. Used oil collection programs must be in accordance with 40 Code of Federal Regulations (CFR) 279.
7. Implement household hazardous waste collection events or programs that provide sustainable or long-term solutions for disposal of household hazardous waste for the community.
8. Implement Universal waste collection events or programs that provide sustainable or long-term solutions for disposal of household hazardous waste for the community. Universal waste programs must be in accordance with 40 Code of Federal Regulations (CFR) 273.
9. Develop outreach documents and other resource materials to plan and conduct hazardous waste management seminars for tribal leaders, community members, businesses and civic organizations, etc.
10. Establish qualifications for environmental management personnel relative to the tribe's needs and plan for program implementation.
11. Establish a communications plan for hazardous waste management program activities.
12. Identify multi-jurisdictional opportunities for hazardous waste management, including feasibility for intergovernmental (tribal, federal, state, and local) cooperative efforts.

D. EPA Strategic Plan Linkage

The projects selected for award through this competition will support progress towards EPA Strategic Plan Goal 3 (Land Preservation and Restoration), Objective 3.1 (Preserve Land), Sub-objectives 3.1.1 (Reduce Waste Generation and Increase Recycling), 3.1.2 (Manage Hazardous Wastes and Petroleum Products Properly), and Objective 3.2 (Restore Land), Sub-objective 3.2.1 (Prepare for and Respond to Accidental and Intentional Releases). Specifically, the recipient will develop and implement hazardous waste management programs that identify hazardous wastes, improve management of hazardous waste, encourage waste reduction/re-use/recycling activities, collect household hazardous waste, educate and train employees and the public, implement used oil collection programs, or other related activities. Grantees may also receive training in emergency response and hazardous materials handling.

(View EPA's Strategic Plan on the internet at: <http://www.epa.gov/ocfo/plan/plan.htm>.)

E. Measuring Environmental Results: Anticipated Outcomes/Outputs

Pursuant to EPA Order 5700.7, "*Environmental Results under EPA Assistance Agreements*," EPA requires that all grant applicants and recipients adequately address environmental outcomes and outputs. Outcomes and outputs differ both in their nature and in how they are measured. Applicants must discuss environmental outcomes and outputs in their proposed work plan.

1. **Outcomes.** The term "outcomes" refer to the result, effect, or consequence that will occur from carrying out an environmental program or activity that is related to an environmental or programmatic goal or objective. Outcomes may be environmental, behavioral, health-related or programmatic in nature, must be quantitative, and may not necessarily be achievable during the project period.

EPA anticipates outcomes from projects expected to be awarded under this announcement will include, but are not limited to the following:

- a. Improved knowledge about the location of hazardous waste handlers/facilities, and the types of hazardous wastes they manage as reflected by inventories of facilities.
- b. Improved ability to properly identify, manage, or dispose of hazardous waste as demonstrated by a reduction in the number of citations under tribal codes, regulations, and ordinances, and fewer reports of illegal hazardous waste disposal.
- c. Increased amount of household hazardous waste recycled and/or increased use hazardous waste reduction and re-use activities as demonstrated by increased use of household hazardous waste collection stations and re-use centers.
- d. Improved community awareness of proper hazardous waste and used oil management practices as demonstrated by the level of participation in household hazardous waste collection events, used oil collection programs, and/or increased purchasing of alternative, non-toxic or less hazardous products.

2. **Outputs.** The term “outputs” refer to an environmental activity, effort, and/or associated work products related to an environmental goal or objective, that will be produced or provided over a period of time or by a specified date. Outputs may be quantitative or qualitative but must be measurable during the project period.

EPA anticipates the outputs from the project expected to be awarded under this announcement will include, but are not limited to the following:

- a. Inventory of hazardous waste handlers/facilities in Indian Country;
- b. Codes, regulations, ordinances, policies and/or guidance for regulating hazardous waste;
- c. Facilities for improved hazardous waste management, such as secure household hazardous waste collection stations and re-use centers for used paint, wood stains, etc.;
- d. Number of tribal leaders and environmental staff trained or certified;
- e. Educational and/or community outreach material; and
- f. Reports from studies, sampling, and/or research.

F. Supplementary Information

The statutory authority for this action is Public Law 105-276. Tribal recipients of Hazardous Waste Management Grants are subject to 40 CFR Parts 31 (Uniform Administrative Requirements for Assistance Agreements to State, local and Federally-Recognized Tribal Governments).

Section 2. Award Information

A. What is the amount of available funding?

The total estimated funding available under this competitive opportunity is \$319,000, subject to the availability of funds and quality of proposals received.

EPA reserves the right to make additional awards under this competition, consistent with Agency policy, if additional funding becomes available. Any additional selections for awards will be made no later than six months from the date of original selection decision.

