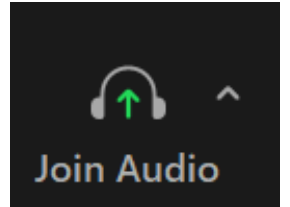


Welcome! The live event will start shortly.

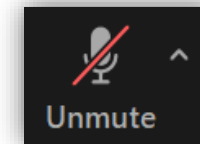
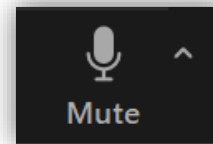
- **Audio** is available online with your device or by telephone.
 - Optional dial in 646 828 7666, meeting ID 160 141 7284
- Use **Chat** to privately report technical problems to hosts.
- Use **Q&A** to type written questions.
 - There will also be opportunities for asking verbal questions, as explained on the next slide, but **we will answer written questions first.**
- **Slides** and **links** are on our website: <https://www.epa.gov/brownfields/fy23-rlf-policy-webinar-august-28-2023>
- A **recording** of today's webinar will be posted to that same location.



We want to hear from you!

At the designated Q&A times, please follow the process to the right to ask a question verbally.

- Participants should raise their hands to confirm they wish to ask a question verbally.
- Please unmute when your name is called.





Fiscal Year 2023 (FY23) Brownfields Revolving Loan Fund (RLF) Policy

Webinar

Office of Brownfields and
Land Revitalization
August 28, 2023



Agenda

- ❖ **Welcome**
- ❖ **Overview of RLF Workshop at 2023 National Brownfields Conference**
- ❖ **EPA presentation from RLF Workshop**
- ❖ **Q&A**



Did you miss the 2023 National Brownfields Conference in Detroit?

Attend the following webinar which will repeat important information that was presented!

WHAT	DAY	TIME (EASTERN)	LINK
ACRES Training for RLF Grantees Webinar (repeat of Aug 10 th BF2023 session)	Thursday, September 21	1 – 2:30 pm	Teams link provided at: https://www.epa.gov/brownfields/online-acres-training-schedule-brownfields-grantees

There is no need to pre-register.

Session will be recorded and posted on the [Brownfields Program website](#).





BROWNFIELDS 2023

SUSTAINABLE COMMUNITIES
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brownfields2023.org

DETROIT, MICHIGAN

BROWNFIELDS REVOLVING LOAN FUND (RLF) WORKSHOP: SOLVE TO REVOLVE – ANSWERING YOUR RLF QUESTIONS

August 8, 2023



AGENDA

8:30 – 8:40	Region 3 RLF Video & Welcome https://www.youtube.com/watch?v=WoKswKj9WQc	Nicole Wireman (EPA HQ)
8:40 – 10:00	RLF Program Policy and Grant Management	Nicole Wireman (EPA HQ) Keary Cragan (EPA Region 5) Susan Klein (EPA Region 7) Curt Jeffries (EPA Region 8)
10:00 – 10:15	Break	
10:15 – 10:45	Managing Multiple Grants: The Recipe for the Secret Sauce	Katy Deng (EPA Region 1) Rick Dunne Mike Szpryngel Ricardo Rodriguez Naugatuck Valley Council of Governments (NVCOG), CT

AGENDA (CONTINUED)

10:45 – 11:20

RLF Marketing Panel

Lillian Sunwall

Great Falls Development Authority (GFDA), MT

Amanda Wallace

City of Sacramento, CA

Kristin Lukes

Minnesota Department of Employment and
Economic Development (MnDEED), MN

Keary Cragan

EPA Region 5

11:20 – 11:30

Wrap Up

Nicole Wireman (EPA HQ)

RLF-Specific Technical Assistance (TA) Support

- No applicants for FY23 RLF TA grant solicitation
- EPA is reassessing how to fill the need for technical assistance and what should be included – for example:
 - Annual RLF Meetings
 - Tool Kit with Training
 - Peer networking opportunities
 - Direct technical assistance that is specific to RLF grants
- If you have thoughts on RLF-specific TA support, please:
 - Attend EPA’s Listening Session on August 21st, 1:30 – 2:30 pm Eastern
 - Send an email to Brownfields@epa.gov with “RLF TA” in the subject by August 28th





RLF PROGRAM POLICY AND GRANT MANAGEMENT

- 1. Background and Definitions**
2. Program Policy for Open RLF Grants
3. Program Policy for Post-Closeout RLF Grants
4. Recordkeeping

Presented by:

Nicole Wireman (EPA HQ)
Susan Klein (EPA Region 7)
Keary Cragan (EPA Region 5)
Curt Jeffries (EPA Region 8)

What is a Brownfields RLF Grant?

- Provides funding to a cooperative agreement recipient (CAR) for capitalizing an RLF program by providing loans and subgrants for brownfields cleanup to eligible entities.
- A successful RLF program revolves by generating program income (e.g., from principal repayment, interest, and fees), which is then used to make more loans and subgrants.



How to Receive Brownfields RLF Funding

If you **DON'T** have an open RLF cooperative agreement



Apply through the Competition

If you **DO** have an open RLF cooperative agreement



Request annual Supplemental Funding

Cycle of an RLF Program

- RLF grants are initially awarded for 5 years
 - Can be extended to a maximum of 15 years
- After the cooperative agreement ends, RLF CARs may either:
 1. Return the generated program income to EPA, **OR**
 2. Continue to operate their program under a Closeout Agreement (COA).
- A CAR's RLF program may have multiple RLF Grants that are either in Open, Post-Closeout, or Closed status



RLF Grant Status Definitions

OPEN	POST-CLOSEOUT	CLOSED
The RLF Grant's <u>cooperative agreement</u> is <u>open</u> (i.e., period of performance has not ended).	<u>The cooperative agreement</u> period of performance <u>has ended</u> and...	
	the <u>RLF Grant</u> has accrued or expected program income that has not been expended or returned to EPA (i.e., a COA is active or still needs to be executed).	the <u>RLF Grant</u> has no accrued or expected program income (e.g., loan repayments).

What is a COA?

A Closeout Agreement (COA) is a bilateral agreement between EPA and the CAR that governs the use of program income after the cooperative agreement project period ends.

Specifically, a COA governs the use of retained and post-closeout program income.

Three Types of Program Income

1. Program Income (PI):

- Term used for program income earned while the cooperative agreement is open.
- Includes:
 - Principal repayments
 - Interest earned on outstanding loan principal
 - Interest earned on accounts holding RLF program income not needed for immediate lending
 - All loan fees and loan-related charges received from borrowers
 - Other income generated from RLF operations including proceeds from the sale, collection, or liquidations of assets acquired through defaults of loans.

Three Types of Program Income

2. Retained Program Income:

- Term used for the amount of undisbursed program income that remains at the end of the performance period of the cooperative agreement.
 - ***If the CAR chooses not to have a COA***, it is returned to EPA and deposited to the US Treasury as miscellaneous receipts as required by 31 USC § 3302(b).
 - ***If the CAR chooses to proceed with a COA***, retained program income is subject to the COA and combined with program income earned after the cooperative agreement performance period ends.

3. Post-Closeout Program Income (PCPI):

- Term used for program income earned after the cooperative agreement award period.
- Includes any retained program income available at the end of the cooperative agreement that EPA authorizes the recipient to keep under the terms of a COA.

A few more key takeaway terms...

