



EPA Clean Ports Program

Resources and Next Steps for Clean Ports
Program Grant Selectees

Thursday, November 7, 2024

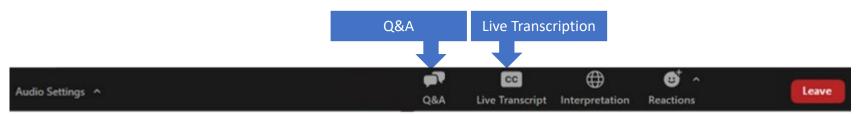
3 p.m. EST

Office of Transportation and Air Quality

U.S. Environmental Protection Agency

Zoom Webinar Logistics

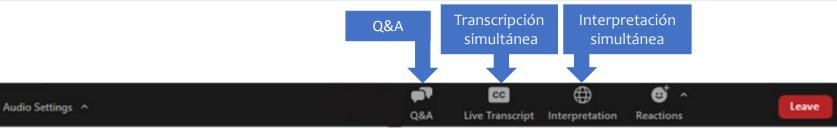




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- Questions: Use the Q&A feature to ask questions during the presentation. We will address as many as
 possible after the presentation. If we do not answer your question, today, you can submit written questions
 to the EPA Clean Ports Program helpline at cleanports@epa.gov or ask your Project Officer.
- Chat: Chat is disabled, but the presenters might share links through the chat feature.
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Logística de seminarios web en Zoom





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- Chat: Se encuentra inhabilitado el chat, pero los presentadores podrían compartir enlaces a través de la función de chat.
- Reacciones: Las reacciones están habilitadas para que usted interactúe con el presentador.





Congratulations and thank you!

Agenda



- 1. Clean Ports Program Overview
- 2. Climate and Air Quality Planning Competition
- 3. Zero-Emission Technology Deployment Competition
 - A. Ineligible Expenses and Requirements for the ZE Tech Competition
- 4. Requirements for All Clean Ports Program Projects
- 5. Next Steps
- 6. Other Resources
- 7. Question and Answer Session
- 8. Stakeholder Feedback





Clean Ports Program Overview

Funding Overview



Clean Ports Program in the Inflation **Reduction Act**

\$3B for Grants

At least 25% (\$750M) to be spent in nonattainment areas

2 Separate Grant Competitions:

Climate and Air Quality ~\$60 million Planning (CAQP) Competition

> **Independent Grant Opportunities** (Applicants applied for one or both)

Zero-Emission (ZE) Technology Deployment ~\$2.8 billion Competition

(Equipment and Infrastructure)

Administrative costs: up to 2% (\$60M)

Clean Ports Program Goals



- 1. Build a foundation for the port sector to transition over time to fully zero-emissions (ZE) operations, positioning ports to serve as a catalyst for transformational change across the freight sector.
- Support large-scale projects at ports ready to lead the way
- Help other ports gain experience with zero-emissions technology to shift practices across the sector
- 2. Reduce diesel pollution (criteria pollutants, GHGs, and air toxics) in near-port communities.
- Support projects that can address near-port community EJ concerns
- 3. Help ensure that meaningful community engagement and emissions reduction planning are port industry standard practices.
- Build capacity of ports to continue to make strategic clean air and climate investments into the future

Map of Selected Projects





Zero-Emission Technology Deployment

Selected Technologies



- The proposed projects include battery-electric and hydrogenpowered port equipment, including:
 - Over 1,500 units of cargo handling equipment
 - Over 1,000 drayage trucks
 - Over 10 locomotives
 - Over 20 vessels
 - Shore power systems
 - Solar power generation

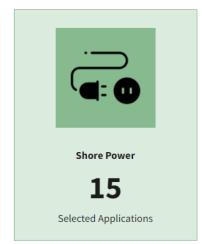
Number of Selected Applications with ZE Technology Type













Environmental Justice



- Awards will improve air quality in near-port communities where people live, work, and play.
 - Over half of the selected projects have a primary place of performance in disadvantaged communities experiencing poor air quality.
- Meaningful community engagement is a core component of the Clean Ports Program
 - Applications were evaluated in part on the extent and quality of community engagement efforts.
 - All recipients of Clean Ports Program funding will be required to engage with nearport communities about the project during the performance period.
- Funding recipients can use EPA's <u>Community Port Collaboration</u> toolkit to advance environmental justice and support effective communication and engagement between the port industry, communities, and other port stakeholders.