B. How many agreements will EPA award in this competition?

EPA anticipates award of up to 4 cooperative agreements resulting from this competitive opportunity. The maximum estimated value of each award shall not exceed \$79,750. **The proposed total budget may not exceed a maximum value of \$79,750, excluding any in-kind contribution or match.**

Cooperative agreements permit substantial involvement between the EPA Project Officer and the selected applicants in the performance of the work supported. Although EPA will negotiate precise terms and conditions relating to substantial involvement as part of the award process, the anticipated substantial federal involvement for this project will include:

1. Close monitoring of the recipient's performance to verify the expected results proposed by the recipient;
2. Collaboration during performance of the scope of work;
3. Review any proposed changes to the work plan and/or budget;
4. Review of proposed procurements in accordance with 40 CFR 31.36(g);
5. Approving qualifications of key personnel (EPA will not select employees or contractors employed by the award recipient);
6. Review and comment on reports prepared under the cooperative agreement (the final decision on the content of reports rests with the recipient); and
7. Review and concur on project outputs for consistency with the EPA approved scope of work.

EPA reserves the right to reject all proposals and make no awards under this announcement.

C. Will proposals be partially funded?

In appropriate circumstances, EPA reserves the right to partially fund proposals by funding discrete activities, portions, or phases of proposed projects. If EPA decides to partially fund a proposal, it will do so in a manner that does not prejudice any applicants or affect the basis upon which the proposal or portion thereof, was evaluated and selected for award and; therefore, maintains the integrity of the competition and selection process.

D. What is the project period for award(s) resulting from this solicitation?

The estimated start date for projects resulting from this solicitation is October 1, 2010. All project activities must be completed within the negotiated project performance period.

E. Can funding be used to acquire services or fund partnerships?

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

Funding may be used to provide subgrants or subawards of financial assistance, which includes using subawards or subgrants to fund partnerships, provided the recipient complies with applicable requirements for subawards or subgrants including those contained in 40 CFR Part 31. Applicants must compete contracts for services and products, including consultant contracts, and conduct cost and price analyses, to the extent required by the procurement provisions of the regulations at 40 CFR Part 31. The regulations also contain limitations on consultant

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

Successful applicants cannot use subgrants or subawards to avoid requirements in EPA grant regulations for competitive procurement by using these instruments to acquire commercial services or products from for-profit organizations to carry out its assistance agreement. The nature of the transaction between the recipient and the subawardee or subgrantee must be consistent with the standards for distinguishing between vendor transactions and subrecipient assistance under Subpart B Section 210 of OMB Circular A-133, and the definitions of subaward at subgrant at 40 CFR 31.3. EPA will not be a party to these transactions. Applicants acquiring commercial goods or services must comply with the competitive procurement standards in 40 CFR Part 31.36 and cannot use a subaward/subgrant as the funding mechanism.

F. How will an applicant's proposed subawardees or contractors be considered during the evaluation process described in *Section 5* of this announcement?

Section 5 of the announcement describes the evaluation criteria and evaluation process that will be used by EPA to make selections under this announcement. During this evaluation, except for those criteria that relate to the applicant's own qualifications, past performance, and reporting history, the review panel will consider, as appropriate and relevant, the qualifications, expertise, and experience of:

1. An applicant's named subawardees/subgrantees identified in the proposal if the applicant demonstrates in the proposal that if it receives an award that the subaward/subgrant will be properly awarded consistent with the applicable regulations in 40 CFR Part 31. For example, applicants must not use subawards/subgrants to obtain commercial services or products from for-profit firms or individual consultants.
2. An applicant's named contractor(s), including consultants, identified in the proposal if the applicant demonstrates in its proposal that the contractor(s) was selected in compliance with the competitive Procurement Standards in 40 CFR 31.36. For example, an applicant must demonstrate that it selected the contractor(s) competitively or that a proper non-competitive sole-source award consistent with the regulations will be made to the contractor(s), that efforts were made to provide small and disadvantaged businesses with opportunities to compete, and that some form of cost or price analysis was conducted. EPA may not accept sole source justifications for contracts for services or products that are otherwise readily available in the commercial marketplace.

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

Section 3. Eligibility Information

A. Eligible Entities

Proposals will be accepted from Indian tribal governments and intertribal consortium or consortia. An Indian tribal government is any tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation (as defined in or established pursuant to the Alaska Native Claims Settlement Act, 43 U.S.C. 1601, et seq.), which is recognized by the U.S. Department of the Interior as eligible for the special services provided by the United States to Indians because of their status as Indians. A consortium is a partnership between two or more Indian tribal governments authorized by the governing bodies of those tribes to apply for and receive assistance under this program.

B. Cost-Sharing or Matching

Although cost-sharing or matching is not required as a condition of eligibility under this competition, under Section 5 of this announcement EPA will evaluate proposals based on a leveraging criterion. (*Refer to Section 5(A), Evaluation Criteria*).

