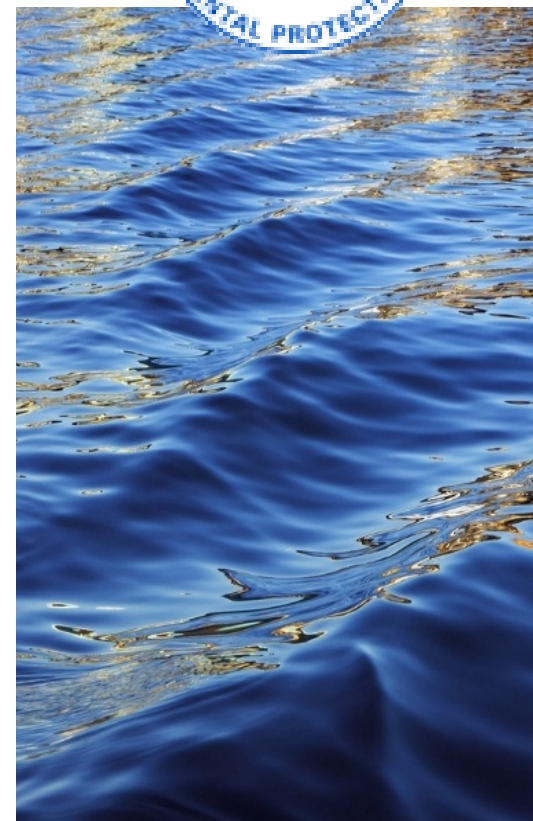Best Management Practices for

EPA Brownfields

Tribal Response Programs

Tips and Tools for Successful Programs

What is the State and Tribal Response Program?

- What is the funding for?
  - To "establish and enhance" a response program
- Who is eligible?
  - <u>Any</u> federally recognized Indian tribe/consortium
  - States
- Is it a competition?
  - No, it's a non-competitive application, but it is shared with 50 states, other tribes, and territories

Estimated next fund request– December of 2016 with due date of January 31, 2017

STRP 128(a) Guidance

☐ This Guidance provides a <u>consistent national framework</u> for building tribal environmental program capacity under STRP [128(a)].

☐ It is designed to <u>strengthen</u> and <u>enhance</u> tribal environmental protection programs.

http://www2.epa.gov/brownfields

Tribal Response Program's Primary Purpose:

to **"establish or enhance"** a response program

- States and Tribes define their own "response programs"

- Allowable activities are broad and include: hiring staff, developing regulations, ordinances, plans, outreach, community involvement, training, etc.

Tribal Response Program's Secondary purpose:

Site-specific activities

- Conducting assessment and cleanup activities
  at brownfields sites

- EPA expects to see programs established before cleanup
  occurs: capacity is needed to manage a cleanup

- Site-specific work keeps in line with the "polluter pays"
  principle

Tribal Response Program - Requirements for Funding

- Eligible tribes willing to develop a response program that includes:

  - ✓ taking steps to meet the "four elements"
  - ✓ establishing and keeping a "public record"

- Programs must demonstrate meeting these requirements after first funding year in order to qualify for additional funding.

- Cooperative Agreement reporting requirements.

- No Cost Share requirement.

Tribal Response Program: the Four Elements

1. Timely survey and inventory of brownfields sites (creating a list of potentially contaminated sites).

2. Oversight and enforcement authorities, or other mechanisms and resources, that are adequate to ensure that a response action will protect human health and the environment, i. e., involved in oversight of local cleanups or assessments. (Coordination with ADEC is an example.)

The Four Elements, Cont'd

3. Mechanisms and resources to provide meaningful opportunities for public participation (outreach to community on Brownfields and what your program is accomplishing).

4. Mechanisms for approval of cleanup plans and completed cleanups. (in AK, coordination with ADEC contaminated sites program)

Tribal Response Program - The "Public Record"

In order to continue receiving funding, the tribe must establish and maintain a "public record" of sites, detailing…

- response actions completed in the previous year and those planned to be addressed in the upcoming year.

- whether or not the site, on completion of the response action, will be suitable for unrestricted use and, if not, identifying the institutional controls relied on for the remedy.

