

## Questions and Answers: Clean Ports Program Competitions

April 16, 2024

### **Zero-Emission Technology Deployment Competition**

(Funding Opportunity Number: EPA-R-OAR-CPP-24-04)

AND

### **Climate and Air Quality Planning Competition**

(Funding Opportunity Number: EPA-R-OAR-CPP-24-05)

The following Questions and Answers have been compiled for the benefit of organizations considering applying for a grant under the above two Notices of Funding Opportunities (NOFOs): Zero-Emission Technology Deployment Competition (ZE) and Climate and Air Quality Planning Competition (CAQP).

1. [Applicant Eligibility](#)
2. [Project Eligibility](#)
  - 2.1. [Both Competitions](#)
  - 2.2. [Climate and Air Quality Planning](#)
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3. [Application Package and Process](#)
4. [Evaluation Criteria](#)
5. [Project Administration and Reporting](#)

Please note that many questions are variations of each other so your exact question may not be listed; please look for similar questions.

# 1. Applicant Eligibility

1.1. What types of entities are eligible to apply for the Clean Ports Program?

**Answer:** Eligible recipients of the Clean Ports Program funds include:

- Port authority
- State, regional, local, or Tribal agency that has jurisdiction over a port authority or port
- Air pollution control agency
- Private entity that:
  - Applies for a grant in partnership with an eligible entity above, and
  - Owns, operates, or uses facilities, cargo-handling equipment, transportation equipment, or related technology of a port

(See ZE or CAQP NOFOs section III.A)

*Date Posted: 2/28/2024*

1.2. How does the Clean Ports Program define a port?

**Answer:** For the purposes of both Clean Ports Program NOFOs, a port is either a water port or a dry port as defined below:

- **Water Port:** places on land alongside navigable water (e.g., oceans, rivers, or lakes) with one or more facilities in close proximity for the loading and unloading of passengers or cargo from ships, ferries, and other commercial vessels. This includes facilities that support non-commercial Tribal fishing operations.
- **Dry Port:** an intermodal truck-rail facility that is included in the 2024 Federal Highway Administration's (FHWA) Intermodal Connector Database based on meeting the criteria set in 23 CFR 470. These criteria include having more than 50,000 20-foot equivalent units per year or 100 trucks per day, or comprising more than 20 percent of freight volumes handled by any mode within a State.

(See ZE or CAQP NOFOs section I.B)

For the purposes of both Clean Ports Program NOFOs, a small water port is defined below:

- A water port (see definition above) located in a port area to and from which the average annual tonnage of cargo is less than 8,000,000 short tons for the most recent three calendar years of U.S. Army Corps of Engineers (USACE) data (2019, 2020, 2021), or
- A water port located outside of the port areas in USACE tonnage datasets.

(See ZE NOFO section I.B or CAQP NOFO section II.B)

A list of eligible dry port facilities and a list of port areas that handle greater than 8,000,000 short tons are available on the [Clean Ports Program website](#).

*Date Posted: 2/28/2024*

1.3. Can two or more port authorities or other eligible entities partner on one application?

**Answer:** Yes. Eligible private entities must apply in a Statutory Partnership with another eligible non-private entity. Non-statutory partnerships are also allowable to ensure effective grant performance to meet the objectives of the program. Non-statutory partnerships may be established between an applicant and a Collaborating Entity, which may include both eligible and non-eligible entities. For both Statutory Partnerships and non-statutory partnerships, if selected for award, the applicant will become the grant recipient, operating as a pass-through entity for purposes of 2 CFR Part 200 and the EPA Subaward Policy, and taking responsibility for making subawards to Collaborating Entities, or if

applicable, Statutory Partners. The applicant will also be accountable to the EPA for effectively carrying out the full scope of work and the proper financial management of the grant.

(See ZE or CAQP NOFOs section III.A. for more information related to requirements for Statutory Partnerships and non-statutory partnerships).

*Date Posted: 2/28/2024*

**1.4.** Can one applicant submit one application to fund several different ports? Is there a limit to the number of ports that can be included in one application?

**Answer:** Yes, an applicant can include project activities at more than one port in a single application. There is no limit to the number of ports where project activities can take place in a single application.

*Date Posted: 2/28/2024*

**1.5.** Can one applicant submit multiple applications for different ports?

**Answer:** For each NOFO, applicants may submit up to two applications as long as the same port is not included in more than one application per NOFO (i.e., all project activities taking place at or serving a port must be grouped in one application). Applicants can include multiple types of projects within one application (either at a single or at multiple ports). Applicants that submit more than one application for projects that serve the same port, or more than two total applications, will be contacted prior to the EPA review of any of the applications to determine which application(s) the applicant will withdraw from the competition. In the absence of direction from the applicant, the EPA will review the most recent application submitted for the port or the two most recent applications and deem the other application(s) ineligible.

(See ZE NOFO and CAQP NOFO section III.C)

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**1.6.** Can one applicant apply for both the ZE Tech competition and the CAQP competition? Can planning funds be used to plan cost and feasibility assessments for equipment funded by the ZE competition?

**Answer:** Applicants can apply for both competitions to receive funding for planning projects and ZE technology deployment projects, however, applicants requesting funding for technology deployment under the ZE Tech competition are expected to have conducted necessary cost and feasibility assessments prior to applying and should not be planning to conduct further assessments prior to deployment.

*Date Posted: 2/28/2024*

**1.7.** What is the difference between a sub-recipient and a partnership? What entities are eligible sub-recipients of Clean Ports Program funds?

**Answer:** A partnership may be constituted by financial and/or non-financial forms of collaboration. A subrecipient is a non-federal entity that receives a subaward from a grantee to carry out part of a federal program. Under this competition, a non-federal entity is eligible to receive a subaward even if it is not eligible to receive a grant from the EPA directly. Subrecipients only receive reimbursement for their actual direct or approved indirect costs and do not “profit” from the transaction.

Recipients may provide participant support costs (PSCs) to program beneficiaries to enable beneficiaries to participate in the recipient’s program or project. PSCs include rebates, subsidies, stipends, or other payments to program beneficiaries by the grantee, subrecipient, or contractor. For example, PSCs might be used for the purchase of eligible technologies, in which case, program beneficiaries, rather than the grant recipient, would own the new technology.

PSCs differ from subawards in that the beneficiary is participating in the grant recipient's project or program instead of implementing their own project or program. Program beneficiaries may include but are not limited to individual truck owner/operators, private or public fleet owners, or residents in the applicable area; however, program beneficiaries are not employees, contractors or subrecipients of the grant recipient.

*Date Posted: 2/28/2024*

**1.8.** Are airport operators considered a "port authority" for the purposes of an eligible applicant for the grant?

**Answer:** Generally, airport operators would not meet the definition of port authority unless their authority includes overseeing a water or dry port as defined in the NOFO (see Q 1.2 for port definition).

*Date Posted: 2/28/2024*

**1.9.** Are rail operators considered an eligible applicant for the grant?

**Answer:** Private rail operators may be an eligible recipient of Clean Ports Program funding. Eligible private entities must apply in a Statutory Partnership with another eligible non-private entity, and all projects must serve a water port or dry port, (See Q 1.2 for definition of water port and dry port. See ZE or CAQP NOFOs section III.A. for more information related to requirements for Statutory Partnerships).

*Date Posted: 2/28/2024*

**1.10.** Where can I find information about US EPA funding opportunities?

**Answer:** Information about US EPA funding opportunities can be found at: <https://www.epa.gov/grants>. The EPA's Ports Initiative also has a searchable table of federal, state, and local funding opportunities that can support emissions reductions at ports, which can be found at: <https://www.epa.gov/ports-initiative/funding-opportunities-ports-and-near-port-communities>.