In order to be considered for evaluation, any leveraged funds/resources, and their source, must be identified in the proposal (*Refer to Section 4(B)(2)(b)(viii), Leveraging*). Leveraged funding or other resources need not be for eligible and allowable project costs under the EPA assistance agreement unless the Applicant proposes to provide a voluntary cost share as its form of leveraging. Leveraging other than voluntary cost share is not included in the project budget on the grant forms but should be included in the grant workplan in the form of a statement to the effect that the applicant is expected to produce the proposed leveraging consistent with the terms of the announcement and their proposal.

If EPA accepts an offer for a voluntary cost share, applicants must meet their sharing commitment as a condition of receiving EPA funding. The recipient is legally obligated to meet any proposed voluntary cost share that is included in the approved project budget because the grant agreement includes the voluntary cost share. Applicants may use their own funds or other resources for a voluntary cost share if the standards at 40 CFR 31.24 are met. Only eligible and allowable costs may be used for voluntary cost shares. Other Federal grants may not be used as voluntary cost shares without specific statutory authority (e.g. HUD's Community Development Block Grants).

C. Threshold Criteria

Proposals must meet the following “threshold criteria,” **by the time of proposal submission. Proposals that fail to meet any one of the threshold criteria will not be considered further.** EPA will notify applicants who do not meet the threshold criteria within 15 calendar days of the “fail” determination. Proposals that meet the threshold criteria will then be evaluated based on the factors disclosed in *Section 5(A), Evaluation Criteria*. The threshold criteria are:

1. Proposals must address an acceptable project as described in *Section 1(B), Types of Projects EPA Will Fund Under this Grant Program* of this announcement.
2. The proposed project total budget may not exceed the maximum value of \$79,750, excluding any in-kind contribution or match. Proposals requesting assistance funding in excess of this value will not be considered.
3. Proposals must substantially comply with the proposal submission instructions and requirements set forth in *Section 4 (B)* of this announcement or else they will be rejected. However, where a page limit is expressed in *Section 4(B)* with respect to the proposal, pages in excess of the page limitation will not be reviewed.

In addition, proposals must be received by the EPA, as specified in *Section 4 (C)* of this announcement, on or before the proposal submission deadline published in *Section 4(C)* of this announcement. Applicants are responsible for ensuring that their proposal reaches the designated person/office specified in *Section 4 (C)* of the announcement by the submission deadline.

Proposals received after the submission deadline will be considered late and returned to the sender without further consideration unless the applicant can clearly demonstrate that it was late due to EPA mishandling. For hard copy submissions, where Section 4 requires proposal receipt by a specific person/office by the submission deadline, receipt by an agency mailroom is not sufficient. Applicants should confirm receipt of their proposal with **Denise Roy, EPA Project Officer**, as soon as possible after the submission deadline—failure to do so may result in your proposal not being reviewed.

D. Funding Restrictions

Clean up from abandoned or inactive facilities is covered by other EPA programs (e.g., the CERCLA/Superfund program, the Underground Storage Tank program, and the Brownfields Redevelopment program). Other EPA waste programs focus on municipal solid waste management, recycling, and responding to emergency releases of hazardous materials and wastes. Although these are important parts of an overall waste management program, **the Hazardous Waste Management Grant Program for Tribes is set up to address the active management of hazardous wastes as they are generated, transported, stored, or disposed of.** While other EPA programs fund similar and related projects (e.g., municipal solid waste

management, chemical emergency planning and preparedness, Brownfields redevelopment, and CERCLA/Superfund program cleanup), hazardous waste program grants are specifically targeted to enhance the ongoing management of hazardous wastes and to heighten awareness of hazardous waste management activities that may impact Indian Country.

Section 4. Application and Submission Information

A. How to Obtain an Application Package

Applicants may download individual grant application forms, or electronically request a paper application package and an accompanying computer CD of information related to applicants/grant recipients' roles and responsibilities from EPA's Grants and Debarment website by visiting: http://www.epa.gov/ogd/grants/how_to_apply.htm.

B. Content and Form of Application

The following documents are required for all proposals, irrespective of the mode of submission. All proposals must contain a "Narrative Proposal," and one completed and signed Standard Form 424 (SF-424), "Application for Federal Assistance," and a budget narrative. The "Narrative Proposal," a maximum of 15 pages in length, must explicitly describe the applicant's proposed project and specifically address each of the evaluation criteria disclosed in *Section 5(A), Evaluation Criteria*, and the threshold eligibility criteria in *Section 3(C)*.

1. **Standard Form 424 (SF-424), Application for Federal Assistance, with original signature.**

Individual grant application forms may be downloaded from EPA's Grants and Debarment website by visiting: <http://www.epa.gov/ogd/AppKit/application.htm>.

2. **Narrative Proposal.**

Narrative Proposals must be concise, well organized, and not exceed 15 typed, single-line spaced, 8 1/2 x 11" pages. The Narrative Proposal must provide the information detailed in this section and, **include responses to all *Section 3(C), Threshold Criteria, Section 5(A), Evaluation Criteria, as well as the information identified in Section 1, Funding Opportunity Description.*** Factual information about your proposed project must be provided. Do not include discussions of broad principles that are not specific to the proposed work or project covered by your proposal. **Responses to evaluation criteria should include the criteria number and title but need not restate the entire text of the criteria.** Sufficient detail must be provided to allow for an evaluation of the merits of the proposal. Vague descriptions, redundancy, and failure to address the selection criteria will result in a lower ranking.