BIL grant	<ul style="list-style-type: none">• A grant funded with Infrastructure Investment and Jobs Act (IIJA; aka Bipartisan Infrastructure Law or BIL) funds• No cost share requirement
Non-BIL grant	<ul style="list-style-type: none">• A grant funded with annual appropriations• Typically requires 20% cost share from the RLF recipient
CA	<ul style="list-style-type: none">• Cooperative Agreement• Governs the use of EPA funds, cost share, and program income while the grant is in open status• BIL and Non-BIL grants require separate CAs with different terms & conditions (T&Cs)
FY22 COA	<ul style="list-style-type: none">• Closeout Agreement based on the FY22 COA Template• Governs the use of retained and post-closeout program income while the grant is in post-closeout status
CAR	<ul style="list-style-type: none">• Cooperative Agreement Recipient (formal term for grantee)• Also used for recipient of a COA even though they may be a Former CAR

Questions?





RLF PROGRAM POLICY AND GRANT MANAGEMENT

1. Background and Definitions
- 2. Program Policy for Open RLF Grants**
3. Program Policy for Post-Closeout RLF Grants
4. Recordkeeping

Updated Policy for Open RLF Grants

- May 18, 2023: [FY23 RLF Policy Memorandum](#), with corresponding [RLF Program Frequently Asked Questions \(FAQs\)](#)
- Purpose was to:
 1. Replace the 2019 policy memo which was outdated, and
 2. Address the issue of CARs having two open grants in a way that expedites the closeout of the oldest open grant.
- CAR's cooperative agreement (CA) terms and conditions (T&Cs) take precedence over the memo
 - EPA HQ recommends updating to the latest version of the T&Cs



FY23 RLF Policy Memo



RLF Program FAQs

Total award amount = EPA funds + cost share

Does not include program income, post-closeout program income (PCPI), or leveraged funds

- See *FAQ #12 for important differences between what counts as program income, cost share, and leveraged funds*
- CA's total award amount = EPA funds + cost share for the applicable open RLF CA
- CAR's total award amount = EPA funds + cost share for all the CAR's open RLF CAs
- See *FAQs #6 - 8 for more details on total award amount*

Under FY23 CA T&Cs

- **Subgrant Cap:**
 - Each site being remediated via an RLF subgrant is limited to a total of \$500,000 of the *CAR's total award amount*
- **Discounted Loan Limit:**
 - For an individual loan, the amount of principal discounted cannot exceed 50% of the total loan amount or exceed \$500,000 of the *CAR's total award amount*
- **Reminders:**
 - Private, for-profit entities are not eligible for subgrants or discounted loans (see *FAQ #34*)
 - Cannot use discounted loan + subgrant from the same CAR at the same site (see *FAQ #2*)
 - Generally recommended to use a discounted loan versus loan + subgrant (see *FAQ #4*)

50/50 Split Rule (CA-specific)

- **At least 50% of each open CA's total award amount** must be used to provide loans for the cleanup of eligible brownfield sites and for associated eligible programmatic costs by the end of the CA project period (not proportionally)
- That is, the loan to non-loan cost ratio must be $\geq 50\%$
 - No longer referred to as the loan to subgrant ratio since the non-loan portion includes “everything else” (not just subgrants)
- Under FY23 T&Cs, CARs are required to report on their 50/50 split status in quarterly reports

$$\text{Loan \% at end of CA} = \frac{\text{Total \$ Spent on Loan-related Expenses (both EPA and cost share)}}{\text{Total Award Amount (EPA \$ + cost share \$ for the CA)}}$$

50/50 Split Rule (CA-specific)

- For example, if a CAR's CA has:
 - EPA funds + cost share spent on executed loans: **\$500,500**
 - EPA funds + cost share spent on eligible loan-specific programmatic costs: **\$80,000**
 - Total EPA funds awarded under this CA: **\$1,000,000** (**\$700,000** of this has been drawn down)
 - 20% cost share requirement: **\$200,000** (**\$150,000** of this has been spent)
- % used on loans for this CA so far = $\frac{(\$500,500 + \$80,000)}{(\$700,000 + \$150,000)} = 68.29\%$
- Could not spend the remaining \$350K on non-loan costs since % on loans for this CA by end of CA = $\frac{(\$500,500 + \$80,000)}{(\$1,000,000 + \$200,000)} = 48.38\%$

50/50 Split Option 2 Waiver (CA-specific)

- Let's now assume this CAR has **BIL** and **non-BIL** CAs and CAR wants to close out the non-BIL CA more quickly
- If CAR's BIL CA has **FY22 T&Cs** from an **FY22 Supp Funding** award, EPA Project Officer can approve an **Option 2 Waiver**
 - For the **non-BIL** CA, the loan to non-loan cost ratio can have up to an **extra \$350K for non-loan costs**
 - For example, if CAR has a **\$1M** non-BIL CA with **\$200K** cost share, normally at least **\$600K** must be spent on loan costs
 - But with **Option 2**, only \$250K must be spent on loan costs due to the **extra \$350K** allowed for non-loans
 - The **BIL** CA is not affected by the Option 2 Waiver (no change to how 50/50 split is calculated)
 - For example, if CAR has a **\$2M BIL** CA, at least **\$1M** must be spent on loans

50/50 Split Option 1 Waiver (applies to RLF Program as a whole)

- With Option 1 waiver, 50/50 split is spread across the BIL and non-BIL CAs:
 - BIL CA must have FY23, or later T&Cs (*see table in FAQ #21*), and waiver must be approved by EPA Project Officer
 - At least 50% of ***the CAR's total award amount*** must be used to provide loans for the cleanup of eligible brownfield sites and for associated eligible programmatic costs by the end of the CA project period
 - Allows non-BIL CA to close out quicker without meeting minimum 50/50 split and BIL CA assumes requirement for larger loan %

50/50 Split Option 1 Waiver (applies to RLF Program as a whole)

- In the previous example, let's say the CAR has a \$2M BIL CA and the CAR wants to close out the non-BIL CA more quickly by spending the last \$350K below on non-loan costs:
 - EPA funds + cost share spent on executed loans: \$500,500
 - EPA funds + cost share spent on eligible loan-specific programmatic costs: \$80,000
 - Total EPA funds awarded under this CA: \$1,000,000 (\$700,000 of this has been drawn down)
 - 20% cost share requirement: \$200,000 (\$150,000 of this has been spent)
- With a 50/50 Split Option 1 waiver, % used on loans for the BIL CA after the non-BIL CA closes =
$$\frac{(\$500,500 + \$80,000) + (\text{EPA funds under BIL CA used for loans} + \text{eligible programmatic costs associated with those loans})}{(\$1,000,000 + \$200,000 + \$2,000,000)}$$

A Few Other Items in the FY23 RLF Policy Memo

- Five scenarios CARs may encounter when trying to close out their non-BIL CA:
 - Scenario 1: Use Options 1, 2, or 3 for a 50/50 split waiver
 - **Scenario 2: Combine funds from multiple open and post-closeout RLF grants for a single site**
 - Scenario 3: Request project period extension for the non-BIL CA
 - **Scenario 4: Use funding in the older CA to pay for programmatic costs for both CAs**
 - Scenario 5: Return funds to EPA (not the preferred option, but allowed)
- Requires funds for each grant must be tracked in separate accounts, but not necessarily kept in separate bank accounts (see *FAQ #27*)
- Waivers to the subgrant cap, discounted loan limit, and 50/50 split must be approved by EPA
 - See memo for detailed process and consult with your EPA Project Officer
- Lots of good stuff in the memo and FAQs...be sure to read them!