Climate and Air Quality Planning Competition

Climate and Air Quality Planning Competition: Eligible Activities



Climate and Air Quality Planning Competition

(Approx. \$60M total funding)

Eligible Activities:

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





Zero-Emission Technology Deployment Competition

ZE Technology Deployment Competition: Eligible Activities



ZE Technology Deployment Competition (Approx. \$2.9B total funding)

Eligible Technologies:

- Electric and hydrogen fuel cell mobile equipment
 - Cargo handling equipment
 - Drayage trucks
 - Locomotives and railcar movers
 - Harbor craft and other vessels
- Charging and other fueling infrastructure for zero emission mobile port equipment, including shore power for marine vessels

Ineligible Expenses: Automated Equipment



- Mobile equipment and infrastructure must be human-operated and human-maintained
- From our FAQ:
 - Question: Is automated equipment eligible for Clean Port Program grant funding?
 - Answer: Equipment must be both human-operated and human-maintained (i.e., not fully automated) to be eligible for funding under the Zero-Emission Technology Deployment Competition. For example, mobile equipment would be ineligible for funding if it does not have a human operator working alongside or onboard the equipment but is instead operated from an offsite control room.

Ineligible Expenses:

Non-zero-emission components



- Equipment which uses a non-ZE powertrain is ineligible, including hybrid technologies powered in part by internal combustion engines, unless the non-ZE power source is mandated by safety regulations, and functions solely as a source of emergency backup power.
- Infrastructure with air polluting components (e.g., backup generators or auxiliary power units), unless the non-ZE component is mandated by safety regulations, and functions solely as an emergency backup power source.

Ineligible Expenses:

Major grid upgrades



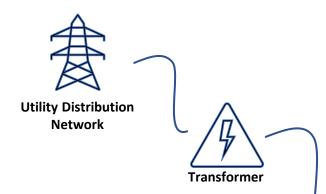
- Major vs. Minor grid upgrades
 - Front of the meter costs [utility side of the meter] related to purchase or installation of electric infrastructure are ineligible. "This includes but is not limited to: major grid upgrades to utility-owned power distribution equipment (such as longer power line extensions, 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."
 - Minor grid upgrades in front of the meter are allowed if the work is necessary to connect an eligible charging station to the electric distribution network

Ineligible Expenses:

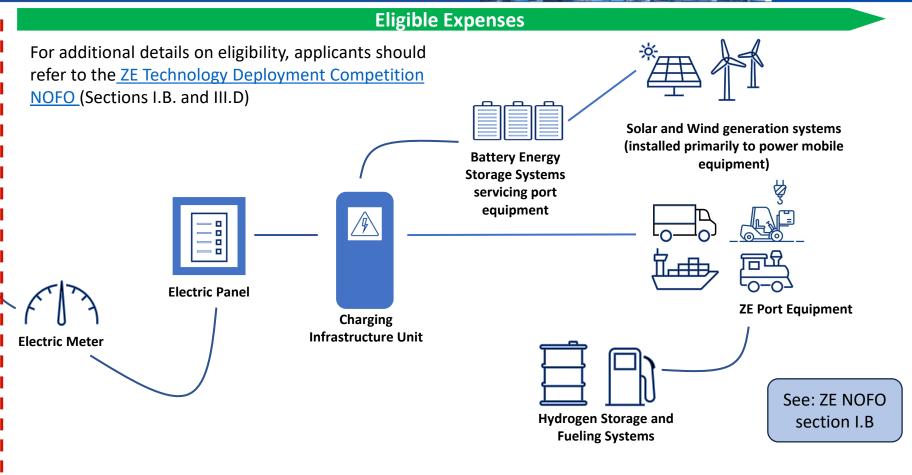
Front-of the meter utility upgrades



Ineligible Expenses



- Eligible infrastructure expenses are limited to electric meters and equipment behind the meter; transformer and electric meter expenses may be considered eligible if they are on the customer's side
- Costs for minor grid upgrades in front of the meter (utility side) may be considered if the work is necessary to connect an eligible charging station to the electric distribution network