The Narrative Proposal (*sections “a” and “b” below*) must substantially conform to the following outline and content:

- a. **Cover Letter.** The cover letter must include a brief description of your project, be written on your organization’s official letterhead, and signed by an official with the authority to commit your organization to the proposed project. The cover letter must also include:
 - i. **Applicant Information.** Provide the name and full address of the tribe or consortium applying for funds. This is the agency or organization that will be receiving the grant and will be accountable to the EPA;
 - ii. **Contacts.** Provide phone/fax numbers, e-mail address, and mailing address of the project director and head of organization/executive director responsible for the project proposal. These individuals may be contacted if other information is needed;
 - iii. **Cooperative Partners.** Provide names and phone numbers of individuals and organizations that have agreed to participate in the implementation of the project, if any; and
 - iv. **Funding Requested.** Specify the amount you are requesting from EPA. The total funding requested amount may not exceed \$79,750, **excluding any in-kind contribution or match.**
- b. **Detailed Project Description.** The project description should provide the information below on how the applicant will implement and conduct its project and discuss how the proposal addresses each of the evaluation criteria in *Section 5* of this announcement.

The detailed project description must substantially conform to the following outline and content:

- i. **Project Description.** Provide a description of the proposed project, as referenced in *Section 1(B), Types of Projects EPA Will Fund Under this Grant Program*, and program objectives. The project description should demonstrate consideration of a sustainable, comprehensive integrated waste management program and include: (1) a discussion on the need for the proposed project; (2) a description of how the activities proposed fit into an integrated solid waste management program, including long-term waste management planning, program implementation, community education, and staff training; (3) a description of how the proposed activities will contribute to the overall health and development of the community; and (4) approach/actions proposed to transfer information and lessons learned during the project to other tribes.

- ii. **Community Health Development.** The project description should describe how the proposed project will contribute to the overall health and development of the community. The project description must address proposed improvements in the areas of employment, revenue generation, technological innovation, and/or improved health and welfare of the community including alleviation or reduction of impacts on human health and the environment.

- iii. **Programmatic Capability.** Submit a list of federally and/or non-federally funded assistance agreements (assistance agreements include federal grants and cooperative agreements but not federal contracts) similar in size, scope and relevance to the proposed project that your organization performed within the last three years (no more than 5, and preferably EPA agreements) and describe:
 - (i) whether, and how, you were able to successfully complete and manage those agreements, and
 - (ii) your history of meeting the reporting requirements under those agreements including submitting acceptable final technical reports.In evaluating applicants under these factors in *Section 5*, EPA will consider the information provided by the applicant and may also consider relevant information from other sources, including information from EPA files and from current and prior federal agency grantors (e.g., to verify and/or supplement the information provided by the applicant). If you do not have any relevant or available past performance or reporting information, please indicate this in the proposal and you will receive a neutral score for this factor under *Section 5*. Failure to do so may result in a “0” score for this factor.

In addition, provide information on your organizational experience and plan for timely and successfully achieving the objectives of the proposed project, and your staff expertise/qualifications, staff knowledge, and resources or the ability to obtain them, to successfully achieve the goals of the proposed project.

- iv. **Environmental Results Past Performance Reporting.** Submit a list of federally and/or non-federally funded assistance agreements (an assistance agreement is a grant or cooperative agreement and not a contract) that your organization performed within the last three years (limit 5, and preferably EPA assistance agreements) and describe how you documented and/or reported on whether you were making progress towards achieving the expected results (e.g., outputs and outcomes) under those agreements. If you were not making progress, please indicate whether and how you documented why not. In evaluating applicants under this factor in *Section 5*, EPA will consider the information provided by the applicant and may also consider relevant information from other sources, including information from EPA files and from current and prior federal agency grantors (e.g., to verify and/or supplement the information provided by the applicant). If you do not have any relevant or available environmental results past

performance information, please indicate this in the proposal and you will receive a neutral score for this factor under *Section 5*. Failure to do so may result in a “0” score for this factor.

- v. Performance Measurement: Anticipated Outcomes and Outputs.

Anticipated Outcomes: Specify the expected environmental outcomes as described in *Section 1(D), Measuring Environmental Results: Anticipated Outcomes/Outputs* of this announcement. Discuss how you propose to track and measure your progress in achieving the project outcomes and results. (*Refer to Section 5(A), Evaluation Criteria, Performance Measurement.*)

Anticipated Outputs. Identify the expected project outputs, including those described in *Section 1(E), Measuring Environmental Results: Anticipated Outcomes/Outputs* of this announcement and how you will track and measure your expected project outputs. Outputs, quantitative or qualitative, must be measurable during the project performance period.