*Date Posted: 3/22/2024*

**1.11.** How can I determine if a port qualifies as a "small water port"?

**Answer:** The EPA has created a [document](#) with detailed information about small water port eligibility. For an application to qualify as a project taking place at a small water port, the primary water port project location may not take place in one or more of the large water port areas listed in the document. (See ZE NOFO section I.B. or CAQP NOFO section II.B.)

*Date Posted: 3/22/2024*

**1.12.** How do I know if my dry port/intermodal facility is eligible under this program?

**Answer:** Dry ports are defined as an intermodal truck-rail facility that is included in the 2024 Federal Highway Administration's (FHWA) Intermodal Connector Database based on meeting the criteria set in 23 CFR 470. These criteria include having more than 50,000 20-foot equivalent units per year or 100 trucks per day or comprising more than 20 percent of freight volumes handled by any mode within a State. EPA has created a [list](#) of eligible dry ports. Please refer to this list to determine whether your dry port/intermodal facility is eligible.

*Date Posted: 3/22/2024*

**1.13.** Are projects allowed at port facilities that serve passenger vessels (e.g., ferries, cruise ships)?

**Answer:** Yes. For purposes of the Clean Ports Program, a water port is defined as places on land alongside navigable water (e.g., oceans, rivers, or lakes) with one or more facilities in close proximity for the loading and unloading of passengers or cargo from ships, ferries, and other commercial vessels. This includes facilities that support non-commercial Tribal fishing operations. (See ZE or CAQP NOFOs section I.B)

*Date Posted: 3/22/2024*

**1.14.** Does a water port need to be included in U.S. Army Corps of Engineers datasets to be eligible?

**Answer:** No. Any project that serves an area that meets the definition of water port would be eligible for funding assuming the project meets other eligibility requirements. For the purposes of the Clean Ports Program, water ports are defined as places on land alongside navigable water (e.g., oceans, rivers, or lakes) with one or more facilities in close proximity for the loading and unloading of passengers or cargo from ships, ferries, and other commercial vessels. This includes facilities that support non-commercial Tribal fishing operations. (See ZE or CAQP NOFOs section I.B)

*Date Posted: 3/22/2024*

**1.15.** Is a port that has not been constructed yet eligible for funding?

**Answer:** If a project is anticipated to serve a facility that would, during the grant project period, meet the definition of a water port once constructed, the project would be eligible assuming the project meets other eligibility requirements. In the application, the applicant should explain why they believe the facility will be operational and meet the definition of a water port within the project period and provide any evidence that supports this. For the ZE technology competition, applicants that sufficiently identify risks and mitigation strategies in their proposal (including risks associated with port construction timelines) will be scored more favorably.

A project at a dry port facility that has not been constructed yet is not eligible for funding unless the facility is part of or related to the expansion of an existing facility included in the 2024 Federal Highway Administration's (FHWA) Intermodal Connector Database. See FAQ 1.2 for definitions of water port and dry port. A list of eligible dry port facilities is available on the [Clean Ports Program website](#).

*Date Posted: 4/2/2024*

**1.16.** For the ZE Technology Deployment competition, does the applicant need to have a zero-emissions plan already approved and in place at their port before applying?

**Answer:** No, the applicant does not need to have a zero-emissions plan approved at their port before applying. However, applications that describe a publicly available plan to reduce port mobile source emissions (including specific greenhouse gases, PM2.5 and/or NOx emission targets) that the applicant or project partners finalized after 2019 or commit to completing one before the end of the project period will receive points under evaluation criterion 5.b.

*Date Posted: 4/2/2024*

**1.17.** How can a private entity comply with the Statutory Partnership requirement if the private entity is applying to cover multiple projects at multiple ports, where multiple states and organizations are involved across the projects?

**Answer:** Only one Statutory Partnership per application is required for private entities. However, more partnerships and collaborations are encouraged. Points will be awarded for promoting and/or obtaining collaboration and support from Statutory Partners and/or Collaborating Entities in performing the project. (See ZE NOFO or CAQP NOFO section III.A. and section IV.C.2, workplan section 1.b.).

*Date Posted: 4/2/2024*

**1.18.** Which private entities are eligible to apply?

**Answer:** To be eligible to apply, a private entity must own, operate, or use facilities, cargo handling equipment, transportation equipment, or related technology of a port (where “port” is defined in FAQ 1.2). In addition, a private entity must apply in partnership with a non-private eligible entity. (See ZE or CAQP NOFOs section III.A.)

*Date Posted: 4/2/2024*

**1.19.** What does it mean for a state, regional, local, or Tribal agency to have “jurisdiction” over a port authority or port?

**Answer:** In the Clean Ports Program definition of eligible applicants, “jurisdiction” means that the state, regional, local, or Tribal agency has the power to exercise authority over the port authority or port. For example, a state may exercise authority over a port by enacting laws or issuing regulations that govern port operations.

*Date Posted: 4/2/2024*

**1.20.** Do ports need to be located in nonattainment areas to be eligible for funding?

**Answer:** No, ports do not need to be located in nonattainment areas to be eligible for funding. Projects that take place in nonattainment areas for PM2.5 and/or Ozone may receive priority points if they meet the program’s definition of “disadvantaged communities” (see question 4.2 and ZE or CAQP NOFOs IV.C section 4 for more detail). In addition, as required by the statute and to help ensure the program’s goal of deploying ZE technologies in communities burdened by poor air quality, the EPA plans to award a minimum of \$750 million for projects in nonattainment areas across both Clean Ports Program competitions.

*Date Posted: 4/2/2024*

**1.21. NEW** Are non-profits considered private entities when applying for the Clean Ports Program?

**Answer:** A non-profit applying to the Clean Ports Program as the primary applicant is considered a private entity and must apply in a Statutory Partnership with an eligible non-private entity (such as with a port authority). The private entity (in this case, the non-profit) must also own, operate, or use the facilities, cargo-handling equipment, transportation equipment, or related technology of a port. See NOFO section III.A.

However, if the primary applicant is a public eligible entity, a Statutory Partnership is not required. In this case, the applicant may establish a non-statutory partnership with a Collaborating Entity (including a non-profit), which may include both eligible and ineligible entities.

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**1.22. NEW** If an eligible entity is a Statutory Partner on an application for a given port, can the eligible entity submit their own separate application for that same port, or must the projects be combined into one application? How do partnerships impact the number of allowable applications per applicant?

**Answer:** The limitation of one application per port location and two applications per applicant applies only to *primary* applicants. Applicants may combine multiple port locations into a single application. There is no limit on the number of applications that an entity may join in a partnership, including a Statutory Partnership. If an eligible entity is a partner on an application, including a Statutory Partner, then that eligible entity may still submit up to 2 applications as the primary applicant. An eligible entity may both partner on an application for a project taking place at a specific port and submit their own application for a project at that same port as a primary applicant, as long as the same project activity is not included on multiple applications.

*Date Posted: 4/16/2024*

**1.23. NEW** What is the definition of an “air pollution control agency”?

**Answer:** Under Section 302 of the Clean Air Act, the term "air pollution control agency" means any of the following:

1. A single State agency designated by the Governor of that State as the official State air pollution control agency for purposes of this chapter.
2. An agency established by two or more States and having substantial powers or duties pertaining to the prevention and control of air pollution.
3. A city, county, or other local government health authority, or, in the case of any city, county, or other local government in which there is an agency other than the health authority charged with responsibility for enforcing ordinances or laws relating to the prevention and control of air pollution, such other agency.
4. An agency of two or more municipalities located in the same State or in different States and having substantial powers or duties pertaining to the prevention and control of air pollution.
5. An agency of an Indian tribe.