Examples of Program Activities

- BF Inventory updates and research

- Council presentation on BF Response Program and activities

- Attending training and conferences which further brownfields knowledge

- Getting involved and having oversight of local assessment and cleanup work and then sharing the information with your community

- Yearly public record updates (record of ongoing assessments and cleanups)

- Applying for Targeted Brownfield Assessment grants for sites with a planned re-use.

Why?

- It helps keep track of your plans, goals, and accomplishments.
- When new people come in to the project they can easily learn a lot about it.
- It helps demonstrate that you are carrying out the projects you agreed to in your grant.

What needs to be included?

You will need the following sections included in your file:

- The Grant/Cooperative Agreement Fund Request (draft workplan)
- The Award Document with Terms and Conditions of the grant
- Brownfield Inventory (list of potential brownfields decided upon by your program – site data, location, pictures, completed assessments)
- Work Plan
- Correspondence with your EPA Project Officer and outreach to community
- Progress Reports e. g., Quarterly Reports (status, accomplishments, difficulties, activities, personnel changes)

What's the best way to store your records?
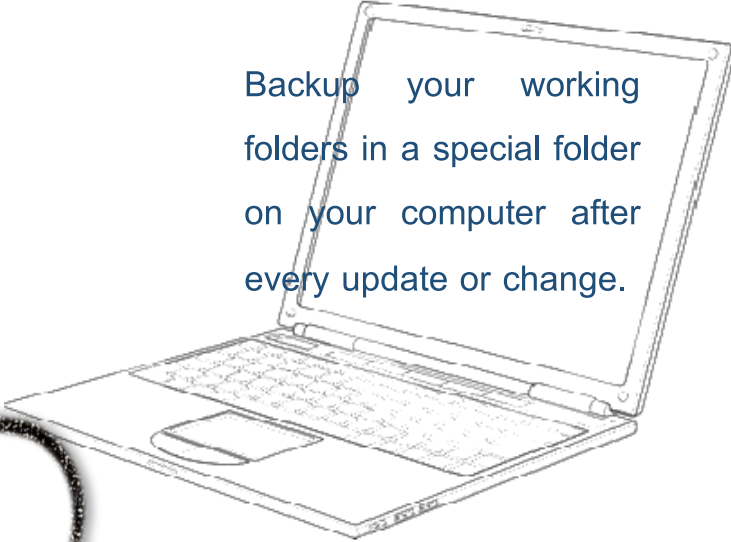
These days there are more choices than ever, and it is important to use more than just the computer where most of the writing is being done. As we all know, computers can crash or become lost.

Printing your documents is a great idea because you can use the paper copies in your office filing system, and you can always scan them in again for easy sharing.

Backup your working folders in a special folder on your computer after every update or change.

Backup your electronic folders frequently on a thumb drive, an external backup drive, a DVD and/or the Cloud.

Tribal Recipient & EPA

Roles and Responsibilities

Cooperative Agreement/Grant Recipient Roles

❑Accept the award (drawn down on funds within the first month of the grant period).

❑Complete work plan activities.

❑Spend funds in accordance with approved budget.

❑Grant management – Forms, budgets, reports, tracking.

❑Communication with EPA.

❑Attend conferences/trainings to stay current on environmental issues and build capacity within the STRP program & Tribe.

Tribal Council

- Guides the work written into the STRP work plan according to tribal priorities.

- Reviews and signs grant application documents.

- Accepts the STRP grant award.

- Provides support for STRP staff.

- Maintains tribal policies & procedures.

Administrator

- Oversees the work of STRP staff.

- Assists in preparing STRP grant application.

- Ensures administrative compliance with grant.

Bookkeeper

- Tracks expenditures.

- Performs drawdowns.

- Reviews budget regularly with STRP staff.

STRP Staff

- Carries out the work according to the approved work plan.

- Tracks activities and expenditures.

- Reviews budgets.

- Completes quarterly reports.

- Communicates with EPA, Administrator, and Bookkeeper regularly.

- Writes STRP fund request/workplan.

