Notice of Funding Opportunity

Applications Due: **Thursday, January 21, 2027**

Office of Brownfields and Land Revitalization

FY27 GUIDELINES FOR BROWNFIELD CLEANUP GRANTS

Funding Opportunity Number: EPA-OLEM-OBLR-26-06

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1. Basic Information

U.S. Environmental Protection Agency

Office of Brownfields and Land Revitalization (OBLR)

FY27 GUIDELINES FOR BROWNFIELD CLEANUP GRANTS

Multipurpose, Assessment, RLF, and Cleanup (MARC) Grant Application Resources

A. Executive Summary

This notice announces the availability of funds and solicits applications from eligible entities to carry out cleanup activities at brownfield sites owned by the applicant. Eligible entities include government organizations, Federally recognized Tribes, and nonprofit organizations.

Please see Section 2.A. for the complete list of eligible entities. Applications must meet all threshold eligibility criteria in Section 2.B. and the 20% cost share requirement in Section 2.C. to be considered eligible to receive a Cleanup Grant. Refer to the FY27 Brownfields Frequently Asked Questions (FAQs) for additional information.

An applicant may only submit **ONE** Cleanup Grant application in the FY27 competition cycle. Applicants may request up to $500,000 to clean up one brownfield site or to allocate up to $500,000 among multiple sites.

B. Key Information

Opportunity Number:

EPA-OLEM-OBLR-26-06

Assistance Listing:

66.818

Announcement Type:

Initial

Funding Available:

$14,000,000

Number of Awards:

Approximately 28

An applicant may request funding to address hazardous substances[1] and/or petroleum[2] contamination at one or more brownfield sites. The applicant must be the sole owner of the site(s) that is the subject of its Cleanup Grant application and must own the site(s) by **January 21, 2027**, to be eligible to receive a Cleanup Grant. An applicant cannot propose an alternate site if a site identified in the application is determined by EPA to be ineligible for funding. **EPA strongly recommends contacting the Regional Brownfields Contact listed in Section 1.E. to ensure the proposed site(s) is eligible for funding prior to submitting your application.**

The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) requires applicants to provide a 20% cost share of the federal funds for Cleanup Grants. For example, a $500,000 Cleanup Grant awarded by EPA will require the recipient to provide a $100,000 cost share. The cost share, which may be in the form of a contribution of money, labor, material, or services, must

[1] Hazardous substance sites eligible for funding are those sites with the presence or potential presence of hazardous substances, pollutants, contaminants, sites that are contaminated with controlled substances, or that are mine-scarred lands. For more information, please refer to the FY27 FAQs.

[2] Petroleum sites eligible for funding are those sites that meet the definition set forth in CERCLA § 101(39)(D)(ii)(II), as further described in Section 1.3.2. in the *Information on Sites Eligible for Brownfields Funding under CERCLA § 104(k)*.

be for eligible and allowable costs under the grant, as described in the grant regulations at 2 CFR § 200.306. See Section 2.C. for details.

Please carefully review Section 4.D. of these guidelines, Section IV.E. "Coalitions, Contracts, and Subawards" of EPA Notice of Funding Opportunity (NOFO) Clauses, and Section D. in the FY27 FAQs to ensure that contractors (including individual consultants) are procured in compliance with the fair and open competition requirements. Also, carefully review the EPA Subaward Policy and Subaward Frequent Questions for establishing and managing subawards.

A checklist of mandatory documents is in Section 4.A.

For the purposes of this NOFO, the term "grant" refers to the cooperative agreement that EPA will award to a successful applicant.

C. Key Dates

November 12, 2026 2:00 pm ET	National Outreach Webinar
January 21, 2027 11:59 pm ET	Application Submission Deadline
June 2027	Anticipated Notification of Selection
September 2027	Anticipated Award Notification

D. Funding Details

It is anticipated that up to **28 awards** will be made under this announcement. The amount of funding is expected to be **$14,000,000**, depending on Agency funding levels, the quality of applications received, agency priorities, and other applicable considerations. Awards funded under this opportunity are expected to have a **4-year** project period. Applicants may apply for up to $500,000 of EPA funds. (Note, applicants may also request an amount that is less than $500,000.) Funding estimates are approximations that are subject to change.