- vi. **Cooperative Partnerships.** Identify all proposed partnerships and stakeholder groups that will be involved in the project. Describe what each group’s role will be in project staffing, funding, design and implementation. Please note that procurement of commercial services (e.g., consultants, audio visual equipment, meeting space) is subject to the competitive procurement provisions of 40 [CFR](#) Part 31. Naming a commercial vendor as a “partner” does not relieve the applicant of responsibility for complying with competitive procurement requirements, including cost or price analysis, or justify sole source procurement.
- vii. **Technical Assistance/Transferability.** The project description must describe the applicant’s approach to providing assistance to other tribes and, methodology for transferring information and lessons learned during the project to others.
- viii. **Leveraging.** Demonstrate how you will coordinate the use of EPA funding with other Federal and/or non-Federal sources of funds/resources to leverage additional resources beyond the grant funds awarded to carry out the proposed project(s) and/or that EPA funding will complement activities relevant to the proposed project(s) carried out by the applicant with other sources of funds or resources. Describe the type and amount of leveraging proposed, how you will obtain the leveraged resources, the likelihood the leveraging will materialize during grant performance, the strength of the leveraging commitment, and the role the leveraged funds/resources will play in the overall project. Selected applicants are expected to abide by their proposed leveraging commitments during grant performance and the failure to do so may affect the legitimacy of

the award.

3. **Attachments.** The following documents shall be included as attachments to the work plan. These documents will not count as part of the 15 page limit and do not have an individual page limitation. Attachments beyond the required attachments below will not be considered. Please provide a list of all attachments to the proposal.
 - a. **Letters of Support.** The applicant should provide names and phone numbers of persons to contact at these organizations along with a description of what involvement (e.g., assistance and role) the organization has or will have with your organization/project. Applicants may include letters confirming commitments. Letters of support may not be from EPA staff.
 - b. **Budget.** Provide a detailed itemized budget proposal that clearly explains how funds will be used for each of the following categories and how it relates to the project objective. Indicate what portion of the cost EPA will pay, and what portion the applicant or other partners will pay:
 - i. Personnel;
 - ii. Fringe Benefits;
 - iii. Contractual Costs;
 - iv. Travel;
 - v. Supplies;
 - vi. Other Costs (be specific);
 - vii. Administrative Costs (other than Indirect Costs);
 - viii. Non-EPA Project Funding. Identify funding from other sources including in-kind resources;
 - ix. Total Direct Costs;
 - x. Total Indirect Costs (must include Negotiated Indirect Cost Rate Agreement as documentation of federally-approved indirect cost rate (percentage); and
 - xi. Total Project Cost (Total Direct + Indirect Costs). Costs proposed in the budget must be linked directly to the narrative proposal.

Management Fees: When formulating budgets for proposals, applicants must not include management fees or similar charges in excess of the direct costs and indirect costs at the rate approved by the applicants cognizant audit agency, or at the rate provided for by the terms of the agreement negotiated with EPA. The term "management fees or similar charges" refers to expenses added to the direct costs in order to accumulate and reserve funds for ongoing business expenses, unforeseen liabilities, or for other similar costs that are not allowable under EPA assistance agreements. Management fees or similar charges may not be used to improve or expand the project funded under this agreement, except to the extent authorized as a direct cost of carrying out the scope of work.

- c. **Milestones.** Schedule indicating start times and completion dates of significant tasks under your program.

C. Submitting an Application Package

Applicants may choose to submit proposal packages, as described in Section B above, either in hard copy (paper) format or by e-mail. Instructions for all methods are detailed below. Please select **only one** method. Proposals must be received by EPA by April 26, 2010, 5:00 p.m. EDT.

1. **Hard copy (paper) submission.** Submit a complete proposal package including all of the documents identified in *Section 4(B)* of this announcement. **The complete proposal must be sent through regular mail (U.S. Postal Service), express mail, or commercial delivery service to the EPA Headquarters Program contact listed below.** Paper submission must include one original signature document and two copies of the completed Application for Federal Assistance (SF-424), the Narrative Proposal, and all Attachments.

Because of the unique situation involving U.S. mail screening, EPA highly recommends that applicants submitting an proposal in hard copy use a commercial delivery service or express mail option to transmit their proposals to the physical address of the EPA contact listed in *Section 7(A)*, *Agency Contact*.

EPA Headquarters Address for Mailing Proposals – US Postal Service Mail:

Denise Roy, U.S. Environmental Protection Agency, Office of Resource Conservation and Recovery (MC 5303P), 1200 Pennsylvania Avenue, N.W., Washington, DC 20460; Phone: (703) 308-8458.

Address for all Commercial Delivery Services (i.e., all services other than the US Postal Service, including hand delivery):

Denise Roy, U.S. Environmental Protection Agency, 2733 Crystal Drive, Two Potomac Yard (North Building), 6th flr., Cubicle N-6313, Arlington, VA 22202; Phone: (703) 308-8458.