* This is an example and not inclusive of all responsibilities. Actual roles are determined by tribal leadership.

EPA Project Officer Roles

- EPA's designated contact.

- Provides technical and programmatic assistance.

- Reviews fund requests/workplans and provides revisions.

- Monitors project progress and programmatic performance.

- Works with recipient to help identify environmental outcomes of work plan.

❑ It's important for the STRP Coordinator and Bookkeeper to communicate regularly. Meet monthly to review budget and expenses.

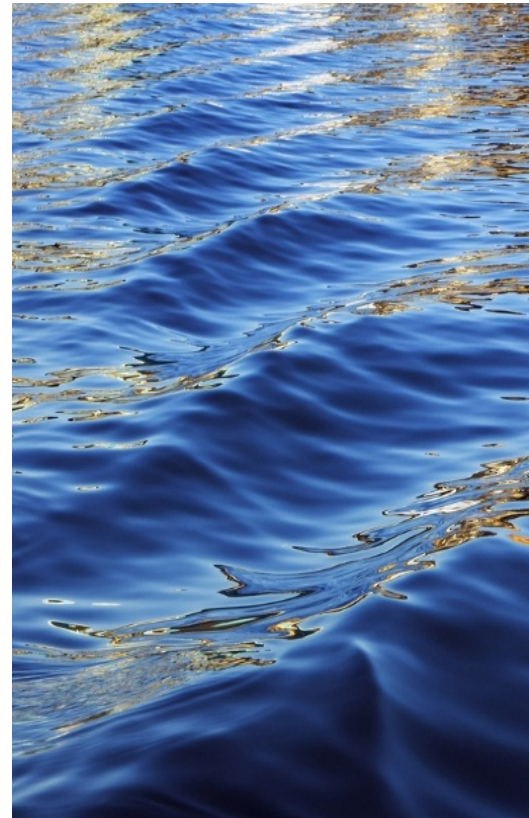❑ Contact your EPA Project Officer if budget modifications are needed.

❑ Spend the approved budget for allowable purchases before the end of the grant year.

Tips
for New STRP Grant Recipients & Employees

as of 11/29/2012 (mb & sk)

Tips for New STRP Section 128(a) Grant Recipients and Employees

I.   Review applicable STRP guidance for most recent funding year.

II. Read and understand your Response Program (RP) Co-operative Agreement/Amendments.

    A.   Project Period   C.   Payment Type
    B.   Project Budget   D.   Grant Terms and Conditions –Administrative &Programmatic

III. Read and understand your RP Workplan and Budget.
A.Understand what project deliverables must be produced and what timelines need to be followed.
B.Evaluate past program performance to ensure that all required reports and deliverables have been submitted.

IV. Obtain all necessary reporting forms and identify reporting schedules
A.Quarterly Report Template
B.Federal Financial Report (SF 425)
C.Minority and Women Business Enterprise Report (AKA Disadvantaged Business Enterprise Report) EPA 5700
   52A
     http://www.epa.gov/osbp/pdfs/5700_52a.pdf
D.EPA Payment Request Form **EPA Form 190-F-04-001 Payment Request for Grants/Cooperative Agreement**
   (PDF)
     if using EFT method of payment (If using ASAP method your Tribe/Community will initiate the drawdown
     electronically.)

I.   Review STRP Guidance, applicable regulations (40 CFR Part 31 and 35 Subpart B), and applicable OMB Circulars (A-102, and A-133); 2 CFR Part 225 (formerly OMB Circular A-87).

II. Read and understand your STRP grant Assistance Agreement/Amendments (the Award).

   A.   Project period

   B.   Project budget

   C.   Payment type

   D.   Grant Terms and Conditions – administrative and programmatic

III. Read and understand your STRP Workplan and Budget.

   A.   Understand what project deliverables must be produced and what timelines need to be followed.

   B.   Evaluate past program performance to ensure that all required reports and deliverables   have been submitted.

IV. Obtain all necessary reporting forms and identify reporting schedules

Forms you will need:

A. STRP Quarterly Report Template (EPA Project Officer will send you your template)

B. Federal Financial Report (SF 425)

C. Minority and Women Business Enterprise Report (AKA Disadvantaged Business Enterprise Report)

http://www.epa.gov/osbp/pdfs/5700_52a.pdf

D. EPA Payment Request Form if using EFT method of payment. (If using ASAP method your Tribe will initiate the drawdown electronically.)