Other important items in your CA T&Cs

- **Site eligibility**
- **ACRES reporting**
 - NEW** FY22 & later T&Cs require quarterly reporting of program income balance for open CA
- **Procurement**
- **Sufficient progress**
- **Federal cross-cutters** (NHPA, ESA, Davis-Bacon, BABA)

Attend these BF2023 sessions to learn more:

Federal Grants Regs: How do BF Grantees Procure a Contractor?	Wed, Aug 9	11:45 am - 12:45 pm	Room 251A/B/C
How to Stay out of Trouble: How do BF Grantees comply with federal grant regulations?	Wed, Aug 9	2 - 3 pm	Room 360 Ambassador Ballroom
ACRES Training for RLF Grantees	Thurs, Aug 10	10:30 - 11:30 am	Room 141
Game of Loans – A Song of Price and Buyers (Oregon RLF Topic Talk)	Thurs, Aug 10	3:15 - 3:30 pm	Room 354
Brownfields Grants Office Hours – Additional time for your Brownfields Grants questions	Thurs, Aug 10	3:15 - 4:15 pm	RLF Table in Room 252A/B
Federal Grant Cross-Cutters - a deeper dive (NHPA, Davis-Bacon, BABA, etc.)	Fri, Aug 11	9 - 10 am	Room 251A/B/C

Questions?





RLF PROGRAM POLICY AND GRANT MANAGEMENT

1. Background and Definitions
2. Program Policy for Open RLF Grants
- 3. Program Policy for Post-Closeout RLF Grants**
4. Recordkeeping

January 2023 Webinar

- Following slides are a quick summary on FY22 COA
- Recommend RLF CARs review recording, training materials, and Q&A from January 2023 training webinar for more details
 - ❖ All are located on [EPA's Brownfields Program website](#) under RLF Grant Recipient Resources



FY22 COA Fact Sheet



FY22 COA Template



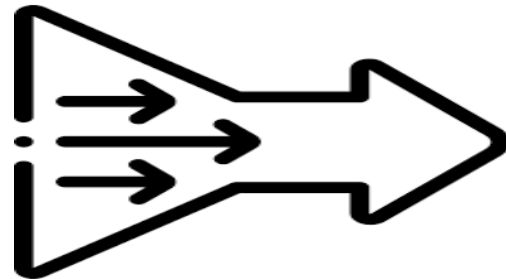
RLF Grant Main Webpage

Historical Background on RLF COAs

- Content of RLF COAs varied significantly over the past 20+ years
- Two Office of Inspector General (OIG) audits cited issues with lack of post-closeout reporting and inconsistencies among COAs
- 2 *CFR* § 1500.8(c) allows RLF grant recipients to keep program income at the end of the cooperative agreement **only if** they **use** those funds for continued operation of the RLF or for other brownfields purposes, as outlined in their COAs; this is consistent with 2 *CFR* § 200.307(f)

Purpose of FY22 COA Template

- To replace as many pre-FY22 COAs as possible so that all RLF programs with post-closeout program income can operate under the same terms & conditions, which will be a benefit to both CARs and EPA
- RLF COAs will be based on the FY22 COA Template for five years (i.e., next COA Template change will be in FY27)



Benefits of FY22 COA Template

- Makes administrative and financial **tracking easier** for both CARs and EPA by combining all COAs for a CAR into a single COA
 - Last page of the COA lists all applicable assistance agreement numbers
 - The single COA **terminates** the CAR's **previous COAs**
 - All management and reporting of post-closeout program income is **tracked** under **one COA Tracking Number**
 - Post-closeout program income from multiple grants is **combined** and kept in a **single account**
- Standardizes requirements, which will allow all CARs to use post-closeout program income more expeditiously and EPA to track post-closeout program income more accurately
 - Allows **additional flexibility** on **how** post-closeout program income can be used **and where** it can be **used** (see clauses #6 and #13 in FY22 COA Template)
 - Includes annual progress reporting and ACRES reporting (see clause #15)
 - Provides **parameters for eventual closure** of the COA (see clause #17)

Besides loans/subgrants, how can Post-Closeout Program Income be used under the FY22 COA?

- Phase I and II Environmental Site **Assessments**
- **Direct Cleanups**
- **Health monitoring** of vulnerable populations near sites
- **Institutional control and engineering control** monitoring
- [Area-wide planning](#) for the assessment, cleanup and/or re-use of brownfield sites
- Eligible work under the COA at brownfield sites **within 100 miles of the geographic boundary** described in the scope of work



Bottom line on the FY22 COA...

- **FY22 COA** is an attachment to the **FY22** (and later) **Terms and Conditions** (T&Cs), so adopting the FY22 COA is a condition of:
 - ✓ All new RLF CA awards AND
 - ✓ All amendments to Open RLF cooperative agreements
- EPA encourages all RLF CARs who have not signed the FY22 COA to please discuss the benefits with your EPA Project Officer
- Reminder for those who only have open CAs:

1. CA T&Cs govern the use of program income (PI) for an open CA
2. FY22 COA goes into effect the day after an open CA ends to govern the use of retained and post-closeout program income (PCPI) in a post-closeout grant

EPA's New COA Monitoring Process

COA Monitoring =

A process for the annual evaluation of post-closeout grants by EPA to determine if CARs are complying with their COA.

- This will be done every November
- EPA will **evaluate** the post-closeout program **income balance** and **how** it is **being used**
- This process **will occur** for **all** post-closeout grants, whether the CAR signs the FY22 COA or not

Two New Post-Closeout Reporting Tasks

UNDER FY22 COA, by October 31st the CAR will:

1. **Submit an annual Post-Closeout Report with post-closeout program income (PCPI) information accurate as of September 30th**
 - With CAR input, EPA created a Sample Post-Closeout Report that you can choose to use (see [RLF Closeout Resources](#) for optional template):
 - Describe activities performed during reporting period and plans for next reporting period
 - Show that you are **using** your PCPI **every year!**
 - This is especially important if you have >\$500K of PCPI
 - See January 2023 training materials for details and definitions

Two New Post-Closeout Reporting Tasks

UNDER FY22 COA, by October 31st the CAR will:

2. Enter the PCPI information in ACRES under the COA Tracking Number

- This is a subset of info that you gathered in Sample Post-Closeout Report

If you have not signed the FY22 COA, EPA Project Officers (POs) are required to enter PCPI information as of September 30th on the CAR's behalf so **POs will be contacting you to get the information**

For ACRES questions, attend RLF session on Aug 10th at 10:30 am in Room 141.

For Post-Closeout reporting questions, come to the RLF Table on Aug 10th at 3:15 pm in Room 252A/B.

Last point on Post-Closeout Grants

❖ Requirements and allowed activities for EPA funds, cost share, and program income **under a CA** can be very **different than PCPI under a COA**

- For example, some **open CA requirements do not** apply when **only PCPI is used**, including:
 - 50/50 Split
 - Subgrant caps
 - Discounted loan limits
 - Federal procurement requirements
 - Davis-Bacon, ESA, NHPA, BABA, MBE/WBE
- *See FAQ #33 for detailed table*

Key Requirements or Allowed Activities when Using Different Types of RLF Funding
(based on FY22 T&Cs and FY22 COA)

RLF Requirements or Allowed Activities when using →	While Cooperative Agreement is Open ¹		After Cooperative Agreement Closes ¹
	Federal Funds + Cost Share or Combination with Program Income	Program Income Only	Post-Closeout Program Income ²
Cleanups completed via loan or subgrant	X	X	X
Direct cleanups (as defined in FY22 COA)			X
Health monitoring of vulnerable populations near sites cleaned up or assessed	X (up to 10% for local governments only)		X
Institutional control and engineering control monitoring to ensure continued protection of public health	X (up to 10% for local		X

Questions?