NOTE: Please DO NOT send electronic or hard copy proposals to your regional area offices.

2. **Electronic mail (e-mail) submission.** E-mail submissions must be submitted to roy.denise@epa.gov and be received by the submission deadline stated in *Section 4(C)* of this announcement. All required documents listed in *Section 4(B)* of this announcement must be attached to the e-mail as separate Adobe PDF files. Please note that if you choose to submit your materials via e-mail, you are accepting all risks attendant to e-mail submission including server delays and transmission difficulties. E-mail submissions

exceeding 15MB will experience transmission delays which will affect when they are received by the Agency. For these size submissions, applicants should submit their proposal materials via hard copy because if they are sent via e-mail they may be received late and not considered for funding. Applicants submitting their proposal materials through e-mail should confirm receipt of the materials with Denise Roy at roy.denise@epa.gov as soon as possible after submission. Failure to do so may result in your proposal not being reviewed.

D. Confidential Business Information

In accordance with 40 CFR 2.203, applicants may claim all or a portion of their proposal package as confidential business information. EPA will evaluate confidentiality claims in accordance with 40 CFR Part 2. Applicants must clearly mark proposals or portions thereof that they claim as confidential. If no claim of confidentiality is made, EPA is not required to make the inquiry to the applicant otherwise required by 40 CFR 2.204(c)(2) prior to disclosure. However, competitive proposals are considered confidential and protected from disclosure prior to the completion of the competitive selection process.

E. Data Universal Numbering System (DUNS)

All applicants are required to provide a Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS) number when applying for a federal grant or cooperative agreement. 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 by visiting the D&B website at <http://www.dnb.com>.

F. Pre-proposal/Application Assistance and Communications

In accordance with EPA's Assistance Agreement Competition Policy (EPA Order 5700.5A1), EPA staff will not meet with individual applicants to discuss draft proposals, provide informal comments on draft proposals, or provide advice to applicants on how to respond to ranking criteria. Applicants are responsible for the contents of their proposals.

EPA will respond to questions in writing from individual applicants regarding threshold eligibility criteria, administrative issues related to the submission of the proposal, and requests for clarification about the announcement. Questions received from applicants and EPA's responses will also be posted on-line at <http://www.epa.gov/oswer/grants-funding.htm>.

Section 5. Application Review Information

A. Evaluation Criteria

Each eligible proposal will be evaluated according to the criteria set forth below. Applicants must directly and explicitly address these criteria as part of their "Narrative Proposals." Each proposal will be rated under a points system, with a total of 100 points possible.

Criterion	Maximum Points per Criterion
<p>Project Description. Under this criterion, EPA will evaluate the extent to which the proposal effectively addresses the scope of work activities described in <i>Section 1(B)</i> of this announcement. Proposals will be evaluated based on the quality and extent to which the proposed project description:</p> <ul style="list-style-type: none"> • Clearly, concisely and realistically presents a statement of the problem, description of the proposed project goals, activities, budget, and project milestones. (10 pts.) • Describes a sustainable, comprehensive integrated waste program which incorporates hazardous waste management activities, as described in <i>Section 1(B)</i>, considered essential to a “cradle to grave” program. (10 pts.) • Will result in compliance with applicable RCRA regulations. (5 pts.) 	25
<p>Community Health Development. Under this criterion, EPA will evaluate:</p> <ul style="list-style-type: none"> • The extent to which the proposed project activities will contribute to overall health and development of the community. (8 pts.) • The extent to which the proposed project will lead to improved employment, revenue generation, technological innovation, and/or improved health and welfare of the community. (6 pts.) • The extent to which the proposal demonstrates alleviation or reduction of impacts on human health and the environment. (6 pts.) 	20
<p>Programmatic Capability. This criterion refers to the technical capability of an applicant or recipient to successfully carry out the proposed project taking into account such factors as the applicant’s:</p> <ul style="list-style-type: none"> • Past performance in successfully completing and managing federally and/or non-federally funded assistance agreements (assistance agreements include federal grants and cooperative agreements but not federal contracts) similar in size, scope, and relevance to the proposed project performed within the last 3 years. (5 pts.) • History of meeting reporting requirements under federally and non-federally funded assistance agreements (assistance agreements include federal grants and cooperative agreements but not federal contracts) similar in size, scope, and relevance to the proposed project performed within the last 3 years and submitting acceptable final technical reports under those agreements. (5 pts.) 	20