*Date Posted: 4/16/2024*

**1.24. NEW** Are federal entities eligible to apply for the Clean Ports Program?

**Answer:** Federal entities are not eligible applicants, even if they have jurisdiction over a port. However, federal agencies may serve as partners/subawardees in limited cases. If a Federal agency has statutory authority to provide services to non-Federal entities on a reimbursable basis or otherwise receive and use funds from non-Federal entities then assistance agreement recipients may use EPA funds for subawards to other Federal agencies. Please refer to Section 7.0(b) of the EPA’s Subaward Policy.

*Date Posted: 4/16/2024*

**1.25. NEW** Is there a minimum size for port eligibility?

**Answer:** There is no minimum size for port eligibility. The project must take place at a port, as defined in FAQ 1.2.

*Date Posted: 4/16/2024*

## 2. Project Eligibility

### 2.1. Both Competitions

**2.1.1.** Can awards cover administrative costs? If so, what administrative costs are eligible?

**Answer:** Eligible project costs are those costs directly related to the implementation, management, and oversight of the project, including recipient and subrecipient personnel and benefits, equipment, contractual, travel, supplies, subgrants and rebates, and indirect costs. If selected, costs are reviewed for appropriateness and reasonableness prior to award.

*Date Posted: 2/28/2024*

**2.1.2.** Can an eligible entity with a proposed project in a nonattainment area apply and be considered for both attainment and nonattainment funding pools?

**Answer:** Yes. A minimum of \$750 million will be awarded to projects in nonattainment areas across both competitions. Projects in a nonattainment area may receive funds from either the nonattainment funding pool or the general funding pool. Projects not in a nonattainment areas may only receive funds from the general funding pool.

*Date Posted: 2/28/2024*

**2.1.3.** Are rail projects eligible for funding?

**Answer:** Yes, ZE technology deployment and climate and air quality planning activities focused on rail operations at water and dry ports are generally eligible for Clean Ports Program funding. Please see the NOFOs for more details on eligible and ineligible activities, including what would not qualify as “serving a port” for the ZE Technology Competition. A list of eligible dry port facilities (i.e., large intermodal truck-rail facilities) is available on the [Clean Ports Program website](#).

*Date Posted: 2/28/2024*

**2.1.4.** Are airport projects eligible?

**Answer:** Projects focused on airports are not eligible for Clean Ports Program funding under either competition. To be eligible for funding, projects must focus on or serve either a water port or a dry port, as defined in the NOFO (See Q 1.2 for port definition and Q 2.3.3 for what qualifies as “serving a port” in the ZE Tech competition).

*Date Posted: 2/28/2024*

**2.1.5.** Can an applicant apply for funding from the Clean Ports Program for one project and simultaneously apply for funding from a complementary funding program for a separate project?

**Answer:** Yes. When applying to the Clean Ports Program, applicants should describe the extent of any relation between the proposed project and other projects funded by complementary programs or initiatives. Applicants will be evaluated on the extent and quality of the coordination between projects and related initiatives, and the likelihood that the complementary resources will materialize during the period of grant performance. (See ZE NOFO section IV.C.)

*Date posted: 3/22/2024*

**2.1.6.** Are sales tax and federal excise tax an eligible expense?

**Answer:** Yes, as long as the costs can meet the "General Principles of Cost Allowability" from 2 CFR Part 200. Details are available on page 4 of the EPA budget guidance:

<https://www.epa.gov/sites/default/files/2019-05/documents/applicant-budget-development-guidance.pdf>.

*Date Posted: 4/2/2024*



**2.1.7.** Where the NOFOs state that “Management fees or similar charges cannot 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 workplan” (ZE NOFO IV.C.Section 8.a or CAQP NOFO IV.C.Section 7.a), what is meant by “except to the extent authorized as a direct cost of carrying out the workplan”?

**Answer:** When a workplan has been negotiated with a grantee, costs need to support the approved workplan. Costs must be allowable, allocable, and reasonable, as described in 2 CFR Part 200 and here: <https://www.epa.gov/sites/default/files/2019-05/documents/applicant-budget-development-guidance.pdf>

*Date Posted: 4/2/2024*

## **2.2. Climate and Air Quality Planning (CAQP)**

**2.2.1.** What activities are eligible under a Climate and Air Quality Planning grant?

**Answer:** Activities eligible for funding under the Clean Ports Program Climate and Air Quality Planning competition include:

- Emissions inventory and accounting practices (one or more required)
- Stakeholder collaboration and communication, including workforce planning analysis, with a focus on near-port communities
- Strategy analysis and goal-setting
- Resiliency planning

See section I.B of the CAQP NOFO for more examples of eligible CAQP activities and section III.D for details on ineligible activities.

*Date Posted: 2/28/2024*

**2.2.2.** Is workforce development, planning, and/or training an eligible use of funds?

**Answer:** For Climate and Air Quality Planning, workforce impact analysis is an eligible expense. The EPA encourages applicants to prepare for the workforce impacts that may result from their proposed planning activities. Applications may request funding to support workforce planning activities tied to a proposed activity, including, but not limited to:

- Analyzing how implementing recommendations from the planning activities could impact the current workforce and developing strategies and protections for mitigating harmful impacts. For example, clarifying protections to ensure existing workers are not replaced or displaced because of new technologies
- Conducting detailed job and skills-based needs assessments to identify potential workforce gaps for future port activities to reduce emissions
- Identifying additional sources of funding for workforce development programs to meet the needs of implementing recommendations from the planning activities, including high-quality models that increase accessibility for individuals from near-port communities such as pre-apprenticeship programs
- Identifying and building relationships with partners necessary for workforce development activities at the port (e.g., labor unions, public workforce system, community colleges, community-based organizations)

Applicants are also encouraged to identify opportunities for individuals from disadvantaged communities, including near-port communities, to gain exposure to careers related to environmental quality at ports, such as paid internships with the applicant or educational outreach related to the

planning activities conducted as part of the project. Stipends or other compensation is an allowable use of funds and can be included in an applicant's budget.

(See CAQP NOFO sections I.B and IV.C.2, section 6)

*Date Posted: 2/28/2024*

**2.2.3.** Is an expansion of the scope of an emissions inventory eligible for the Planning Competition?

**Answer:** Yes, updating, or expanding the scope, of an existing port-wide, terminal-specific, and/or category of mobile source (e.g., dray trucks, cargo-handling equipment) inventory is eligible under the Climate and Air Quality Planning Competition.