RLF PROGRAM POLICY AND GRANT MANAGEMENT

1. Background and Definitions
2. Program Policy for Open RLF Grants
3. Program Policy for Post-Closeout RLF Grants
- 4. Recordkeeping**

Why is Recordkeeping Important?

- Proper recordkeeping is required and essential to document the activities and expenditures completed under your grant (procurement, eligible activities).
- Ensures your information is up to date, accessible, and ready in case of an AUDIT.
- Provides information for:
 - Celebrating Success Stories
 - Applying for more grants

Where are the Recordkeeping Rules?

- Key recordkeeping requirements are in:
 - 2 CFR 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
 - RLF Terms & Conditions (T&C)
 - CA Work Plan Deliverables (QR Reports, FFRs)
 - Closeout Agreement

What Records should you Keep?

- Site & Borrower/Subgrantee Eligibility
- NHPA & Federal Cross-Cutter compliance
- Administrative Record (Loan/Subgrant Documents, RAP, Community Involvement Plan, Decision Document, Public Comments, Press & Pics)
- Financial – Loan/Subgrant Underwriting Documents, Eligible Costs, Cost Share, Leveraged Funds, Davis-Bacon
- RLF Fund– programmatic & administrative costs, 50/50 split, program income, and COA

How long do you keep Records?

- [2 CFR 200.333 – 337](#) – **CARs** must retain all records, supporting documents, statistical records, and all other non-Federal entity records pertinent to a Federal award for a period of **three (3) years from the date of submission of the Final Federal Financial Report (SF425)**
- **Borrowers and subgrantees** shall maintain separate records for costs incurred at the site(s) for a minimum of **three (3) years following completion of the cleanup** financed all or in part with RLF funds and must **obtain written approval from the CAR prior to disposing of records**
- If the CAR continues to operate the RLF following the closeout of the CA, **records related to the Closeout Agreement** must be retained for a period of **three (3) years following termination or discontinuation of the Closeout Agreement**

Questions?



**This concludes the FY23 RLF Policy Webinar.
All remaining slides are provided so you can see
what else was covered at the RLF Workshop.**

**If you have additional RLF questions, please
contact your EPA Project Officer
or the RLF Lead for your EPA Region:**

Region	RLF Lead	Email Address
1	Paar, Dorrie	paar.dorrie@epa.gov
2	Peck, Patrick	peck.patrick@epa.gov
3	Gilmartin, Brett	gilmartin.brett@epa.gov
4	Gross, Brian	gross.brian@epa.gov
5	Cragan, Keary	cragan.keary@epa.gov
6	Scott, Camisha	scott.camisha@epa.gov
7	Klein, Susan	klein.susan@epa.gov
8	Jeffries, Curt	jeffries.curtis@epa.gov
9	Stollman, Scott	stollman.scott@epa.gov
10	Olson, Margaret	olson.margaret@epa.gov



BREAK
(Will resume at 10:15 am)



MANAGING MULTIPLE RLF GRANTS: The Recipe for the Secret Sauce

Introduced by **Katy Deng** (EPA Region 1)

Rick Dunne

Mike Szpryngel

Ricardo Rodriguez

Naugatuck Valley Council of Governments (NVCOG), CT





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NAUGATUCK VALLEY
COUNCIL of GOVERNMENTS

brownfields2023.org | DETROIT, MI

Managing Multiple RLF Grants

*The Recipe for the **Secret Sauce***

- Regional Profile
- RLF Program Overview
- Implementation of Tools & Resources
- Tracking, Leveraging and Reporting
- Case Studies



Regional Profile

Population:

450.4K | 19 Municipalities

149,703 in J40 Tracts | 29.6% minority

Area:

422 sq. miles

Median Income

Regional: \$91,486 | 10.1% below poverty line.

EJ Tract Median Income

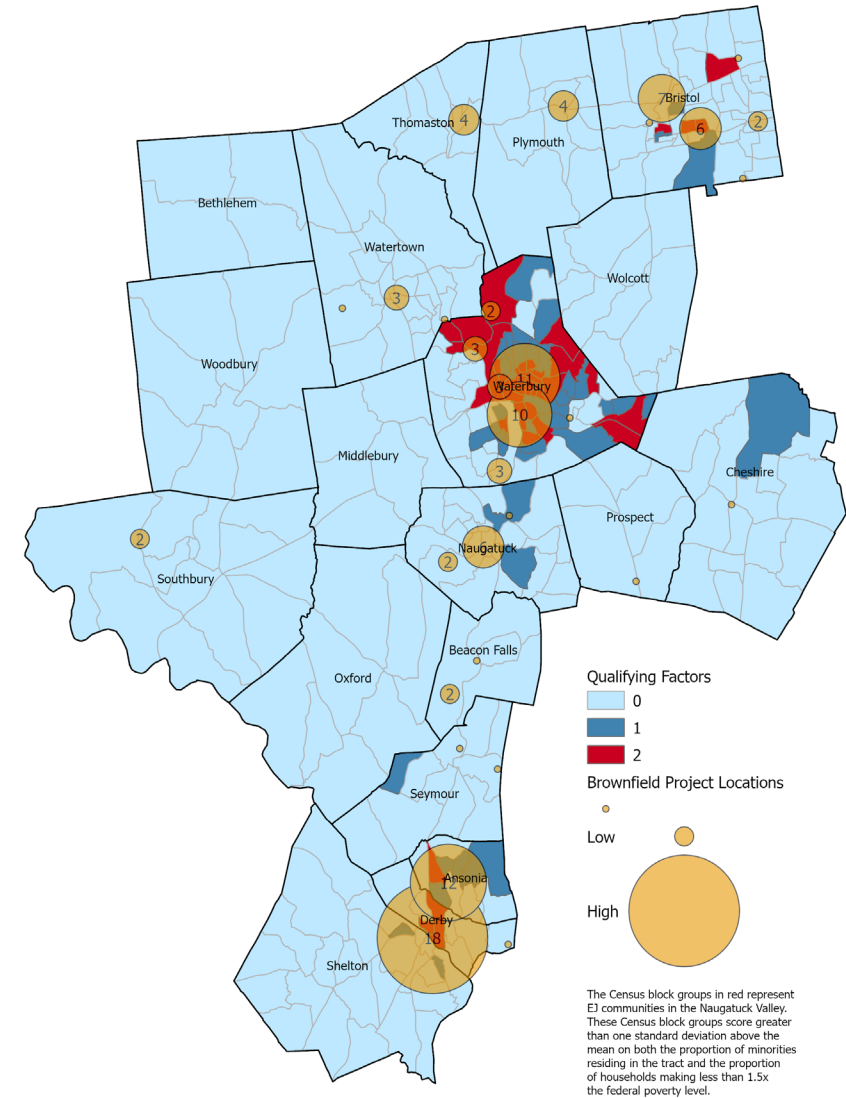
\$54,134 | 26.2% below poverty line.