EPA Form 190-F-04-001 Payment Request for Grants/Cooperative Agreements (PDF)

Typical Reporting Schedule

Report Type	Due Date	Project Officer	Other
Quarterly Report and Grant Products/Deliverables	Within 30 days of end of quarter	√	
MBE/WBE Report	Annually by October 30	√ (optional cc)	√ Greg Luchey - MBE/WBE Coordinator
A.A Federal Financial Report (FFR - SF 425)	**Final FFR only**: No later than 90 days after the end of the grant agreement unless otherwise specified in Grant Agreement Terms & Conditions. [Replaced Financial status Report (SF 269 or 269a) and Cash Transactions Report (SF 272) effective 10/1/09]	√ (optional cc)	√ Marge Pumphrey (LVFC)
EPA Payment Request Form (if using EFT Method)	For advance-every one to two weeks, based on disbursement schedule, For reimbursement-monthly		√ Marge Pumphrey (LVFC)
Final Performance Report	Within 90 days of end of project period	√	
Equipment Report	Within 90 days of end of project period	√	
Annual Audit (if expending ≥ $500,000 in federal funds)	Required to be filed 9 months after the end of FY	√ (optional cc)	Audit Clearinghouse
ICR Agreement or ICR Application Information (if applicable)	As available, prior to charging indirect costs	√ (optional cc)	

Mailing Addresses

(Email is preferred whenever possible.)

MBE/WBE Coordinator

US EPA Region 10

1200 6th Ave., Suite 900

OMP-145

Seattle, WA 98101

Fax: 206-553-4957

Tel: 206-553-2967

Luchey.greg@epa.gov

Las Vegas Finance Center

US EPA LVFC

4220 S Maryland Parkway

Bldg. C, Rm 503

Las Vegas, NV 89119

Fax: 702-798-2423

Tel: 702-798-2492

pumphrey.margaret@epa.gov

V.   Clarify reporting and programmatic responsibilities of Tribal staff (STRP staff, bookkeeper, administrator) and meet with Project Officer by phone within the first 2 weeks of employment.

VI.   Submit revised Key Contact sheet to EPA Region 10 grant website: http://yosemite.epa.gov/r10/omp.nsf/grants/administration/$FILE/grants-r10-key-contacts-form.pdf

Questions so far?
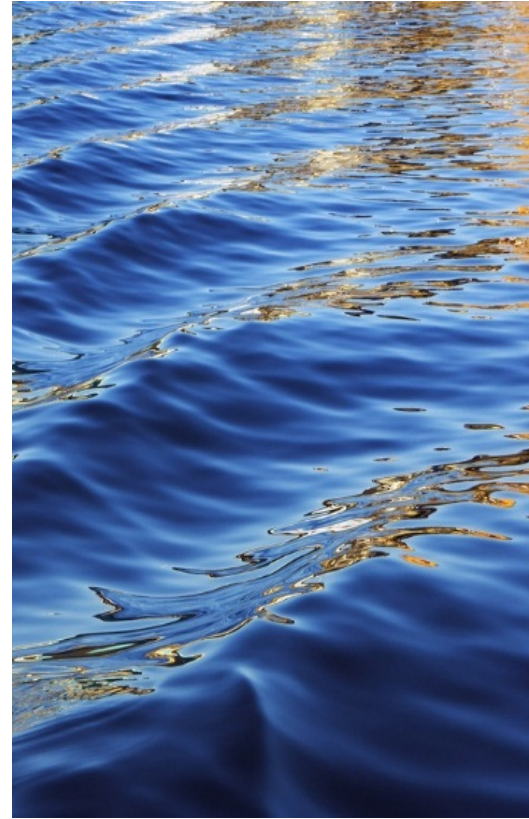
Grantee Name

Brownfields Tribal Response Program

Cooperative Agreement No. RP-_____

Project Period: October 1, 2015—September 30, 2016

Quarterly Progress Report: 1

Quarter Period: October1, 2015—December 31, 2015

Submitted on: xxxx

Prepared by:
Preparer's name
Street address
City/town, State Zip-Code
Phone number
Email address

EPA Project Officer: _____

Quarter XX Summary

This section should include a summary of program activities that have occurred during this quarter. The following sections should be used to provide more details on the specifics of each task.