*Date Posted: 4/2/2024*

### **2.3. Zero-Emission Technology Deployment**

**2.3.1.** What are eligible zero-emissions (ZE) port technology deployment project costs?

**Answer:** Project activities eligible for funding under this NOFO include:

1. **ZE Mobile Equipment:** Eligible project costs include the purchase and deployment of new eligible battery-electric or hydrogen fuel cell vehicles, vessels, powertrains, and other mobile equipment that directly serve a port, which fall in these general categories:

- Cargo handling equipment (e.g., terminal tractors, forklifts, top handlers, side picks, straddle carriers)
- Drayage trucks
- Locomotives and railcar movers
- Harbor craft and other vessels (e.g., commercial and Tribal fishing vessels, tugs, ferries, patrol boats, workboats, dredges, pilot boats, barges)

2. **ZE Infrastructure Serving Mobile Equipment:** Eligible project costs include the purchase and installation of new or expanded electric charging and/or hydrogen fueling infrastructure serving eligible zero-emission port equipment purchased as part of the applicant's grant award, as well as shore power infrastructure for marine vessels. Equipment not purchased as part of the grant award may also utilize the fueling infrastructure. (Applicants should note applicable Buy America requirements for eligible infrastructure expenses, as described in Section VI.D. of the ZE NOFO) Specifically:

- Eligible electric charging infrastructure should be located at or behind the meter (i.e., customer side of the meter). Eligible costs include but are not limited to: electric supply infrastructure for the new electric equipment, including the unit and charging cable, mount and/or pedestal, electrical panels, and their installation; upgrades to existing electrical panels or electrical service, wiring/conduit and its installation; the physical meter and its housing unit (if located on the customer side); and installation, such as design and engineering or labor (i.e., infrastructure costs associated with work on the customer's side of the electrical meter); and charge management software, either as standalone or part of the charging unit. Costs for minor grid upgrades in front of the meter (utility side) may be considered if the work necessary to connect an eligible charging station to the electric distribution network.
- Funds may be used for battery energy storage systems associated with new equipment funded in the program, as well as solar and wind power generation systems that are installed to primarily power mobile equipment.
- Eligible hydrogen fueling infrastructure includes but is not limited to hydrogen storage tanks, liquid and gaseous hydrogen pumps and vaporizers, compressors, heat exchangers, piping and pipelines within a port facility, high-pressure dispensers (including hose, nozzles, and meters), chillers, and point-of-sale systems. Eligible costs include the purchase price and installation, such as design and engineering or labor expenses.

**3. ZE Technology Deployment Support Activities:** Eligible project costs include ZE technology deployment project support activities directly related to the implementation of an eligible ZE technology project, including acquiring eligible zero-emission equipment and infrastructure, or deploying the technology into regular service. Eligible project costs related to support may include, but are not limited to, the following activities:

- Project-specific public engagement
- Safety planning and protocol development
- Operational planning and protocol development
- Workforce training
- Project performance monitoring
- Project management and administrative costs
- Collection and analysis of in-use operational data to optimize/refine zero-emission technology implementation
- Infrastructure testing and approval
- Permit applications

These activities must (1) serve a port, (2) be human-operated and human-maintained (i.e., not fully automated) and (3) not be first-of-a-kind demonstration and pilot projects or research and development projects. Applicants should refer to ZE NOFO section III.D. for further detail on ineligible costs and activities, including what would not qualify as “serving a port”.

(See ZE NOFO section I.B)

*Date Posted: 2/28/2024*

**2.3.2. Is workforce development and training an eligible use of funds?**

**Answer:** For Zero-Emission Technology Deployment, workforce development related to the project activities is an eligible use of program funds, and applicants may request funding to be used to support workforce training as well as safety planning and protocol development as part of their proposal. Additionally, applicants will be evaluated on the extent to which they commit to supporting high-quality jobs and expanding access to training and employment for people in low-income and disadvantaged near-port communities.

(See ZE NOFO sections I.B and IV.C.2, section 6)

*Date Posted: 2/28/2024*

**2.3.3. How does the Clean Ports Program define “serving a port”?**

**Answer:** Zero-emission equipment and infrastructure eligible for the Clean Ports Program ZE Technology Deployment competition must directly serve at least one port (see definition of “port” in question 1.2 or ZE NOFO section I.B) for a minimum of 3 years based on the following parameters:

- **Cargo Handling Equipment (Terminal Tractors, Forklifts, Top handlers, Side picks, Straddle carriers):** At least 90% annual usage (hours) will take place at the port(s) identified in the application.
- **Drayage Trucks:** At least 100 visits/year will take place at the port(s) identified in the application.
- **Locomotives (Switchers, Railcar movers):** (1) At least 75% of its annual usage (hours) will take place at the port(s) identified in the application, (2) visits will take place at minimum 200 days per year at the port(s) identified in the application, or (3) will exclusively perform short-haul runs between the port(s) identified in the application and a second point of rest, e.g., a terminal, interchange, or yard.

- **Harbor craft and other vessels (Commercial fishing boats, Tugs, Ferries, Patrol boats, Workboats, Dredges, Pilot boats, and Barges):** At least 60% of its annual usage (hours or port visits) will take place at the port(s) identified in the application.
- **Other eligible mobile source equipment:** At least 90% annual usage (hours or operating days) will take place at the port(s) identified in the application.
- **Electric Charging and Hydrogen Fueling Infrastructure (Shore power; Electric vehicle charging stations and pedestals; Electric panels; Battery energy storage systems; Hydrogen storage and fueling stations):** With the exception of vessel shore power, fueling infrastructure must serve ZE mobile equipment purchased as part of the grant. Projects that propose only infrastructure without accompanying equipment will not be eligible, with the exception of applications for vessel shore power. Equipment not purchased as part of the grant may also utilize the fueling infrastructure. Fueling infrastructure must be located on-site or in close proximity to the port facilities identified in the application, with the exception of infrastructure serving drayage trucks and locomotives. Zero-emission fueling infrastructure for drayage trucks and locomotives must be located in close proximity to port facilities identified in the application or at the first point of rest away from the port(s) identified in the application (i.e., a terminal, depot, interchange, or yard where an eligible ZE mobile equipment purchased as part of the grant will fuel).

(See ZE NOFO section III.D)

*Date Posted: 2/28/2024*

**2.3.4.** Will ZE equipment and infrastructure projects have to meet Build America, Buy America Act (BABA) Requirements under the Clean Ports Program?

**Answer:** All applicants are expected to comply with BABA statutory requirements. All iron, steel, manufactured products, and construction materials used in funded projects must be produced in the United States. However, EPA’s market research shows that a number of mobile source products may not be currently available from domestic manufacturers. The Agency plans to publish a draft waiver for public comment covering these products and intends to finalize a waiver informed by public comments prior to closing the application. (See ZE NOFO section VII.B for more info)

*Date Posted: 2/28/2024*

**2.3.5.** Can grant funds be used to pay for equipment that has already been ordered?

**Answer:** No. Any funding awarded under this announcement must be used for activities that will take place within the approved project period and may not be used for unauthorized pre-award costs. However, funding could be used for a new component of an on-going project. For example, if the applicant has plans to purchase a fleet of 20 electric yard tractors and has already ordered 10, the applicant can apply for funds to purchase the remaining 10 vehicles.

*Date Posted: 2/28/2024*

**2.3.6.** Are demonstration, pilot, or research and development projects eligible for funding? How will the EPA evaluate the merits and viability of the proposed technology?

**Answer:** First-of-a-kind demonstration projects, pilot projects, and research and development projects are ineligible for funding. For each proposed technology, applicants should explain the merits and viability of the technology for successful deployment in port-related regular service, including by describing the location of prior deployments, the date and duration of prior deployments, and, to the extent possible, any known details about the extent to which the proposed technology met applicable safety, performance, and durability expectations for successful deployment. Applications including examples of at least three successful prior deployments in regular port-related service may be scored more favorably than those with examples of non-port-related service or examples that only include prior

pilot/demonstration phase projects. (Please see ZE NOFO section IV.B.2 Section 1 – Project Summary and Approach)

*Date Posted: 2/28/2024*

**2.3.7.** How does the EPA define human-operated and human-maintained?

**Answer:** Human-operated and human-maintained means that the equipment is not fully automated. The EPA will not fund fully automated equipment.