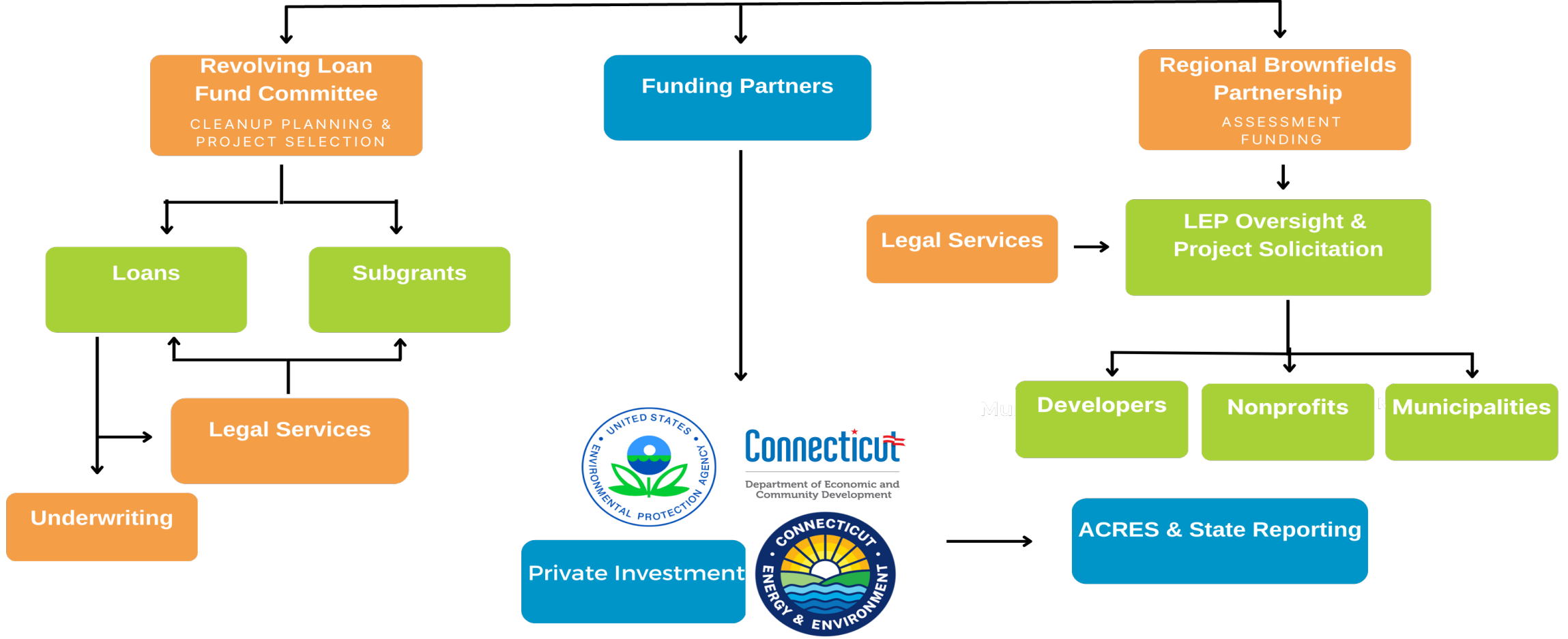
Median income is 20% less than the national average.

Waterbury EJ Tract Median Income

\$27,059 | 42.2% below poverty line.

Median income is 60% less than the national average.

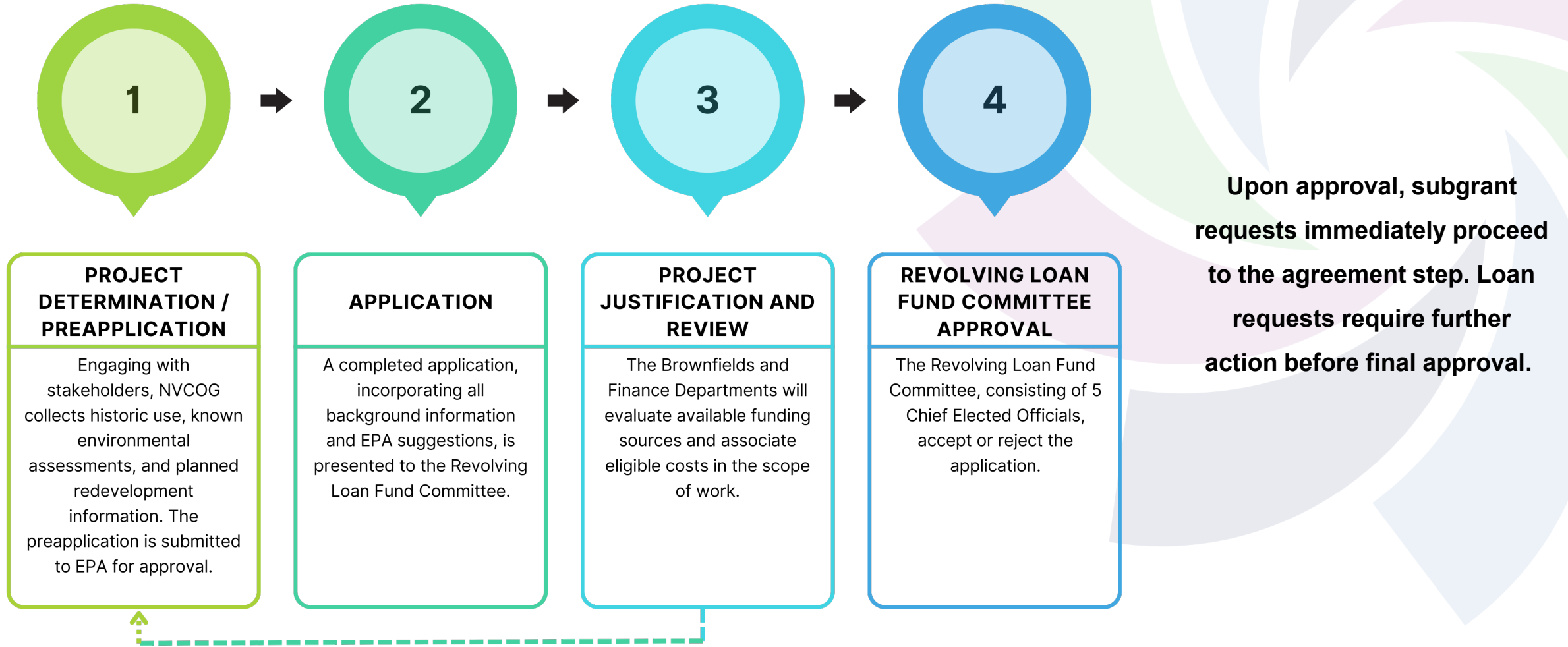




NVCOG RLF Program

RLF Award	Award Amount	Cost Share	Projected Program Income	Terms
RLF 2005 (Post-closeout)	\$809,240	\$161,848	\$485,544	Non-BIL + FY22 COA
RLF 2005 Supplementals (Post-closeout)	\$2,327,000	\$465,400	\$1,396,200	Non-BIL + FY22 COA
Program Income Generated (Post-closeout)	\$776,359	\$0	TBD	FY22 COA
ARRA Grant 2009	\$900,000	\$0	\$0	Closed
RLF 2020 (Open)	\$800,000	\$160,000	\$480,000	Non-BIL + FY 2020 T&C + FY22 COA
RLF 2020 Supplemental (Open)	\$480,850	\$96,170	\$320,425	Non-BIL + FY 2020 T&C + FY22 COA
RLF 2022 (Open)	\$3,900,000	\$0	\$1,950,000	BIL + FY 2022 T&C + FY22 COA
RLF 2022 Supplemental (Open)	\$3,000,000	\$0	\$1,500,000	BIL + FY 2022 T&C + FY22 COA
Total Funding	\$12,217,090	\$883,418	\$6,132,169+	
Total Leverage	\$96,000,000	7.8x Return		