- Provide a detailed narrative of the work completed during this quarterly period.
- Describe all accomplishments made, milestones met, and deliverables completed.
- Was everything accomplished as expected?
- Describe any issues or delays that were encountered and how they impacted the program schedule/deliverables.
- Provide a summary of any unresolved issues or ongoing action-items.
- Conclude this section with a brief description of the major activities slated for the following quarter.

Status of Tasks & Activities

The purpose of this section is to document in more detail the progress that is being made in comparison with the approved work plan. It is helpful to include the name of the task, activity, estimated completion date and the status in completing that output during the period you are reporting on. While providing one or two sentences may suffice in some circumstances, it is more advantageous to document all the steps taken to meet that overall task.

Level of Information Needed

Example: The meeting was held and everyone agreed to revise the draft procedures.

Much Better Example: The meeting coordinating the environmental program directors took place on January 31st. The representatives from Fisheries, Natural Resources Department, Spill Response, and Solid Waste had agreed to communication procedures for emergency mobilization drafted by the Brownfield Program Manager. Specifically they agreed to establish a monthly lead for emergencies, a specific call number, to develop a schedule for sharing the responsibilities, and a phone tree to notify all the key personnel. A copy of the draft is attached with side notations on the sections to be revised including establishing a spreadsheet for contact information and to log calls; a proposal for the Council on how costs could be covered and descriptions of the roles and responsibilities.

Suggested Formats

The Information can be provided in a variety of formats, examples are below:

1) List of activities with timeline and status all provided in a narrative format.
2) Insert a modified table of the tasks using the work plan section #5 and include task and activity name, outputs or deliverables planned, timeline, and then the status

Example Format #1

<u>**Task 1: Planning and Management**</u>

Activity 1.1—Program Management and Supervision

    Output & Due Date:

    Status: (i.e. completed)

    List any activities that were started or completed and/or any deliverables that were produced during the quarter.

Activity 1.2—Cooperative Agreement Administration

    List any activities that were started or completed and/or any deliverables that were produced during the quarter.

Activity 1.3—Fiscal and Contract Management

    List any activities that were started or completed and/or any deliverables that were produced during the quarter.

<u>**Task 2: Program Enhancement**</u>

Activity 2.1—"Establish or Enhance" the four elements

1.   *Timely survey and Inventory:*

    List any activities that were started or completed and/or any deliverables that were produced during the quarter.

2.   *Oversight and enforcement authorities or other mechanisms:*

    List any activities that were started or completed and/or any deliverables that were produced during the quarter.

3.   *Mechanisms and resources to provide meaningful opportunities for public participation:*

    List any activities that were started or completed and/or any deliverables that were produced during the quarter.

4.Mechanisms for approval of a cleanup plan and verification and certification that cleanup is complete:

    List any activities that were started or completed and/or any deliverables that were produced during the quarter.

Activity 2.2—Maintain and update the public record

- I n s e r t   G r a n t e e   N a m e   &   D a t e -

Provide a brief update on the status of your public record. When was the last time the public record was updated? When is the next update anticipated to occur?

Task 3: Site-Specific Activities
Describe any site-specific work that was completed during the quarter or is planned for the following quarter. You may remove this section from the report if your program is not currently undertaking any site-specific activities.

Etc. Until all the tasks are covered and updated.