<ul style="list-style-type: none"> • Organizational experience and plan for timely and successful achievement the objectives of the project. (5 pts.) • Staff expertise/qualifications, staff knowledge, and resources or the ability to obtain them, to successfully achieve the goals of the project. (5 pts.) <p><i>NOTE: In evaluating applicants for programmatic capability purposes, EPA will consider information provided by the applicant in their proposal as well as relevant information from other sources including EPA agency files and prior/current grantors (i.e., to verify and/or supplement the information provided by the applicant). Applicants with no relevant or available past performance and/or reporting history (the first two items above) will receive a neutral score for those elements of this criterion.</i></p>	
<p>Environmental Results Past Performance. Under this criterion, applicants will be evaluated based on the extent and quality to which they adequately documented and/or reported on their progress towards achieving the expected results (e.g., outcomes and outputs) under federally and/or non-federally funded assistance agreements (an assistance agreement is a grant or cooperative agreement and not a contract) performed within the last three years, and if such progress was not being made whether the applicant adequately documented and/or reported why not.</p> <p><i>Note: In evaluating applicants under this criterion, EPA will consider the information provided by the applicant and may also consider relevant information from other sources including agency files and prior/current grantors (e.g., to verify and/or supplement the information supplied by the applicant). Applicants with no relevant or available past performance reporting history will receive a neutral score for this factor.</i></p>	10
<p>Performance Measurement: Anticipated Outcomes and Outputs. Under this criterion, EPA will evaluate the extent to which the “Narrative Proposal” realistically describes how the project will lead to measurable environmental results (i.e., amount of pollution prevented; waste reduced, reused, recycled or, resources conserved). Proposals will be evaluated on the quality and extent to which they:</p> <ul style="list-style-type: none"> • Clearly specify anticipated environmental outcomes and outputs as described in <i>Section 1(E), Measuring Environmental Results: Anticipated Outcomes/Outputs</i>. (4 pts.) • Clearly describe the measures of success for the project. Measure of success should be either measures of environmental improvement or should be directly linked to such measures. EPA will look for quantitative and qualitative measurability. (3 pts.) • Describe how success in achieving project outcomes and outputs will be evaluated and measured. Include a description of any planned 	10

<p>reports or other deliverables that measure and track the project success and, document achievement of expected outputs identified in <i>Section 1(D), Measuring Environmental Results: Anticipated Outcomes/Outputs</i>). (3 pts.)</p>	
<p>Budget/Resources. This criterion refers to the proposed budget, in-kind goods and services, and other resources that the applicant outlines to carry out the proposed project. The package will be evaluated based on the extent that:</p> <ul style="list-style-type: none"> • The budget is clearly stated, detailed, and appropriate to achieve the project’s objectives. How will your proposed budget effectively sustain your proposed project? How will you plan on managing this budget? This should include cost estimates for each of the proposed project activities to be conducted using EPA funds. (2.5 pts) • The proposal identifies partnering organization(s) and documents the relationship with the applicant, for example, through letters of support, joint statements, or principles of agreement signed by other parties. (2.5 pts) 	5
<p>Technical Assistance/Transferability. Under this criterion, EPA will evaluate proposals on the quality and extent to which they:</p> <ul style="list-style-type: none"> • Describe a viable approach to providing assistance to other tribes. (2.5 pts) • Describe a methodology for transferring information and lessons learned during the project to others. (2.5 pts) 	5
<p>Leveraging. Under this criterion applicants will be evaluated based on the extent they demonstrate:</p> <ul style="list-style-type: none"> • (i) how they will coordinate the use of EPA funding with other Federal and/or non Federal sources of funds/resources to leverage additional resources beyond the grant funds awarded to carry out the proposed project(s) and/or (ii) that EPA funding will complement activities relevant to the proposed project(s) carried out by the applicant with other sources of funds or resources. Applicants will also be evaluated based on the type and amount of leveraging proposed, how the applicant will obtain the leveraged resources, the likelihood the leveraging will materialize during grant performance, the strength of the leveraging commitment, and the role the leveraged resources will play to support the proposed project activities. (5 pts.) 	5

B. Review and Selection Process

All proposals received by the closing date and time for submissions will first be reviewed to determine eligibility for funding based upon compliance with *Section 3(C)*. Only proposals determined eligible will be evaluated for technical merit. Each eligible proposal will be evaluated by a review panel of EPA Headquarters and Regional staff for technical merit, based on the evaluation factors detailed in *Section 5(A)* of this solicitation.

EPA regions may provide information to the review panel on an applicant's response to the "Environmental Results Past Performance Reporting" ranking criterion. This information may take into account the regional EPA Office's experience, if any, with the applicant's performance on grants managed by the region.

Upon completion of the technical merit evaluation, each proposal will be given an evaluated numerical score, with a total of 100 points possible. The evaluated numerical scores will be rank ordered. The review panel will recommend the proposal with the highest evaluated numerical score to the EPA Headquarters Selection Official for award.

Section 6. Award Administration Information

A. Award Notices

EPA anticipates notification to both successful and unsuccessful applicants will be made, via telephone, electronic, or postal mail by May 12, 2010.

The notification to successful applicant(s) that their proposal has been selected for award is not an authorization to begin performance. EPA reserves the right to negotiate appropriate changes in work plans after the selection and before the final award consistent with the Agency's Competition Policy (*EPA Order 5700.5A1, Section 11*). The "Award Notice" signed by the EPA Grants Officer is the authorizing document and will be provided through postal mail. At a minimum, this process can take up to 90 days from the date of selection.