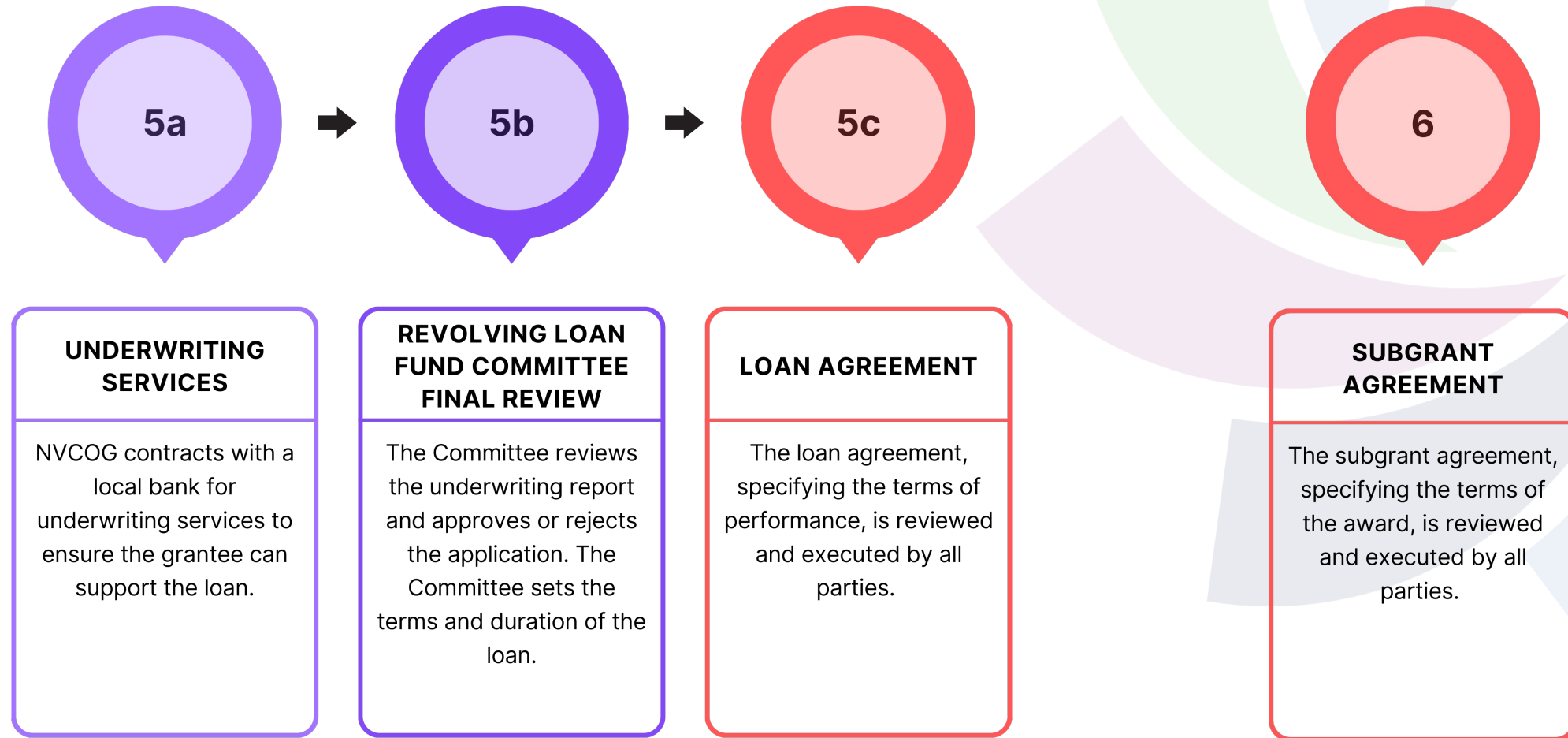
Award Process: Eligibility & Application | Loans & Subgrants



Award Process

Loans

Subgrants



QEP SELECTION & PROJECT COMMENCEMENT



QEP/CONTRACTOR SELECTION

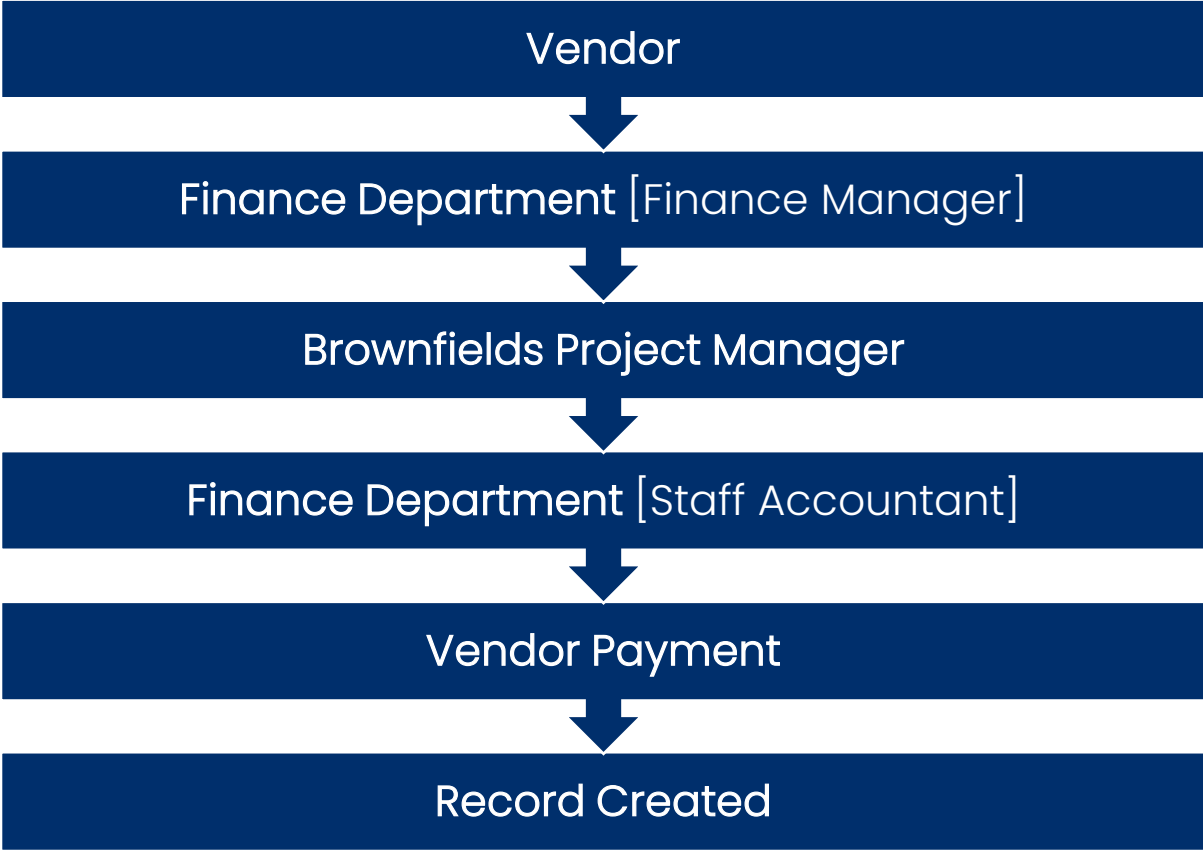
NVCOG staff will prepare a request for proposal to solicit a contractor or Qualified Environmental Professional.