Example Format #2

Activities Narrative (Funding Use)	Costs by Task	Timeframe for Accomplishment (Date)	Results of Activities (Outputs, i.e. the Deliverables)	Status as of 12.31.13
Task 1: Planning and Management				
Activity 1: Program Management and Supervision				
Supervise and manage the staff to meet program goals. Assign, prioritize, track and evaluate staff workload. Conduct periodic project status meetings with staff to discuss project issues and priorities. Conduct annual performance evaluations for staff. Prepare job order forms, review and evaluate job applications, conduct interviews and hire staff.	$4,000 We have spent $2,300 by end of Q2.	Tracking sheet by 3.30.13 Ongoing activities – Give specifics when possible.	Project management tracking sheet	Tracking Sheet provided as an attachment. Team met on 3.1.13 and prioritized activities. We were able to consolidate two tasks on the website maintenance inhouse and so there will be a cost savings. See notes under 2.4.3
Continue to file facility information in accordance with state system or FUDS NALEMP. Develop and update universe of facilities for projects associated with Remediation Section. Prepare progress reports on the overall status of facilities in the investigation and cleanup process. Develop and update electronic data deliverable for submittal of electronic data to the Agency.	$10,000 we have spent $6,000 by end of Q2	Quarterly – 7 summary sheets	Summarize facility activities by quarter and input into the system updating latest data. Quartertly summary sheets for a minimum of 7 sites will be compiled	Provided summary sheets for Q1 or the seven sites listed here below:…… Q2 provided summary sheets for these sites: xxxxxx

- Follow the table summary with a narrative on the tasks where more detail is needed to describe the activities. Items that commonly need more details include those tasks that are more of a process or where delays, things learned, feedback were gathered.

Expenditure Tracking –

- Include an update on expenditures to date. Keep in mind the expenditures should follow what is in the work plan. For example, if one of your more costly task of putting on a conference took place this quarter, then there should be funds drawn reflecting those costs.
- Mention any issues with project delays, administrative or other office support, and the anticipated timeframe to get funds drawn.

Example Budget Table

Table1. Quarterly Expenditure Report

	TASK 1 Planning & Management	TASK 2 Program Enhancements	TASK 3 Site-Specific Assessments & Cleanups	Total (quarter)	Total (to date)	Remaining
Personnel	$XXXX.XX					
Fringe						
Training						
Travel						
Equipment						
Supplies*						
Contractual						
Construction						
Other						
Indirect						
TOTAL						

Summary of Accomplishments/Output Tracking Schedule

- In the work plan model, under #5 is a summary list of the outputs or deliverables expected under the agreement. This list can be shown as a table and used to track the items that need to be completed.
- This is an example of a way to show in a glance all the work expected, progress, and accomplished.

OUTPUT	DUE	COMPLETED
1 detailed tracking sheet for completing workplan activities;	12/13	
Community fact sheets for the first property	2/1/14	
Quarterly Report	1,4,7,10/14	
Documentation of process and criteria used for prioritization of sites;	5/14	
Eligibility summary provided to EPA for up to 3 highest priority sites, property profile information added to ACRES system;	6,9/14	
1 copy of Request for Proposals soliciting bids for environmental site assessments on highest priority sites;	6/14	
Training documents and list of staff attending the Tribal Brownfields Training;	8/14	
Copy of Public Record Notice	9/14	

Community/ Tribe
TRIP REPORT

Name: _____ Position: _____

Department: _____

Travel Itinerary (as actually traveled)