EPA reserves the right to:

- make additional awards under this funding announcement consistent with Agency policy and guidance if additional funding becomes available after the original selections are made. Any additional selections for awards will be made no later than 6 months after the original selection decisions.
- to make no awards under the funding opportunity.
- partially fund applications by funding discrete portions or phases of proposed projects. If a project is partially funded, it will be done in a manner that maintains the integrity of the competition and selection process.
- incrementally fund applications based on funding availability and/or satisfactory performance.
- adjust funding levels for priorities, set-asides, or other types of funding categories.
- increase or decrease (including decreasing to zero) the total number and amount of awards under each funding category or change the ratio of assistance agreements it awards among the funding categories.

The actual award amounts and number of projects awarded may differ from the estimated amounts.

E. Agency Contact Information

Further information, if needed, may be obtained from the EPA contact(s) indicated below.

Technical Contact:	**Elyse Salinas,** brownfields@epa.gov
Eligibility Contact:	**See Regional Contacts below**
Electronic Submissions Contact:	**Grants.gov, 1-800-518-4726, support@grants.gov**
Regional Contact(s):	**EPA Region 1 (CT, ME, MA, NH, RI, VT)** Jim Byrne, Byrne.James@epa.gov, (617) 918-1389 **EPA Region 2 (NJ, NY, PR, VI)** Esmeralda Vargas, Vargas.Esmeralda@epa.gov, (212) 637-4391 **EPA Region 3 (DE, DC, MD, PA, VA, WV)** Anthony Geiger, Geiger.Anthony@epa.gov, (215) 814-3367 **EPA Region 4 (AL, FL, GA, KY, MS, NC, SC, TN)** Aditi Chakravarty, Chakravarty.Aditi@epa.gov, (404) 562-9515 **EPA Region 5 (IL, IN, MI, MN, OH, WI)** Torre Ippolito, Ippolito.Torre@epa.gov, (312) 353-6556 **EPA Region 6 (AR, LA, NM, OK, TX)** Mike Kennedy, Kennedy.Michael@epa.gov, (214) 665-7125 **EPA Region 7 (IA, KS, MO, NE)** Bobbie Pennington, R7_Brownfields@epa.gov, (913) 551-7209 **EPA Region 8 (CO, MT, ND, SD, UT, WY)** Joann Jeplawy, Jeplawy.Joann@epa.gov, (303) 312-6715 **EPA Region 9 (AZ, CA, HI, NV, Pacific Island Territories)** Daniel Moher, moher.daniel@epa.gov, (415) 972-3210 **EPA Region 10 (AK, ID, OR, WA)** Meredith Lightbody, Lightbody.Meredith@epa.gov, (206) 553-6910

2. Eligibility

Applications must meet all requirements in this section, including the submission of responses to the Section 2.B. threshold eligibility criteria, to be considered eligible. Applicants should direct eligibility questions to the Regional Contact in Section 1.E. well in advance of the application deadline.

A. Eligible Applicants

Only these types of organizations may apply for a Cleanup Grant. Organization types are consistent with definitions at CERCLA § 104(k)(1) and 2 CFR § 200.1:

- General Purpose Unit of Local Government. Local government means a county, borough, municipality, city, town, township, parish, local public authority (including any public housing agency under the United States Housing Act of 1937), school district, special district, intrastate district, council of governments (whether or not incorporated as a nonprofit corporation under State law), and any other agency or instrumentality of a multi-, regional, or intra-State or local government.
- Land Clearance Authority or another quasi-governmental entity that operates under the supervision and control of, or as an agent of, a General Purpose Unit of Local Government.
- Government Entity Created by State Legislature.