PROJECT COMMENCEMENT

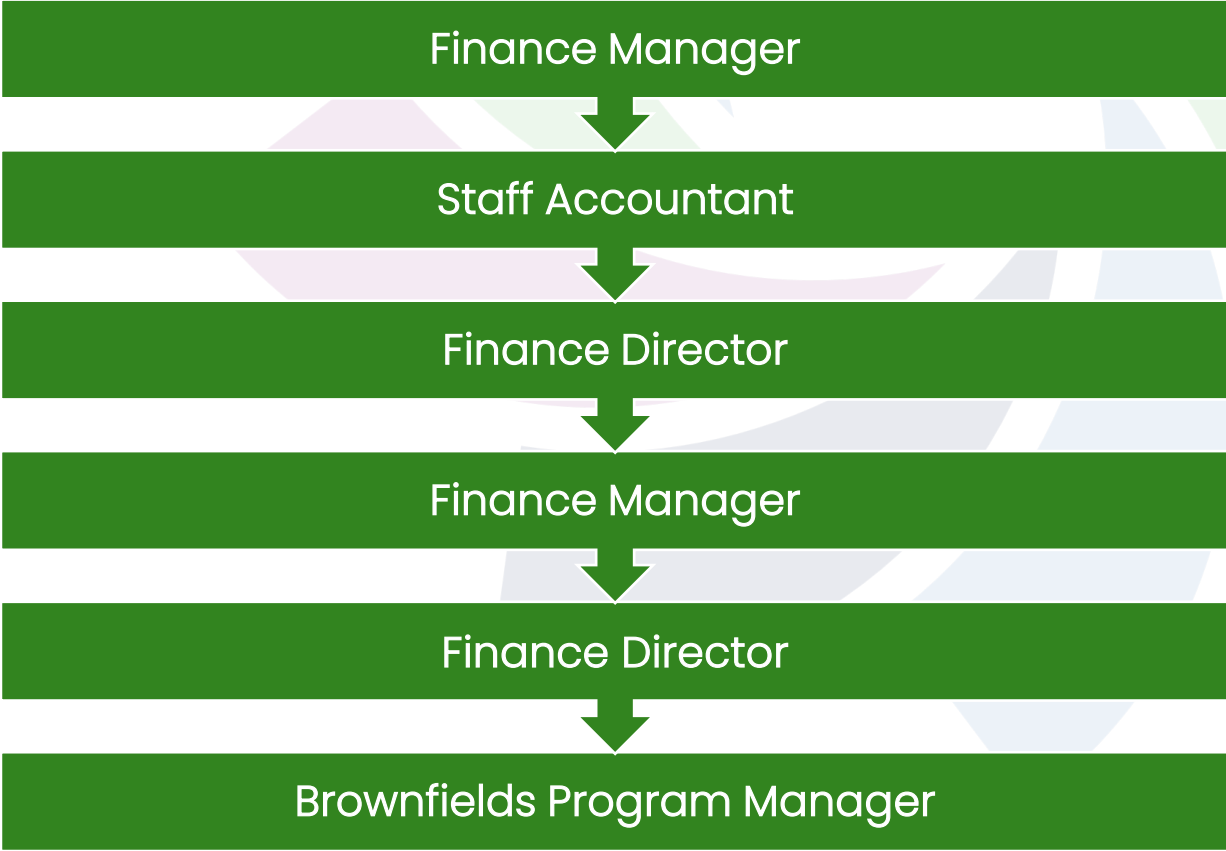
Project work, financial tracking, and reporting begin after a kickoff meeting between NVCOG, the awardee, and QEP/Contractor.

Financial Tracking & Reporting

Vendor Invoice Tracking



ASAP Drawdown Tracking



CASE STUDY: FARREL CORPORATION

501 EAST MAIN STREET, ANSONIA (LOAN TO DEVELOPER)



- **\$960,000** total Loan Request.
- **200** mixed-income housing units.
- **20,000 ft²** of commercial space.
- **\$20.54 million** in expected private funding.

CASE STUDY: FARREL CORPORATION

501 EAST MAIN STREET, ANSONIA (LOAN TO DEVELOPER)

Initial **Loan** Funding Request:

- Application Request: \$460,000
- FY20 RLF - \$218,740
- FY22 RLF - \$241,260

FIFO: First In First Out Funding Allocation

FY 2020 & FY 2022 T&C

FY 2022 COA: Post-Closeout Program Income Generated

Cost Share Requirement - \$43,748

Non-BIL: Grant T&C Requirement

Additional **Loan** Funding Request:

- FY22 RLF - \$500,000 (Remediation)

BIL Grant CA: No Cost Share Requirement

Total RLF Funding: \$960,000

Total RLF Grant Cost Share Requirement:

Total Expected Developer Funding: \$20.54 Million

Met + Leveraging

\$1 of RLF funding yields \$21.4 in other investment.

CASE STUDY: ANAMET INDUSTRIAL SITE

698 SOUTH MAIN STREET, WATERBURY (GRANT TO MUNICIPALITY)



- **413,000 ft²** of future commercial and industrial space.
- **220,000, ft²** warehouse building remediated.
- **0.45 miles** of future greenspace and multi-use trail extension.
- **\$100,000,000** in expected developer funding.

CASE STUDY: ANAMET INDUSTRIAL SITE

698 SOUTH MAIN STREET, WATERBURY (GRANT TO MUNICIPALITY)

Initial **Subgrant** Funding Request:

- Application Request: \$200,000
- Post-Closeout Program Income - \$73,200
- FY20 RLF - \$126,800 (Cleanup Planning)

FY 2022 COA: Allows for Phase I & Phase II Assessment Prior to Remediation using post-closeout program income.

FY 2020 T&C

Cost Share Requirement - \$25,360

Non-BIL Grant CA Requirement

Additional **Subgrant** Funding Request:

- FY22 RLF - \$277,000 (Remediation)

Policy Updates: Threshold from \$350k to \$500k

BIL Grant T&C: No Cost Share Requirement

Total RLF Funding: \$477,000

Total Non-federal grants: \$10 Million

Total Expected Developer Funding: \$100 Million

Total RLF Grant Cost Share Requirement:
Met + Leveraging

\$1 of RLF funding yields \$231 in other investment.

Wrapping Up:

Liberal Loan Policy

18-24 months at 0% interest

QEP/LEP Sign-Off creates Bankable Deals.

Funds revolve quickly for subsequent award.

New COA rules get more money into projects.

Questions?



SOCIAL

facebook.com/NVCOGCT

twitter: @NVCOGct



EMAIL

info@nvcogct.gov



WEB

<https://nvcogct.gov>

Questions?