• Infrastructure must serve eligible port equipment purchases as part of the grant, except for vessel shore power

Behind-the-Meter (BTM) - Customer side

Ineligible Expenses: Certain Cranes



Special considerations for cranes

- 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 covered nation under 10 U.S.C. 4872(d); or
 - (B) any entity headquartered in a covered nation under 10 U.S.C. 4872(d).
 - As of the date these terms and conditions become effective, covered nations under 10 U.S.C. § 4872(d) are the
 Democratic People's Republic of North Korea; the People's Republic of China; the Russian Federation; and the Islamic
 Republic of Iran.
- Any crane in the final workplan must be mobile equipment (can move to a different location by means of an onboard powertrain) and human-operated (has human operator onboard or working alongside)
- NOTE: cranes are not covered by BABA waiver de minimis provision

Scrappage



- Scrappage was not required for the ZE technology competition
- Points were awarded for applications that committed to scrappage
- Selectees that committed to scrappage in their applications will need to include scrappage in their final workplans
- The Terms and Conditions will include a section with scrappage requirements.
- Appendix C of the Notice of Funding Opportunity also describes scrappage requirements for the projects that committed to scrappage

Cost Share



ZE Technology competition has a mandatory cost share

- •Tier A (requests of at least \$150M):
 - EPA Share of Total Project Cost (Maximum) = 80%,
 - Mandatory Cost Share of Total Project Costs = 20%
- •Tier B (requests under \$150M):
 - EPA Share of Total Project Cost (Maximum) = 90%
 - Mandatory Cost Share of Total Project Costs = 10%

"Serving a Port" Requirement



Eligible equipment and infrastructure must directly serve at least one port for a minimum of 3 years based on the following parameters:

- Cargo Handling Equipment: At least 90% annual usage 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**: (1) At least 75% of its annual usage 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 shorthaul 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: At least 60% of its annual usage will take place at the port(s) identified in the application.
- Other eligible mobile source equipment: At least 90% annual usage will take place at the port(s) identified in the application.
- Electric Charging and Hydrogen Fueling Infrastructure: With the exception of vessel shore power, fueling infrastructure must serve ZE mobile equipment purchased as part of the grant. 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.

Davis Bacon and Related Acts



Does it apply?

DBRA applies to recipients and subrecipients of Clean Air Act authorized EPA grant awards that involve construction and that enter into contracts with contractors and subcontractors in excess of \$2,000.

What is it?

Mandates that contractors and subcontractors must pay laborers employed under the contract no less than the locally prevailing wages and fringe benefits for corresponding work on similar projects in the area.

How does this impact me?

Selectees must have contract provisions for Davis-Bacon and Related Acts. Links to this must be provided in the contract or verbatim language must be included.

- For contracts that are above \$2,000 and up to \$100,000
 - DBRA Requirements for Contractors and Subcontractors Under EPA Grants (pdf) (291.8 KB)
- For contracts in excess of \$100,000:
 - DBRA Requirements for Contracts in Excess of \$100,000 Under EPA Grants (pdf) (202.6 KB)

EPA training: https://www.epa.gov/grants/new-epa-davis-bacon-grant-term-and-condition-webinar-march-28-2024

Additional Requirements

- National Historic Preservation Act (NHPA)
- Archeological and Historic Preservation Act (AHPA)
- Endangered Species Act
- Farmland Protection Policy Act
- Coastal Zone Management Act



ZE Technology Deployment Projects: Build America, Buy America (BABA) Act



What is BABA?

- All Federal financial assistance projects where funds are appropriated or otherwise made available and used for a project for infrastructure are subject to BABA provisions of the Bipartisan Infrastructure Law (BIL), also known as the Infrastructure Investment and Jobs Act (IIJA).
- BABA requires items that are predominantly iron and steel, manufactured products, and construction materials used in federal infrastructure projects to be produced in the U.S.