- Regional Council established under governmental authority or group of General Purpose Units of Local Government established under Federal, State, or local law (e.g., councils of governments) to function as a single legal entity with authority to enter into binding agreements with the Federal Government.
- Redevelopment Agency that is chartered or otherwise sanctioned by a State.
- State.[3]
- Federally recognized Indian Tribe[4] other than in Alaska. (The exclusion of Tribes from Alaska, with the exception of the Metlakatla Indian Community as noted below, from Brownfields Grant eligibility is statutory at CERCLA § 104(k)(1). Intertribal Consortia, comprised of eligible Indian Tribes, are eligible for funding in accordance with EPA's policy for funding intertribal consortia published in the *Federal Register* on November 4, 2002, at 67 Fed. Reg. 67181. This policy also may be obtained from your Regional Brownfields Contact listed in Section 1.E.)
- Alaska Native Regional Corporation and Alaska Native Village Corporation as those terms are defined in the Alaska Native Claims Settlement Act (43 U.S.C. 1601 and following) and the Metlakatla Indian Community. For more information, please refer to the FY27 FAQs.
- Nonprofit organization described in section 501(c)(3) of title 26 (the Internal Revenue Code (IRC)) and exempt from taxation under 501(a) of that title.
- Limited liability corporation in which all managing members are 501(c)(3) nonprofit organizations exempt from taxation under 501(a) of the IRC or limited liability corporations whose sole members are 501(c)(3) nonprofit organizations exempt from taxation under 501(a) of the IRC.
- Limited partnership in which all general partners are 501(c)(3) nonprofit organizations exempt from taxation under 501(a) of the IRC or limited liability corporations whose sole members are 501(c)(3) nonprofit organizations exempt from taxation under 501(a) of the IRC.
- Qualified community development entity as defined in section 45D(c)(1) of the IRC.
- Other nonprofit organizations. (For the purposes of the Brownfields Grant Program, the term "other nonprofit organization" consistent with the definition of *Nonprofit organization* at 2 CFR § 200.1 means any organization that is operated primarily for scientific, educational, service, charitable, or similar purposes in the public interest; is not organized primarily for profit; uses net proceeds to maintain, improve, or expand the organization's operations; and is not an institute of higher education (IHE) as defined in 2 CFR § 200.1 (incorporating the definition at 200 U.S.C. 1001). The exclusion of IHEs from the definition of nonprofit organization at 2 CFR § 200.1 does not change IHEs' status as nonprofit organizations when applying for funding opportunities. For the purposes of this funding opportunity, "Other nonprofit organizations" includes nonprofit colleges, universities, and other educational institutions.

[3] As defined in CERCLA § 101(27), the definition of State for purposes of the Brownfields Program "include[s] the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, the Commonwealth of the Northern Marianas, and any other territory or possession over which the United States has jurisdiction."

[4] There are currently 575 federally recognized Tribes, and there are many names that these sovereign nations use to describe their culture, history, and geography, including Tribe, Village, Nation, Band, and Pueblo. For the purpose of these guidelines, the EPA Brownfields Program uses "Tribe" and "Tribal Nation" as all-encompassing terms.

Note, individuals, for-profit organizations, and organizations exempt from taxation under section 501(c)(4) of the IRC that lobby the Federal government[5] are ineligible to receive Brownfields Grants.

B. Threshold Eligibility Criteria

Applications must meet the following threshold eligibility criteria to be considered eligible to receive a Cleanup Grant and for the proposed site(s) to be determined eligible for funding under this NOFO. The information you submit will be used by EPA solely to make eligibility determinations for Brownfield Grants and is not legally binding for other purposes, including federal, State, or Tribal enforcement actions. Only those applications that pass all the threshold eligibility criteria will be evaluated against the review criteria in Section 6.B. of this announcement.

EPA staff will respond to questions regarding threshold eligibility criteria, administrative issues related to the submission of the application, and requests for clarification about this announcement. For purposes of the threshold eligibility review, an EPA Brownfields and Land Revitalization Program representative, if necessary, may seek clarification of applicant information that is included in the application and/or consider information from other sources, including EPA files. Such communications shall not be used to correct application deficiencies or material omissions, materially alter the application or project proposed, or discuss changes to the applicant's responses to any review or selection criteria.

To maintain the integrity of the competition process, EPA staff cannot meet with individual applicants to discuss draft applications, provide informal comments on draft applications, or provide advice to applicants on how to respond to the Narrative Criteria Responses. EPA's limitations on staff involvement with grant applicants are described in EPA's Policy for Competition of Assistance Agreements.

i. Number of Applications EPA will Accept:

   a. Entities that are applying for an FY27 Cleanup Grant under this NOFO may not also apply for an FY27 Brownfields Revolving Loan Fund (RLF) Grant.

   b. Applicants may not submit multiple applications (i.e., submit applications for different projects) under this NOFO. EPA considers departments, agencies, or instrumentalities of the same State or city governments to be the same applicant if they are directly supervised or controlled by the same elected/appointed executive (even if they have different Unique Entity Identifier numbers). For example, a corporation formed under State or local law to perform redevelopment activities on behalf of or in support of a local government that is primarily staffed by employees of that local government will be considered an agency or instrumentality of that local government. These eligibility determinations are made on a case-by-case basis since State and local laws vary. For Tribes, EPA defers to the Tribe's interpretation of a department, agency, or instrumentality being the same or a separate entity.