Date	From	To	Method	Comments

Purpose of Trip:
_____
_____
_____
_____

Do you feel this trip was beneficial?   Yes/No   Explain:
_____
_____
_____

Summary of Trip:
_____
_____
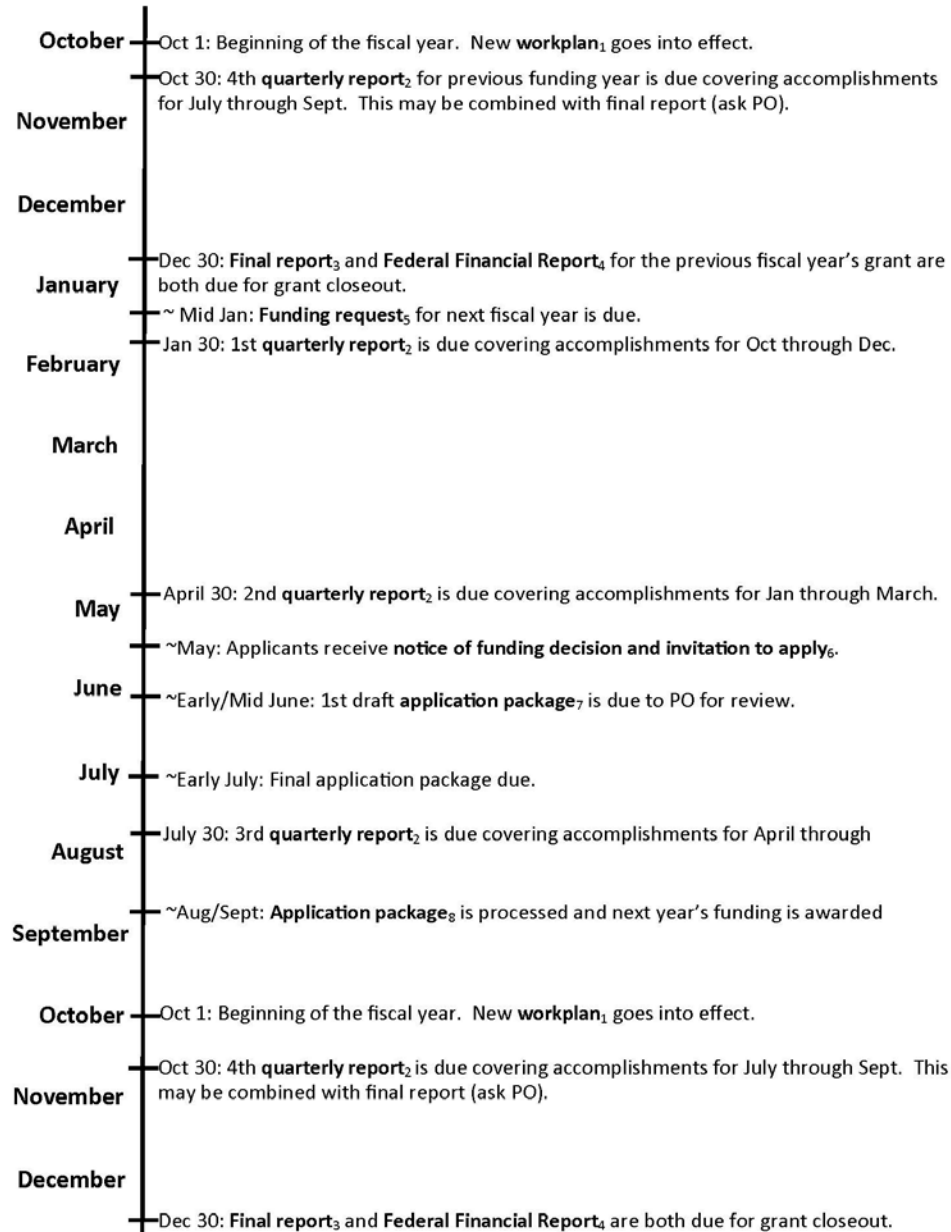_____
_____
_____
_____
_____
_____
_____

Did any issues arise?   Yes/No   Explain:
_____
_____
_____

Employee Signature: _____ Date: _____

-Insert Grantee Name & Date-

R10 STRP Grant Administrative Timeline

October — Oct 1: Beginning of the fiscal year. New **workplan**$_1$ goes into effect.

Oct 30: 4th **quarterly report**$_2$ for previous funding year is due covering accomplishments for July through Sept. This may be combined with final report (ask PO).

November

December

Dec 30: **Final report**$_3$ and **Federal Financial Report**$_4$ for the previous fiscal year's grant are both due for grant closeout.

January — ~ Mid Jan: **Funding request**$_5$ for next fiscal year is due.

Jan 30: 1st **quarterly report**$_2$ is due covering accomplishments for Oct through Dec.

February

March

April

May — April 30: 2nd **quarterly report**$_2$ is due covering accomplishments for Jan through March.

~May: Applicants receive **notice of funding decision and invitation to apply**$_6$.

June — ~Early/Mid June: 1st draft **application package**$_7$ is due to PO for review.