How Does BABA Impact the Clean Ports Program?

- All Clean Ports projects are subject to BABA. Expenses subject to BABA include but are not limited to the purchase of:
 - EV charging and hydrogen fueling infrastructure.
 - Electrical infrastructure upgrades.
 - On-site power generation and energy storage systems.
 - Vessel shore power projects¹
 - Zero-emission mobile port equipment¹
 - Clean ports has a <u>partial</u>, <u>limited waiver</u> for certain types of mobile equipment

¹ Zero-emission mobile port equipment subject to BABA includes cranes, cargo handling equipment, class 3-8 vehicles, locomotives, and vessels. For purposes of the BABA waiver, mobile equipment also includes mobile shore power cable management systems.

ZE Technology Deployment Projects: Build America, Buy America (BABA) Act



The Clean Ports Program General Applicability Waiver for ZE Port Mobile Equipment Summary

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Waiver	Timelines	Equipment excluded:
Waiver of 55% Domestic Content – All except Yard Trucks and Ship-to-Shore Cranes. Equipment must still be manufactured in the US	Only for ZE mobile port equipment that meets each of the following criteria: 1) the contracted order date for the equipment is on or before 12/31/27; 2) the contracted delivery date for the equipment is on or before 12/31/28; and 3) the equipment is delivered no later than 7/1/29	The below equipment are excluded from the waiver of 55% domestic content: Battery electric (BE) heavy forklifts 36,000lbs 24" & 48" Load Center (L.C.) BE heavy forklifts 55,000lbs 48" L.C. BE heavy forklifts 65,000lbs 48" L.C. BE heavy forklifts 92,500lbs 48" L.C. BE heavy forklifts 100,000lbs 48" L.C. BE loaded top-pick container handler
Waiver of 55% Domestic Content for yard trucks (also known as terminal tractors, yard tractors, or yard hostlers). Equipment must still be manufactured in the US	Only for yard trucks that meet the following criteria: 1) the contracted delivery date for the yard trucks is on or before 12/31/26; and 2) the equipment is delivered no later than 7/1/27	(up to 6-high-stack and 90,000lbs) BE empty side-pick container handler
STS cranes must meet a 25% domestic content requirement (instead of 55%). Equipment must still be manufactured in the US	Only applies for STS cranes where installation commences on or before 12/31/26	The supplemental de minimis waiver can be used on the above equipment
Supplemental de minimis waiver of 15% of material costs associated with the purchase of mobile equipment (i.e., 15% of material cost do not need to meet any BABA requirements). This is additional to EPA's existing 5% De Minimis General Applicability Waiver	For all ZE mobile equipment listed in the waiver until 5/15/2029	Cranes 27

ZE Technology Deployment Competition: Build America, Buy America (BABA) Act



BABA – Things to Keep in Mind

- Applicants and funding recipients should plan their projects with BABA in mind as early as possible. *Note: Assistance recipients do not need to submit additional BABA information to secure a work plan approval. However, they should keep these requirements in mind and keep appropriate records on hand accordingly.*
 - Budget domestic items may cost more than foreign items
 - Timeline domestic items may take longer to get to the worksite than foreign items
 - Planning all project stakeholders need to understand BABA requirements
- Use iron, steel, manufactured products, and construction materials that are produced in the United States in the project
 - Keep documentation that items are made in the U.S.
 - Request a waiver from EPA if domestic items cannot be found, will increase the cost of the overall project by more than 25 percent, or domestic content procurement preference would be inconsistent with the public interest.
- Budget items that fall under any of the available waivers would not need to comply with BABA requirements for the period of that waiver.
 - There are agency-wide, program-wide, product-specific, and project-specific waivers.
 - The latest information about EPA's BABA waivers can be found at: https://www.epa.gov/cwsrf/build-america-buy-america-baba
- Further BABA guidance will be made available, including OTAQ-specific Implementation Procedures which serve to answer FAQs
 designed to assist federal financial assistance recipients and EPA Project Officers in determining whether BABA applies to projects
 receiving federal funding.