All successful applicants will be required to contact the appropriate Regional Office for further instructions. The applicant may be asked to send another completed and signed grant proposal package. (*Note: The Headquarters Program Office keeps the original grant proposal package for their files and the Regions receive copies only.*)

B. Administrative and National Policy Requirements

1. A listing and description of general EPA Regulations applicable to the award of assistance agreements may be viewed at:
http://www.epa.gov/ogd/AppKit/applicable_epa_regulations_and_description.htm.
2. Executive Order 12372, Intergovernmental Review of Federal Programs, may be applicable to awards resulting from this announcement. Applicants *selected* for funding

may be required to provide a copy of their proposal to their [State Point of Contact](#) (SPOC) for review, pursuant to Executive Order 12372, Intergovernmental Review of Federal Programs. This review is not required with the initial proposal and not all states require such a review.

3. Grants and cooperative agreements with Tribal governments are subject to 40 CFR Part 31 and OMB Circular A-87 (2 CFR Part 225).
4. Programmatic terms and conditions will be negotiated with the selected recipient.
5. Reimbursement Limitation. If the recipient expends more than the amount of funding in its EPA approved budget in anticipation of receiving additional funds from EPA, it does so at its own risk. EPA is not legally obligated to reimburse the recipient for costs incurred in excess of the EPA approved budget.

C. Reporting Requirement

Quarterly progress reports and a detailed final report will be required. The quarterly progress reports will be submitted to the EPA Project Officer within thirty days after each reporting period. These reports shall cover work status, work progress, difficulties encountered, preliminary data results and a statement of activity anticipated during the subsequent reporting period. A discussion of expenditures along with a comparison of the percentage of the project completed to the project schedule and an explanation of significant discrepancies shall be included in the report. The report shall also include any changes of key personnel involved with the project.

The final report will address goals and objectives, performance measurements, lessons learned, any other resources leveraged during the project and how they were used, as well as any plans to continue the project after the expiration of the grant/cooperative agreement and associated sources of funding. The final report will be submitted to the EPA Project Officer at the close of the grant.

B. Disputes

Assistance agreement competition-related disputes will be resolved in accordance with the dispute resolution procedures published in 70 FR (Federal Register) 3629, 3630 (January 26, 2005) which can be found at <http://www.epa.gov/ogd/competition/resolution.htm>. Copies of these procedures may also be requested by contacting Denise Roy at roy.denise@epa.gov.

Section 7. Agency Contact

A. EPA HEADQUARTERS ADDRESS FOR MAILING PROPOSALS – US POSTAL SERVICE MAIL:

Denise Roy, U.S. Environmental Protection Agency, Office of Resource Conservation and Recovery (MC 5303P), 1200 Pennsylvania Avenue, NW, Washington, DC 20460; Phone (703) 308-8458; or e-mail: roy.denise@epa.gov.

B. ADDRESS FOR ALL COMMERCIAL DELIVERY SERVICES (I.E., ALL SERVICES OTHER THAN THE US POSTAL SERVICE, INCLUDING HAND DELIVERY):

Denise Roy, U.S. Environmental Protection Agency, 2733 Crystal Drive, Two Potomac Yard (North Building), 6th flr., Cubicle N-6313, Arlington, VA 22202; Phone: (703) 308-8458.

C. LIST OF REGIONAL CONTACTS:

NOTE: Please DO NOT send electronic or hard copy proposals to your regional area offices.

Region	Contact	Phone Number	Fax Number
Region 1	Juiyu Hsieh	(617) 918-1302	(617) 918-1646
Region 2	Lorraine Graves	(212) 637-4099	(212) 637-4437
Region 4	Davy Simonson	(404) 562-8457	(404) 562-8439
Region 5	Margaret Millard	(312) 353-1440	(312) 353-6519
Region 6	Nick Stone (Technical) ChesTeena Hullum (Grants)	(214) 665-7226 (214) 665-7263	(214) 665-7216 (214) 665-6762
Region 7	Gayle Hubert	(913) 551-7439	(913) 551-9669
Region 8	Susanna Trujillo	(303) 312-7008	(303) 312-6341
Region 9	Heather White	(415) 972-3384	(415) 947-3530
Region 10	Maria Tartaglia	(206) 553-1128	(206) 553-8509

Section 8. Other Information

A. National Environmental Information Exchange Network

EPA, states, territories, and tribes are working together to develop the National Environmental Information Exchange Network, a secure, Internet- and standards-based way to support electronic data reporting, sharing, and integration of both regulatory and non-regulatory environmental data. States, tribes and territories exchanging data with each other or with EPA, should make the

Exchange Network and the Agency's connection to it, the Central Data Exchange (CDX), the standard way they exchange data and should phase out any legacy methods they have been using. More information on the Exchange Network is available at www.exchangenetwork.net.

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