July — ~Early July: Final application package due.

July 30: 3rd **quarterly report**$_2$ is due covering accomplishments for April through

August

~Aug/Sept: **Application package**$_8$ is processed and next year's funding is awarded

September

October — Oct 1: Beginning of the fiscal year. New **workplan**$_1$ goes into effect.

Oct 30: 4th **quarterly report**$_2$ is due covering accomplishments for July through Sept. This may be combined with final report (ask PO).

November

December

Dec 30: **Final report**$_3$ and **Federal Financial Report**$_4$ are both due for grant closeout.

Glossary

[1] **Workplan**—The Workplan that outlines the activities and accomplishments that will be pursued over the fiscal year. The scope of activities in the workplan are limited to those that will "establish" or "enhance" the tribal response program. All activities must address one or more of the four elements outlined in the program guidance. An example workplan template will be given to R10 grantees.

[2] **Quarterly Report**—Quarterly reports are due 30 days after the end of each quarter. Reports should cover the progress made towards achieving the tasks and activities outlined in the workplan. Other deliverables and budget updates should be included. Quarterly templates are available to R10 grantees. The grantee and project office should both agree on the specific content that will be included in the quarterly reports.

[3] **Final Report**—The final report is due 90 days after the grant project period has ended. As most tribal response program grants are made for a 1-year project period, the project period will last through the fiscal year and end on September 30 in most cases. The final report must thoroughly explain the progress made on achieving the outputs and outcomes identified in the workplan. If agreed upon outputs and outcomes have not been achieved, the grantee must explain why.

[4] **Federal Financial Report (FFR)**—The FFR is a form due along with the final report. Both are needed before the grant can be closed and are due 90 days after the grant project. period has ended. The FFR can be found at http://epa.gov/ogd/forms/forms.htm.

[5] **Funding Request**—The funding request is typically due to your project officer in January and is a projection for the <u>following</u> fiscal year (i.e. the grant that will begin next October). The funding request will use the same template as the workplan. This new workplan will eventually be used as part of your application and help streamline workplan development. To the best of your ability, you should outline what the tribal response program aims to accomplish during the following fiscal year, and should include an estimate on the grant funding that will be needed. Any requested increase should be justified by the scope of work. These will be used by EPA to make funding decisions for the following year.

[6] **Notice of Funding Decision and Invitation to Apply**—This will be an email sent from EPA that indicates whether or not you have been approved to formally apply for funding for the next fiscal year and, if so, at what amount. Though this is based largely on your funding requests, the amount is influenced by national and regional allocations and may or may not differ from the amount you requested. This email will include information on your project officer and application schedule.

[7] **Application Package**—This is the final step in securing funding for the following fiscal year. The application package will include all of the required forms and materials listed in notice of funding decision email. You should refer back to that email prior to submitting your first draft.

The first draft application is due to your project officer and does not require signatures. Your project officer will provide feedback until the package has been approved. Once approved, you will submit the final version of the application package to r10grants@epa.gov. Once everything has been received, EPA will continue to process the grant award.

Writing your Success Story

**Brownfields Tribal Response Program Accomplishment/Success Story
(required with 2nd quarterly report)**

Grantee Name, Cooperative Agreement No. RP-_____

Project Period: e. g., October 1, 2014—September 30, 2015,

Submitted on: Date

Prepared by: Preparer's name, Phone number, Email address

Please provide a narrative of a couple of paragraphs and describe which of the four elements are addressed by your story:

1. *Timely survey and inventory of brownfields sites in state or tribal land.*

2. *Oversight and enforcement authorities or other mechanisms and resources.*

3. *Mechanisms and resources to provide meaningful opportunities for public participation.*

4. *Mechanisms for approval of a cleanup plan and verification and certification that cleanup is complete.*

Before – history of issue?

After – what was accomplished?

What are the lessons learned (a couple of paragraphs)?

Please attach pictures or other deliverables (brochure, meeting minutes, etc.).

You can find some good examples on the EPA web site!

http://www2.epa.gov/brownfields/brownfields-success-stories

Questions?   Last call!