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Requirements for All Clean Ports Program Projects

Reporting Requirements

- Once awards are finalized, grantees will be required to provide workplan information, budget details, and project updates to their Regional Project Officer at regular intervals.
- Awardees will be provided with reporting template(s) to electronically report required information to the EPA project officer.
- Semi-annual progress reports
 - Technical progress
 - Progress toward outputs, outcomes, and workplan commitments
 - ZE Technology Deployment: Details on equipment and infrastructure purchases
 - Planned activities for next reporting period
 - Summary of expenditures
 - Performance measures from approved workplan
- Detailed final report
 - Summary
 - Outputs and outcomes
 - Costs
 - Successes and lessons learned
- Scrappage (if included in workplan): Grantees will need to provide evidence of appropriate scrappage and evidence of appropriate disposal for all internal combustion engine equipment or vehicles identified for scrappage in the final workplan, and must submit a signed scrappage statement
- Any revisions to the workplan or budget must receive prior written approval from the Regional Project Officer. Contact your Regional Project Officer in a timely manner to communicate these changes



Reporting Requirements Timeline



Deliverable	Deadline/Due Date	Submission Document
Semi-Annual Project Reports	January 1 – June 30: - Report due date July 30 July 1 – December 31: - Report due date January 30	Reporting Template
Final Project Report	120 Days after project completion	Reporting Template

Quality Assurance



EPA Grantees who *perform environmental information operations* must have an EPA-approved Quality Assurance Project Plan in place prior to using data for decision-making.

- Environmental information operations: encompasses the collection, production, evaluation, or use of environmental information by or for EPA and the design, construction, operation, or application of environmental technology.
- Quality Assurance Project Plan: documents the type and quality of data needed for environmental decisions and describes the methods for collecting and assessing those data.

Project Transparency



• ZE Tech:

- The recipient agrees to engage with near-port communities about the project during the performance period
- If grant funds will be used to conduct baseline port mobile source emissions inventories and/or port mobile source emissions reduction plans: The recipient agrees to **publicly** share a detailed written summary of the results of the emissions inventory and/or emission reduction plan included in the final workplan.

Planning:

- The recipient agrees to engage with near-port communities about the project during the performance period, and
- The recipient agrees to **publicly share a detailed written summary of the results of the project** (e.g., emissions inventory, emissions reduction targets or other planning activities), for all activities included in the final workplan.

Foreign Countries of Concern



EPA will not award financial assistance under the Clean Ports Program

- 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

As of the date these terms and conditions become effective, covered nations under 10 U.S.C. § 4872(d) are the Democratic People's Republic of North Korea; the People's Republic of China; the Russian Federation; and the Islamic Republic of Iran.

Draw down and program income



- Draw down requirements: only for immediate cash needs (e.g., paying an invoice for goods or services received). Funds drawn down must be disbursed within 5 business days of receipt.
- Generally can't earn profit from federal grants (unless incorporated into indirect cost rate)
- Both of these issues are in the <u>General Terms and Conditions</u> (numbers 4, 5, and 9).

Join us November 20 for a webinar on financial reporting requirements and responsible fiscal practices





Next Steps

Next Steps



SELECTION
Grantees are p

Grantees are notified in accordance with Section VI.A of the 2024 CPP Notice of Funding Opportunities (NOFOs). Additional documents and forms may need to be submitted and approved before the grant can officially be awarded.





HELPFUL RESOURCES

Thoroughly review the Clean Ports website for important dates, popular questions and answers and other helpful resources.



REPORTING REQUIREMENTS

Grantees must submit semi-annual reports summarizing technical progress, planning activities for the next six months and a summary of expenditures. Refer to Section VI.C of the 2024 CPP NOFOs for more information.



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CLOSEOUT

Grantees must submit a detailed final report to EPA within 120 days of the completion of the project. Refer to Section VI.C of the 2024 CPP NOFOs for more information.