(See ZE NOFO section III.D)

*Date Posted: 2/28/2024*

**2.3.8.** Are engine replacements (also known as repowers or engine upgrades) eligible for funding?

**Answer:** Expenses related to replacing internal combustion engines in nonroad equipment, locomotives, and marine vessels with ZE powertrains are eligible. Expenses related to repowering and/or replacing engines for existing onroad vehicles are not eligible.

*Date Posted: 2/28/2024*

**2.3.9.** Is electricity production infrastructure eligible for funding?

**Answer:** Solar and wind power generation systems that primarily power mobile equipment and serve at least one port are eligible for funding (see Q 2.2.3 for what qualifies as “serving a port” in the ZE Tech competition). Solar and wind power generation systems that are not located on land (e.g., off-shore wind, floating solar/wind project) in close proximity to port facilities are not eligible for funding.

*Date Posted: 2/28/2024*

**2.3.10.** Is hydrogen production infrastructure eligible for funding?

**Answer:** Hydrogen production systems (e.g., electrolyzers, conversion facilities), associated infrastructure, and their installation are ineligible for funding. Transmission (e.g., piping and pipelines) and/or transportation of hydrogen outside of the port is also ineligible for funding. Applicants are encouraged to use hydrogen with low lifecycle greenhouse gas emissions (e.g., electrolytic green hydrogen) and to describe, if known, their planned source of hydrogen.

*Date Posted: 2/28/2024*

**2.3.11.** Is the retirement of existing vehicles (also known as “scrappage”) required to qualify for funding under the ZE Technology Deployment Competition?

**Answer:** Scrappage of existing vehicles is optional to qualify for funding. However, to receive points under the scrappage evaluation criterion and increase the likelihood of being selected for funding, existing internal combustion engine vehicles/equipment must be scrapped. (See ZE NOFO Appendix C and section IV.C.2, workplan section 2).

*Date Posted: 3/22/2024*

**2.3.12.** Is the purchase of light-duty vehicles an eligible use of funds? How are light-duty vehicles defined?

**Answer:** Light-duty vehicles are ineligible expenses. EPA standards define light-duty vehicles as vehicles with a Gross Vehicle Weight Rating (GVWR) of 8500 lbs or less.

*Date Posted: 3/22/2024*

**2.3.13.** Can this program fund electric charging infrastructure for equipment that is not purchased as part of the grant award?

**Answer:** Eligible electric charging infrastructure includes (1) shore power and (2) electric charging infrastructure that serves equipment purchased as part of the grant award. Equipment not purchased as part of the grant award may also use the electric charging infrastructure. With the exception of shore power, if the electric charging infrastructure does not serve equipment purchased as part of the grant award, then it is not an eligible expense.

*Date Posted: 3/22/2024*

**2.3.14.** Does shore power infrastructure have to serve specific types of vessels (e.g., container ships, cruise ships, ferries) in order to be eligible for funding?

**Answer:** No, shore power infrastructure for any type of marine vessel is an eligible expense.

*Date Posted: 3/22/2024*

**2.3.15.** Does wireless charging infrastructure meet the requirement of being human-operated and human-maintained?

**Answer:** Yes, for purposes of the Clean Ports Program, wireless charging is considered human-operated and human-maintained as long as the mobile equipment is moved to a charger by a human or the charger is moved to the mobile equipment by a human.

*Date Posted: 4/2/2024*

**2.3.16.** What constitutes “minor grid upgrades in front of the meter (utility side)” so that the expense is allowable?

**Answer:** An example of a minor grid upgrade is work that is necessary to connect an eligible charging station to the electricity distribution network. Ineligible electric charging infrastructure costs include, but are not limited to, major grid upgrades to utility-owned power distribution equipment (such as longer power line extensions, improvements to offsite power generation, bulk power transmission, or substations); transformers located on the utility side of the meter and their installation; and operation and maintenance performed on utility systems.

*Date Posted: 4/2/2024*

**2.3.17.** Would an incentive fund to maintain the operation of existing equipment be an eligible expense, or must all equipment be newly procured?

**Answer:** No. ZE technology projects may only include new equipment, with the exception of repowering and/or replacing engines to a ZE configuration for existing nonroad equipment. See also question 2.3.5 for information on prohibitions on paying for equipment that has already been ordered or purchased.

*Date Posted: 4/2/2024*

**2.3.18. NEW** How much can applicants propose to spend on equipment versus infrastructure?

**Answer:** The EPA will evaluate proposals more favorably if the applicant proposes to use at least 50% of program funds for the purchase and installation of ZE equipment or shore power infrastructure for vessels. Applicants are encouraged to propose using no more than 50% on other expenses such as ZE technology deployment support activities, other types of eligible infrastructure, and project administration.

*Date Posted: 4/16/2024*

**2.3.19. NEW** Is there guidance on what “close proximity to a port” entails?

**Answer:** We do not have strict criteria for what would be considered in close proximity to a port. The reasonableness of the assertion that the location is in “close proximity to a port” will be considered when the application is scored.

*Date Posted: 4/16/2024*

**2.3.20. NEW** Are bonnet systems (also known as capture-and-control technology for vessel exhaust emissions) eligible?

**Answer:** No, the only eligible technologies for funding under the Clean Ports ZE Technology Deployment Competition are mobile source port equipment that produces zero tailpipe emissions of any criteria pollutant, air toxics, or greenhouse gas other than water vapor (specifically electric and hydrogen fuel cell technologies); electric charging and/or hydrogen fueling infrastructure serving zero-emissions mobile equipment purchased as part of the applicant’s grant award; and shore power infrastructure for marine vessels.

*Date Posted: 4/16/2024*

**2.3.21. NEW** How does the Clean Ports Program define zero-emissions?

**Answer:** For the purpose of this funding opportunity, “ZE equipment” means a mobile source that produces zero tailpipe emissions of any criteria pollutant, air toxics, or greenhouse gas other than water vapor, specifically electric and hydrogen fuel cell technologies. ZE infrastructure includes new or expanded electric charging and/or hydrogen fueling infrastructure serving eligible ZE port equipment purchased as part of the applicant’s grant award, as well as shore power infrastructure for marine vessels. See ZE technology NOFO section I.B.

*Date Posted: 4/16/2024*

**2.3.22. NEW** What specific restrictions are there related to foreign countries of concern (China, Iran, North Korea, Russia)?

**Answer:** Zero-Emissions Technology Deployment Competition awards can be made:

- A. to any entity owned by, controlled by, or subject to the direction of a government of a foreign country of concern;
- B. to any entity headquartered in a foreign country of concern; or
- C. for the purchase of any crane manufactured by an entity covered by (A) or (B).

By applying under this NOFO, applicants attest that they are not (A) owned by, controlled by, or subject to the direction of a government of a foreign country of concern, or (B) headquartered in a foreign country of concern. Additionally, awarded funds may not be used for the purchase of a crane manufactured by (A) any entity owned by, controlled by, or subject to the direction of a government of a foreign country of concern; or (B) any entity headquartered in a foreign country of concern. All types of cranes are included in this restriction. These restrictions apply to the direct recipient of the funds (i.e., the applicant). See ZE NOFO section VI.F for more information.

*Date Posted: 4/16/2024*

## **3. Application Package and Process**

**3.1.** How long is the application period? When are applications due?

**Answer:** Both NOFOs will be open for 90 days from the release date. All applications must be submitted through Grants.gov by 11:59 PM on May 28, 2024.