RLF MARKETING PANEL

Facilitated by **Keary Cragan** [EPA Region 5]

Lillian Sunwall [Great Falls Development Authority (GFDA), MT]

Amanda Wallace [City of Sacramento, CA]

Kristin Lukes [Minnesota Department of Employment and Economic Development (MnDEED), MN]



Great Falls Development Authority

- RLF #1 – Awarded February 21, 2006
 - 6 Loans – (External \$2,082,439)
 - 10 Subgrants – (\$1,436,270)
 - Post-Closeout under FY22 COA (August 26, 2022)
- RLF #2 – Awarded September 14, 2022
 - 1 Subgrant – (\$583,925)
 - Open



Great Falls Development Authority

- Realtors Assn.
- Downtown Showcase
- Video Success Stories
- Top Ten/Media
- QEPs
- “Boots on the Ground”



City of Sacramento

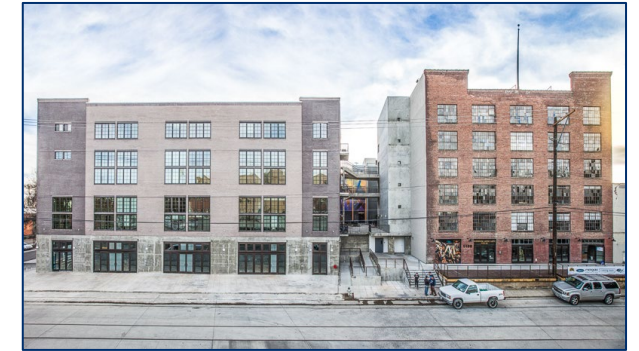
- RLF Types
 - Post-Closeout (FY 2022 COA): ~\$1.6 million
 - 1997-2018 (\$1.76 million awarded) - Pilot + 4 supplementals
 - Post-Closeout Program Income used for assessment of private, non-profit, public & City-owned properties
 - Active: (2018-2023) \$750,000
 - Policy to use open RLF for cleanup before Post-Closeout Program Income
- Use of Funds
 - 4 loans (\$1.5 million) - Private developers, non-profit & development authority
 - 6 subgrants (\$775,000) - Housing authority & redevelopment agency
 - ~\$350,000 for assessment since 2019 (Post-Closeout Program Income)
- Key-takeaways
 - Almost all transactions support public-private partnership projects
 - Sometimes layered with Cleanup, Assessment, and/or Multipurpose Grants



City of Sacramento

- Relationships, Relationships, Relationships
 - Your own agency's departments
 - Other government agencies
 - Community Development Corporations
 - Housing Authority
 - Development community
 - Environmental consultants

Warehouse Artists Lofts (WAL)



Museum of Science and Curiosity (MoSaC)



State of Minnesota

- First awarded RLF funds in 2003 (\$1,000,000)
 - Subsequent and supplemental funding 2004-2011 (additional \$5,150,000)
 - 2 Cooperative agreements totaling \$6,150,000 (1 open and 1 post-closeout grant)
 - \$2,000,000 petro and \$4,150,000 hazardous
- Use of funds
 - Funded 13 projects (over \$7 million)
 - Of these, 5 included subgrants (\$2,006,678)
 - 6 loans still open (in repayment status)
 - 7 closed/paid in full
- Remaining (post-closeout funds):
 - \$1,785,094 + \$1,645,472 future program income
- Spending challenges!!!



State of Minnesota

- Workshops/Training
- Coordinate with other Programs (funding gaps)
- Turndown outreach
- Project meetings
- Creativity and Flexibility!



CHS Field



Fergus Falls Dairy



The Donegan

Questions?





WRAP UP

Nicole Wireman (EPA HQ)

brownfields2023.org

DETROIT, MICHIGAN

Three Upcoming RLF Webinars in Aug/Sep

(all will be recorded and no need to pre-register)

WHAT	DAY	TIME (EASTERN)	LINK
Listening Session for RLF TA Support	Monday, August 21	1:30 – 2:30 pm	https://usepa.zoomgov.com/j/1617216288
FY23 RLF Policy Webinar (repeat of EPA part of RLF Workshop)	Monday, August 28	1 – 3 pm	https://usepa.zoomgov.com/j/1601417284
ACRES Training for RLF Grantees Webinar (repeat of Aug 10th BF2023 session)	Thursday, September 21	1 – 2:30 pm	Teams link provided at: https://www.epa.gov/brownfields/online-acres-training-schedule-brownfields-grantees

The BF 2023 RLF Workshop continues...

- Don't forget:
 - To attend the recommended sessions over the next few days
 - More RLF-specific questions? Come to the:
 - RLF Table during Brownfields Office Hours
 - EPA HQ Table in Exhibit Hall on Wed and Thurs from 8 - 9 am (look for Nicole)



ICMA

INTERNATIONAL CITY/COUNTY
MANAGEMENT ASSOCIATION



EPA

United States
Environmental Protection
Agency



brownfields2023.org | DETROIT, MI



BACKUP SLIDES ON TOPICS OF INTEREST FOR RLF GRANTS

DAVIS-BACON COMPLIANCE

[Fact Sheet](#) and [FAQs](#) on [Brownfields Program website](#):

DB FAQ # 1. Do Davis-Bacon prevailing wage requirements apply to construction contracts for the cleanup of Brownfields sites when the cleanup is partially funded with Brownfields grant funds?

Yes, if the contracts are for construction work that takes place in close temporal proximity to the work that is federally funded. Under CERCLA 104(g), Davis-Bacon applies to construction, alteration or repair work that is funded “in whole or in part” with Brownfields CERCLA 104(k) grants, subgrants, and loans. EPA follows the “purpose, time and place” test for determining the applicability of Davis-Bacon prevailing wage requirements when a cleanup is funded with federal and non-federal resources. Applying that test, the construction contracts described in the question would meet the “purpose” and “place” prongs of the test. Whether the “time” prong is met depends on the facts, but if the cleanup work taking place is closely related in time to the federally funded portion of the cleanup, then Davis-Bacon would apply. Parties who intentionally structure the timing of the contracts to avoid Davis-Bacon may be subject to sanctions under applicable regulations.

DAVIS-BACON COMPLIANCE

DB FAQ #2. Do Davis-Bacon prevailing wage requirements apply to contracts for post-cleanup redevelopment construction at Brownfields sites where EPA-funded remediation is complete?

No. EPA has determined that post-cleanup construction work does not meet the “purpose” prong of the test for Davis-Bacon applicability under CERCLA 104(g). Post-cleanup construction work is not eligible for funding under CERCLA 104(k) and the activities the contractors would perform (e.g., erection or renovation of buildings) would be substantially different than those carried out for site remediation. The purpose of the contracts, therefore, would not be closely related. Additionally, the post-cleanup construction generally does not take place at the same time as site remediation, although as noted above, whether the time prong of the test is met is fact specific.

For more info, attend Federal Grant Cross-Cutters session on Aug 11th at 9 am in Room 251A/B/C.

BREAKDOWN OF PCPI FOR REPORTING

Remember: PCPI = Post-Closeout Program Income

- Among the information required for COA monitoring is the Total PCPI Balance, Committed PCPI Balance, and Uncommitted PCPI Balance
- **Total PCPI Balance:** This is the balance of PCPI in the CAR's post-closeout RLF account as of the reporting date.

Uncommitted PCPI Balance = Total PCPI Balance - Committed PCPI Balance

COMMITTED VS UNCOMMITTED PCPI

- **Committed PCPI Balance:** This is the amount of PCPI funds that are committed as of the reporting date for:
 - **Pending loans and subgrants** which are defined as loans/subgrants that have been approved through the applicant's decision process (e.g., board or committee) but have not been awarded with a fully-signed agreement as of the reporting date;
 - **Unreimbursed costs for a cleanup that is completed or underway** through an executed loan or subgrant, which is defined as a loan/subgrant with a fully-signed agreement and award date that precedes the reporting date;
 - Estimated costs for personnel, travel, contracts, or other **programmatic costs necessary to maintain the RLF for the next five years**; and,
 - **Other eligible uses of funds as defined by the COA** that have been approved through the applicant's decision process (e.g., board or committee), such as direct cleanups, assessments, etc.
- **Uncommitted PCPI Balance:** This is the amount of PCPI funds that are uncommitted as of the reporting date.

Uncommitted PCPI Balance = Total PCPI Balance - Committed PCPI Balance