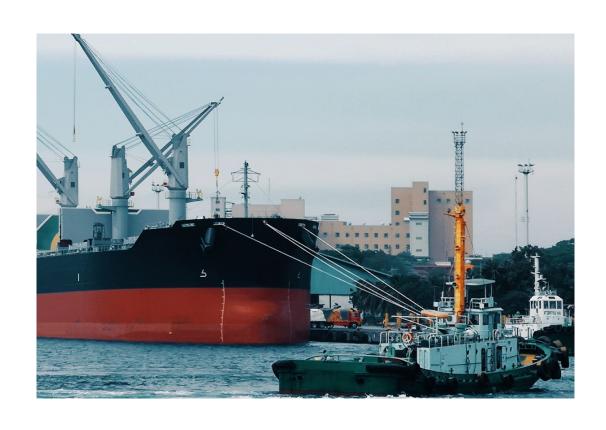


GET IN TOUCH

Please contact your assigned Project Officer and/or cleanports@epa.gov with questions.





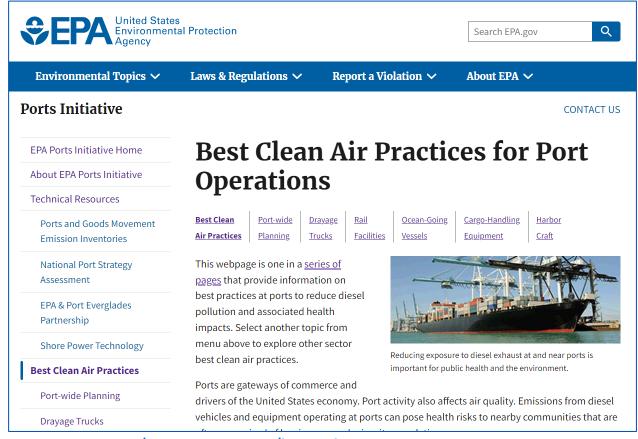


Other Resources

Ports Initiative Best Practices Web Area



- Best clean air practices generally and for each mobile source sector:
 - Port-wide planning
 - Drayage Trucks
 - Rail Facilities
 - Ocean Going Vessels
 - Cargo Handling Equipment
 - Harbor Craft
- Information:
 - Overview of practice
 - Technical resources
 - Tips on performance targets and data collection
 - Real world examples

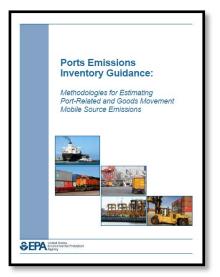


www.epa.gov/ports-initiative/best-clean-air-practices-port-operations

Best Port-wide Planning Practices to Improve Air Quality

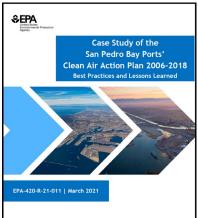


- Develop an emissions inventory
- Enhance community-port collaboration
- Develop a plan to reduce emissions
- Increase port resilience to impacts of climate change
- Apply for funding to implement clean air strategies



Port Emissions Inventory Guidance

https://www.epa.gov/ports-initiative/port-and-goods-movement-emission-inventories



Case Study on San Pedro Bay Ports Clean Air Action Plan

www.epa.gov/ports-initiative/san-pedro-bay-portsclean-air-action-plan-best-practices-and-lessonslearned

https://www.epa.gov/ports-initiative/best-port-wide-planning-practices-improve-air-quality

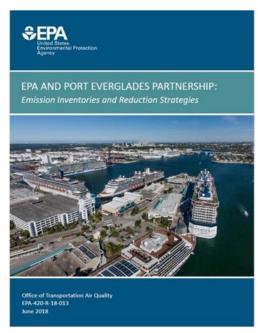
Tools to help identify smart infrastructure investments





National Port Strategy **Assessment: Reducing Air** Pollution and Greenhouse Gases at U.S. Ports September 2016

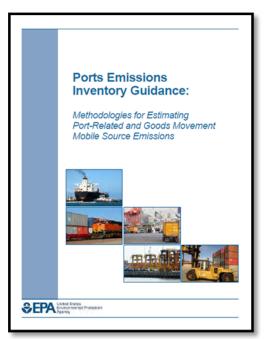
www.epa.gov/ports-initiative/national-portstrategy-assessment-reducing-air-pollutionand-greenhouse-gases-us