*Date Posted: 2/28/2024*

**3.2.** Can applicants apply for both of the Clean Ports Program funding opportunities? Can applicants submit one application and be considered for both the Climate and Air Quality Planning competition and the Zero-Emission Technology Deployment competition?

**Answer:** Applicants who are interested in applying for both the ZE Technology Deployment and Climate and Air Quality Planning competitions will need to submit a separate application for each funding opportunity. Applicants may apply for and receive funding from both opportunities (for separate project activities).

*Date Posted: 2/28/2024*

**3.3.** What documentation and letters of support are required in the application package?

**Answer:** For both competitions, eligible private entities must submit a Statutory Partnership Agreement. Elements of a Statutory Partnership Agreement are described in Appendix B of the NOFOs. Tribes applying as part of an Intertribal Consortium must submit documentation that shows: (1) The existence of the partnership between Indian Tribal governments, and (2) Authorization of the Consortium by all its members to apply for and receive the grant(s) for which the Consortium has applied.

In addition to these required attachments, applicants are encouraged to submit letter(s) of commitment that demonstrate strong, continuous support throughout the project from key project partners (i.e., Collaborating Entities). Letters should specifically indicate how project partners and supporting organizations will participate or materially aid in the design and performance of the project, or how obtaining support from Collaborating Entities will allow the applicant to perform the project more effectively.

*Date Posted: 2/28/2024*

**3.4. UPDATED** How specific must applications be regarding the type and supplier? Can these details develop over the project period? Can these details change (for example, if technology is unavailable due to manufacturing delays)?

**Answer:** Applicants should provide as much information as possible regarding the specific equipment and infrastructure proposed for funding. Applicants are strongly encouraged to use the sample format for the fleet and infrastructure description found in the Supplemental Application Template on the [Clean Ports Program website](#). Applicants are also strongly encouraged to carefully review the ineligible activities in section III.D. of the NOFO. Any changes made after selection must be within the scope of the original application. If details develop or change, the EPA can work with grant recipients on a case-by-case basis. The project officer must approve any changes made after selection.

*Date Posted: 2/28/2024, Updated: 4/2/2024, Updated: 4/16/2024 (Supplemental Application Template is no longer optional)*

**3.5. UPDATED** How do I submit my application?

**Answer:** The Notices of Funding Opportunities (NOFOs) contains all project eligibility and application submission information. The NOFOs, as well as sample project narratives and a Supplemental Application Template may be found on the [Clean Ports Program website](#). Applicants must download an application package, which contains standard forms (SF) 424, SF 424A, EPA Form 4700-4, and EPA form 5700-54 from Grants.gov under Funding Opportunity Number EPA-R-OAR-OTAQ-24-04 and/or EPA-R-OTAQ-24-05. The project narrative and any supporting documents should be attached to the application package, and the full package submitted to the EPA through Grants.gov using the “Workspace” feature. You will find instructions to submit your application via Grants.gov in Section IV of the NOFO. Please refer to the list of application materials in Section IV.B. of the NOFOs to ensure that all required information is included in your package. If your organization is not currently registered with Grants.gov,



please begin the registration process as soon as possible. Please note that the registration process also requires that your organization have a Unique Entity Identifier (previously known as the DUNS number).

Organizations applying to this funding opportunity must have an active System for Award Management ([www.sam.gov](http://www.sam.gov)) registration. If you have never done business with the Federal Government, you will need to register your organization in SAM.gov. If you do not have a SAM.gov account, then you will create an account using the government sign in service ([www.login.gov](http://www.login.gov)) to complete your System for Award Management ([www.sam.gov](http://www.sam.gov)) registration. The registration is FREE. The process for entity registrations includes obtaining Unique Entity ID (UEI), a 12-character alphanumeric ID assigned an entity by SAM.gov, and requires assertions, representations and certifications, and other information about your organization. Please review the Entity Registration Checklist for details on this process. It is recommended to begin the System for Award Management ([www.sam.gov](http://www.sam.gov)) registration process prior to applying to this grant competition; registration may take more than a month to complete.

*Date Posted: 2/28/2024, Updated: 4/16/2024 (Supplemental Application Template is no longer optional)*

**3.6.** I am encountering issues registering for SAM.gov. What should I do if the Federal Service Desk (FSD) is not resolving the issue?

**Answer:** The Federal Service Desk (FSD) is the official government support resource for SAM.gov. While awaiting a response from them, you may want to review the help resources on sam.gov found here:

<https://sam.gov/content/help>

*Date Posted: 2/28/2024*

**3.7. UPDATED** How should applicants outline the feasibility for partial funding?

**Answer:** EPA reserves the right, in appropriate circumstances, to partially fund applications by funding discrete portions of proposed projects. If EPA decides to partially fund an application, it will do so in a manner that does not prejudice any applicants or affect the basis upon which the application was evaluated and selected for award, thereby maintaining the integrity of the competition and selection process. Applicants should describe whether the project is scalable and the minimum amount of funding they would accept. An example of a scalable project would be purchasing a smaller number of pieces of the same type of equipment. This flexibility may provide a benefit to the applicant in the event that the EPA cannot fund the full project amount. Applicants could include this information in the cover page of the application (such as in cell H15 of “3. Cover Sheet for App\_ZE” in the 2024 Clean Ports Program Supplemental Application Template). Applicants could also provide additional information in Section 8.a. (Budget Detail) of the workplan.

*Date Posted: 4/2/2024, Updated: 4/16/2024 (Supplemental Application Template is no longer optional)*

**3.8. NEW** Can applicants make edits to the supplemental application template (for example, adding additional rows as needed)?

**Answer:** Applicants may add additional rows to the template by right clicking on the row number and selecting insert (rather than just adding a few cells). Alternatively, applicants may add additional information below the tables in the template.

*Date Posted: 4/16/2024*

## 4. Evaluation Criteria

### 4.1. What qualifies as meaningful community engagement?

**Answer:** Meaningful community engagement means seeking out and facilitating the involvement of people potentially affected by the project; informing them about the project; educating them about the benefits of the project to the surrounding community; giving them an opportunity to participate in the project, contribute, and provide feedback; and enabling them to influence decisions about future projects that may affect their environment and/or health. Meaningful engagement is a process, not a single event. In both competitions, applicants will be evaluated on the extent to which the application demonstrates and/or commits to meaningful community engagement prior to the application, during the project, and in the long term. Examples of activities that are considered meaningful community engagement are given in Section IV.C.2, sections 4.c. and 4.d. of the NOFOs.

*Date Posted: 2/28/2024*

### 4.2. How are disadvantaged communities defined?

**Answer:** For purposes of these Clean Ports Program competitions, “disadvantaged communities” are defined as meeting **both** of the following criteria:

**1. Any county that includes at least one of the following:**

- A. Any census tract that is identified as disadvantaged in the [Climate and Economic Justice Screening Tool](#) (CEJST) version 1.0;
- B. Any census block group that is at or above the 90<sup>th</sup> percentile for any of [EJScreen’s Supplemental Indexes](#) when compared to the nation or state; and/or
- C. Any geographic area within Tribal lands as included in EJScreen.

**AND**

**2. Any county that meets at least one of the following:**

- A. Contains at least one designated nonattainment area or maintenance area for any of the following National Ambient Air Quality Standards. Data is sourced from the [EPA’s Green Book of Nonattainment Areas for Criteria Pollutants](#):
  - a. PM<sub>2.5</sub> 1997 Standard (Annual: 15 µg/m<sup>3</sup>, 24-hour: 65 µg/m<sup>3</sup>)
  - b. PM<sub>2.5</sub> 2006 Standard (Annual: 15 µg/m<sup>3</sup>, 24-hour: 35 µg/m<sup>3</sup>)
  - c. PM<sub>2.5</sub> 2012 Standard (Annual: 12 µg/m<sup>3</sup>, 24-hour: 35 µg/m<sup>3</sup>)
  - d. Ozone (O<sub>3</sub>) 2008 Standard (8-hour: 0.075ppm)
  - e. Ozone (O<sub>3</sub>) 2015 Standard (8-hour: 0.070ppm); and/or
- B. Contains at least one census tract where the modeled ambient diesel PM concentration from the [2019 Air Toxics Screening Assessment](#) is above the 80<sup>th</sup> percentile (0.38 µg/m<sup>3</sup> for 2019) for census tracts nationwide. The 80<sup>th</sup> percentile is a programmatic cutoff designed to help evaluate those areas that are most likely to have higher concentrations of diesel PM in the year of analysis (i.e., the year for which data are available); this level was not chosen based on risk or other health-based criteria or thresholds. [AirToxScreen](#) is a screening tool and there are limitations and uncertainties associated with it; see: [AirToxScreen Limitations](#).

Counties that qualify in whole or in part as disadvantaged communities under one or more of the criteria listed above are identified on the EPA’s Clean Ports Program Disadvantaged Community County List, found on the [Clean Ports Program website](#).

*Date Posted: 2/28/2024*

**4.3. How are areas with nonattainment or air toxics concerns defined?**

**Answer:** Nonattainment areas are defined based on the National Ambient Air Quality Standards for PM2.5 and Ozone. Data is sourced from the EPA's Green Book of Nonattainment Areas for Criteria Pollutants:

- a. PM2.5 1997 Standard (Annual: 15 µg/m<sup>3</sup>, 24-hour: 65 µg/m<sup>3</sup>)
- b. PM2.5 2006 Standard (Annual: 15 µg/m<sup>3</sup>, 24-hour: 35 µg/m<sup>3</sup>)
- c. PM2.5 2012 Standard (Annual: 12 µg/m<sup>3</sup>, 24-hour: 35 µg/m<sup>3</sup>)
- d. Ozone (O<sub>3</sub>) 2008 Standard (8-hour: 0.075ppm)
- e. Ozone (O<sub>3</sub>) 2015 Standard (8-hour: 0.070ppm);

Areas with air toxics are defined as areas where the modeled ambient diesel PM concentration from the [2019 Air Toxics Screening Assessment](#) is above the 80<sup>th</sup> percentile (0.38 µg/m<sup>3</sup> for 2019) for census tracts nationwide.

*Date Posted: 2/28/2024*

**4.4. Will successful application details (excluding sensitive business information) be made public for community groups and partners?**

**Answer:** Copies of applications submitted under this NOFO may be made publicly available on the Clean Ports Program website or other public website for a period of time after the selected applications are announced. The EPA recommends that applications not include trade secrets or commercial or financial information that is confidential or privileged, or sensitive information, if disclosed, that would invade another individual's personal privacy (e.g., an individual's salary, personal email addresses, etc.). However, if such information is included, it will be treated in accordance with 40 CFR § 2.203. (Review the EPA clause IV.a., Confidential Business Information, under EPA Solicitation Clauses.)

The applicant should clearly indicate which portion(s) of the application is claimed as confidential, privileged, or sensitive information, or state 'n/a' or 'not applicable' if the application does not have confidential, privileged, or sensitive information. As provided at 40 CFR § 2.203(b), if no claim of confidential treatment accompanies the information when it is received by the EPA, it may be made available to the public by the EPA without further notice to the submitter.

*Date Posted: 2/28/2024*

**4.5. What are connections between the EPA's Clean Ports Program and funding programs from other agencies?**

**Answer:** The US Department of Energy (DOE), the US Department of Transportation (DOT), and the EPA developed an [interagency ports webpage](#) to provide stakeholders with information about complementary funding opportunities, direct stakeholders to individual program websites, and provide a platform for future information sharing. Applicants should review the specific eligibility criteria for each funding opportunity to determine which program best fits their project. The EPA Clean Ports Program will award points to applicants who can demonstrate they are coordinating their proposed project with complementary programs, such as projects awarded or under consideration for DOT's Port Infrastructure Development Program, DOE's Regional Clean Energy Hydrogen Hubs Program, and the upcoming National Zero-Emission Freight Corridor Strategy.

*Date Posted: 2/28/2024*

**4.6.** What are the connections between the Clean Ports Program and other EPA programs such as CPRG and DERA?

**Answer:** EPA’s Clean Ports Program is one of multiple EPA programs that can provide funding for emissions reductions at ports. Port emission reduction projects may also be eligible for Diesel Emissions Reduction Act (DERA) and Climate Pollution Reduction Grants (CPRG) funding. We encourage applicants to review the eligibility for each program to determine which is most applicable to your project. If you think your project is eligible for funding from Clean Ports and CPRG, please consider applying to both programs. Please keep in mind that if your project is selected for funding from one program, it will no longer be eligible for funding from the other, but you are welcome to apply to both programs to increase your chances of success.

*Date Posted: 2/28/2024*

**4.7.** To receive points for voluntary scrappage under the ZE Technology Deployment Competition, must the equipment being replaced be physically destroyed?

**Answer:** To be eligible for points under the scrappage evaluation criterion, the equipment being replaced must be scrapped or rendered permanently disabled. Cutting a three-inch-by-three-inch hole in the engine block (the part of the engine containing the cylinders) is the preferred method. Disabling the chassis may be completed by cutting through the frame or frame rails on each side at a point located between the front and rear axles. Recipients seeking approval for alternate scrappage methods must submit an alternative scrappage plan to the EPA project officer detailing how the method will destroy and/or disable the engine.

*Date Posted: 3/22/2024*

**4.8. NEW** If a project takes place in multiple locations, how will the benefits to disadvantaged communities be calculated?

**Answer:** If projects will take place in more than one county, applicants should include all locations and an estimate of the share of the project taking place in each location in the Supplemental Application Template (“2. CAQP Supplemental App.” tab for CAQP and “3. Cover Sheet for App\_ZE” tab for ZE Technology). This template will automatically identify which counties meet the disadvantaged communities definition. Partial points may be awarded based on the percentage of time that the project takes place in one or more of these counties. See section IV.B.Section 4.a-b of the CAQP or ZE NOFO for more detail.

*Date Posted: 4/16/2024*

## **5. Project Administration and Reporting**

**5.1.** What reporting will be required of applicants and awardees?

**Answer:** Awardees will be required to submit semi-annual progress reports and a detailed final report. Semi-annual reports summarizing technical progress, planned activities for the next quarter and a summary of expenditures are required. Progress reports will cover the performance measures described in the approved project workplan. The final report shall be submitted to the EPA within 120 calendar days of the completion of the period of performance. The final report must include a summary of the project or activity, outcomes achieved and costs of the project or activity. In addition, the final report shall discuss the problems, successes, and lessons learned from the project or activity that could help overcome structural, organizational, or technical obstacles to implementing a similar project elsewhere. The schedule for submission of semi-annual reports will be established by the EPA after the grants are

awarded. Award recipients may be provided with additional information and guidance on reporting performance measures and project progress after award.

(See Section VI.C. of the NOFOs)

*Date Posted: 2/28/2024*

**5.2.** Would projects funded under the Clean Ports Program be required to undergo environmental review via the National Environmental Policy Act (NEPA) or similar state and local environmental reviews?