EPA, Port Everglades Report Shines Light on New Methods for Analyzing Potential Air **Pollution Reductions**

June 2018

www.epa.gov/ports-initiative/epa-and-porteverglades-partnership-emission-inventoriesand-reduction-strategies



Port Emissions Inventory Guidance: Methodologies for Estimating Port-Related and Goods Movement Mobile Source Emissions, April 2022

https://www.epa.gov/ports-initiative/portand-goods-movement-emission-inventories



Shorepower report characterizes the technical and operational aspects of shore power systems, December 2022

https://www.epa.gov/portsinitiative/shore-power-technologyassessment-us-ports 41

Community-port collaboration



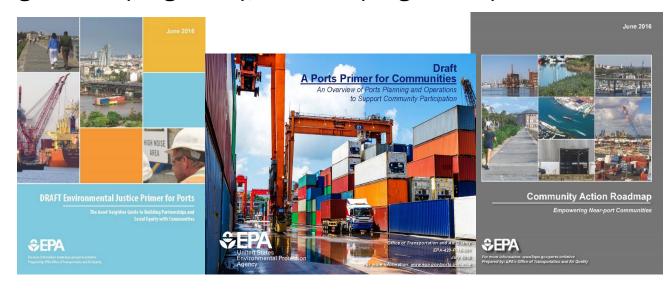


Port of Savannah Tour



Collaboration Training

- Tools and training:
 - Ports Primer for Communities
 - Community Action Roadmap
 - EJ Primer for Ports, including Good Neighbor Roadmap
- Case studies: Providence (Region 1), Wilmington (Region 3),
 Savannah (Region 4), New Orleans (Region 6), Los Angeles and
 Long Beach (Region 9), Seattle (Region 10)



www.epa.gov/community-port-collaboration

EPA Grants Management Training





 Modules 4, 5 and 6 cover accepting awards and drawing down funds, managing grants and closing out grants.

Available at:

 https://www.epa.gov/grants/ep
 a-grants-management-training applicants-and-recipients





Summary

Summary



Project Requirements and Next Steps

- All project requirements and eligible expenses can be found in the 2024 Clean Ports Program NOFOs.
- Additional documents and forms may need to be submitted and approved before the grant can be officially awarded. Work with your EPA Project Officer to meet these requirements.
- Updates to projects should be communicated to your EPA Project Officer in a timely manner.
- Project updates are shared with EPA
 Project Officers on a semi-annual basis using the Reporting Template;
 first report is due by July 30, 2025.
- A detailed final report will be due at the end of the project period.

Resources

- EPA Grants Management Training
- <u>Technical Resources for Ports</u>
- Best Clean Air Practices at Ports
- Community Port Collaboration
- EPA BABA Webpage
- <u>U.S EPA's Ports Initiative Newsletter</u> <u>Sign-Up</u>

Questions?

- Contact your EPA Project Officer with any questions related to your project.
 - Unsure of who your EPA Project
 Officer is? Email
 <u>cleanports@epa.gov</u> and we will put you in touch.

Upcoming Webinar: Fiscal Responsibilities



• November 20, 2024, at 3 p.m. EST

 Will cover financial reporting requirements and responsible fiscal practices for grant recipients.

Register at:

https://us02web.zoom.us/webinar/register/WN vql-sMxoS2GhOFSw-RnxBA







Question and Answer Session

Question and Answer Session

Upvote and comment on questions similar to your own.

Type your full thought so we can follow-up with an answer.



Stakeholder Feedback

- We want to hear from you!
- We are looking for feedback on the application process:
 - Did developing and submitting your application go smoothly, or were there bumps along the way?
 - Were there any particularly tricky sections of the application?
 - What could EPA have done to better support you during the application period?

Use the Q&A Module to send in your feedback

Upvote and comment on feedback similar to your own.



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Register at:

https://us02web.zoom.us/webinar/register/WN vql-sMxoS2GhOFSw-RnxBA





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