**Answer:** Projects funded under the Clean Ports Program are not subject to NEPA because NEPA does not apply to projects funded under the Clean Air Act. An applicant should contact their appropriate state or local agency if they have questions regarding whether a proposed project is subject to state or local environmental reviews.

*Date Posted: 2/28/2024*

**5.3.** Are there cost share or matching fund requirements?

**Answer:** There are cost sharing requirements for the Zero-Emission Technology Deployment competition. Projects under this competition are subject to the mandatory cost share requirement based on total project costs shown below. For territory applicants (the U.S. Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands), up to \$5 million of the applicant cost share will be waived, in accordance with the policies of the Omnibus Territories Act. In-kind administrative and implementation costs count towards the applicant cost share. State, Tribal, local, and private funds may be used as the applicant cost share. Other federal grants may not be used as the cost share unless the statute authorizing that federal funding provides that the funds may be used to meet cost share requirements on a federal grant.

Cost Share Requirements:

Tier	Port Type	Applicant Type	EPA Funding Range per Award	EPA Share of Total Project Cost (Maximum)	Mandatory Applicant Share of Total Project Cost (Minimum)	Anticipated Number of Awards
Tier A	Water ports only	Any eligible entity	\$150,000,000 - \$500,000,000	80%	20%	5-10
Tier B	Water or dry ports	Any eligible entity	\$10,000,000 - \$149,999,999 (Projects at small water ports: \$5,000,000 - \$149,999,999)	90%	10%	25-70
Tier C	Water or dry ports	Tribal applicants only	\$2,000,000 - \$50,000,000	100%	0%	2-10

Under the Climate and Air Quality Planning competition, no cost sharing/matching funds or leveraged resources are required.

(See ZE NOFO and CAQP NOFO section III.B)

*Date Posted: 2/28/2024*

**5.4.** How long do grant awardees have to spend the funds after they have been awarded?

**Answer:** All project activities are to be completed during the period of performance (3 years for CAQP, 4 years for ZE Tech) and all funds must be spent by the end of the period of performance. See Period of Performance definition under 2 CFR 200.1. Grantees have up to 120 days after the period of performance to draw down their funds for activities that were conducted during the period of performance. Grantees may request no cost extensions to their award to extend the period of performance (see 2 CFR 200.308(e)(2)) if the grantee needs more time due to unforeseen circumstances. Grantees cannot put the money in an endowment. Applicants should review the definition of “Expenditures” under 2 CFR 200.1 and the “Financial” section of EPA’s General Terms and Conditions, which applies to all EPA grants. Grantees can only draw down funds for the minimum amount needed for actual and immediate obligations, and can only drawdown within 5 business days of an obligation. The money remains in EPA’s accounts until the grantee draws down funds.

*Date Posted: 2/28/2024*

**5.5.** Can an applicant request funding for an amount that is outside the eligible funding range for a given project type?

**Answer:** No. The following applications are not eligible:

- a. Applications that request more than \$500M;
- b. Applications from applicants other than Tribes or at locations other than small water ports that request less than \$10M;
- c. Applications for projects at dry ports that request more than \$150M;
- d. Applications from Tribes that request less than \$2M;
- e. Applications for small water port projects that request less than \$5M.

*Date Posted: 3/22/2024*

**5.6.** If a project takes place at multiple ports, how will the EPA determine whether the project qualifies as taking place at a small water port?

**Answer:** For applications that include projects taking place at multiple ports, the primary project location (based on percentage of time/activity) will be used to determine whether the project qualifies as taking place at a small water port.

*Date Posted: 3/22/2024*

**5.7.** If a project is awarded, how will funding be distributed?

**Answer:** Grant funds are typically distributed as reimbursements. The recipient initiates an electronic payment request and funds are credited to the recipient organization. These funds can be used by the recipient to pay for valid invoices and other valid grant expenses. The grantee may be paid in advance, provided it maintains or demonstrates the willingness to maintain 1) written procedures that minimize the time between the transfer of funds and disbursement by the grantee, and 2) financial management systems that meet the standards for fund control and accountability as established in 2 CFR Part 200. Advance payments to a grantee must be limited to the minimum amounts needed and be timed to be in accordance with the actual, immediate cash requirements of the grantee in carrying out the purpose of the approved program or project. The timing and amount of advance payments must be as close as is administratively feasible to the actual disbursements by the grantee for direct program or project costs and the proportionate share of any allowable indirect costs.

*Date Posted: 4/2/2024*

**5.8. NEW** To fulfill the federal competitive procurement requirements, can a recipient use a purchasing cooperative to procure goods and/or services?

**Answer:** Yes, if the purchasing contract meets the requirements in 2 CFR Part 200. For more information, see Appendix A of the NOFOs and [EPA's Best Practice Guide for Procuring Services, Supplies, and Equipment Under EPA Assistance Agreements](#).

*Date Posted: 4/16/2024*

**5.9. NEW** If an application is selected for partial funding, could that change the application's tier?

**Answer:** Applications will compete in the Tier that reflects their full funding request.

*Date Posted: 4/16/2024*

**5.10. NEW** Will EPA provide a teaming partner list or other assistance with matchmaking to develop partnerships for Clean Ports Program applicants?

**Answer:** No. In order to preserve fairness under grant competition rules, EPA cannot help facilitate partnerships for applicants to the Clean Ports Program.

*Date Posted: 4/16/2024*

**5.11. NEW** When applicants apply in a partnership, who would be the grant recipient?

**Answer:** If an application is selected for funding, the primary applicant would be the grant recipient.

*Date Posted: 4/16/2024*

**5.12. NEW** If a port authority wishes to partner with a private marine terminal operator, what is the relationship between these entities? Does the port need to competitively bid the projects among its marine terminal tenants?

**Answer:** If the port authority is the primary applicant, a Statutory Partnership is not required. In this case, the marine terminal operator would be a Collaborating Entity.

The port authority (recipient) may establish a subaward with the private marine terminal operator. In a subaward, the subrecipient is subject to the same Federal terms and conditions as the recipient.

Alternatively, a port authority may award participant support costs (e.g., rebates) to a private marine terminal operator. Subawards and participant support costs do not have to be competed. For more information, see Appendix A of the NOFOs and the following EPA resources:

- [The EPA's Best Practice Guide for Procuring Services, Supplies, and Equipment Under EPA Assistance Agreements](#)
- [The EPA's Subaward Policy](#)
- [The EPA's Subaward Policy Frequent Questions](#)
- [The EPA Guidance on Participant Support Costs](#)

Partners may be selected at the time of application, and partnerships are encouraged. Points will be awarded for promoting and/or obtaining collaboration and support from Statutory Partners and/or Collaborating Entities in performing the project. (See ZE NOFO or CAQP NOFO section IV.C.2, workplan section 1.b.).

*Date Posted: 4/16/2024*

**5.13. NEW** Can a port choose to work with a grant writer, engineering firm, or vendor with whom they have a longstanding relationship or a retainer with without a competitive bid? Is a consultant who prepares a Clean Ports Program grant application eligible to complete the work if the grant is awarded?

**Answer:** If the services of consultants, contractors, or vendors predating EPA assistance were procured competitively consistent with federal financial assistance procurement standards (2 CFR 200.317-327), those consultants/contractors could be used by the recipient. See also Appendix A of the NOFOs and the [EPA's Best Practice Guide for Procuring Services, Supplies, and Equipment Under EPA Assistance Agreements](#).

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