   If the same applicant exceeds the number or type of applications allowable, EPA will contact the applicant to determine which application(s) to withdraw from the competition. In the absence of

[5] The Lobbying Disclosure Act (2 U.S.C. 1601 et. seq.) provides requirements for the disclosure of lobbying activities to influence the Federal Government.

application withdrawal, EPA will accept the first application received in Grants.gov and deem all other applications submitted by that applicant ineligible.

If an applicant submits the same application multiple times, unless told otherwise by the applicant, EPA will review the most recently received application in Grants.gov.

ii. Ineligible Activities: If an application is submitted that includes any ineligible tasks, activities, or site(s), that portion of the application will be ineligible for funding and may, depending on the extent to which it affects the application, render the entire application ineligible for funding.

iii. Substantial Compliance: Applications must substantially comply with the submission instructions and requirements set forth in Section 4 of this announcement or they will be rejected. See Section 4.A. for the application submission checklist.

iv. Risk Review: Applications from entities that are excluded from participation in Federal Assistance programs at the time of selection will be deemed ineligible for funding. To determine this, EPA will check SAM.gov for suspended or debarred entities that apply for this funding opportunity as per 2 CFR § 200.206(d).

For applications from entities that are not suspended or debarred at the time of selection, EPA will conduct a risk review as per Section 6.D. of the NOFO after the selection process and before awards are made.

v. **Required Eligibility Documentation: Responses to each item below and Section 2.C. Cost Sharing are required and must be included in the application submitted to EPA. Threshold eligibility criteria responses and documentation do not have a page limit.**

1. **Applicant Eligibility**
   a. From the list of eligible entities in Section 2.A., *Eligible Applicants*, **indicate** your applicant type and **provide** information that demonstrates how you are an eligible entity for a Cleanup Grant.

      - For entities that are villages, towns, cities, counties, Tribes, or States, affirm that the organization is eligible for funding.

      - For government entities other than villages, towns, cities, counties, Tribes, or States, attach documentation of your eligibility (e.g., resolutions, statutes, etc.).

      - For Intertribal consortia, attach documentation that meets the requirements in 40 CFR § 35.504(a) and (c). All members of the Intertribal consortium must authorize the submission of an application.

      - For nonprofit organizations, or organizations comprised of nonprofit organizations, provide documentation as an attachment to the Narrative Criteria Responses demonstrating tax-exempt status under section 501(c)(3) of the IRC. Note that nonprofit organizations not exempt from taxation under section 501(c)(3) of the IRC must submit

other forms of documentation of nonprofit status, such as certificates of incorporation as a nonprofit under State or Tribal law.

- For qualified community development entities, provide documentation as an attachment to the Narrative Criteria Responses certifying the organization's status.

b. All applicants: **Indicate** if your organization is exempt from Federal taxation under section 501(c)(4) of the IRC. Note, villages, towns, cities, counties, Tribes, or States should respond N/A. All other entities must indicate yes or no.

- If yes, **indicate** if your organization lobbies the Federal government. *Note, if a 501(c)(4) organization lobbies the Federal government, the organization is ineligible for an EPA Brownfields Grant.*

- If yes, but your organization does not lobby the Federal government, **attach** a legal opinion that states that the organization does not engage in lobbying activities.[6]

2. Previously Awarded Cleanup Grants

Brownfield sites where EPA Cleanup Grant funds were previously expended are not eligible for EPA Cleanup Grant funding in FY27.

Affirm that the proposed site(s) has not received funding from a previously awarded EPA Brownfields Cleanup Grant.

3. Expenditure of Existing Multipurpose Grant Funds

Indicate if the applicant has an open[7] EPA Brownfields Multipurpose Grant.

Current EPA Brownfields Multipurpose Grant recipients must demonstrate that payment has been received from EPA (also known as "drawn down"), and drawn down funds have been disbursed for at least 70.00% of the funding for each Multipurpose cooperative agreement they have with EPA by **October 1, 2026**, in order to apply for funding under this funding opportunity.

To demonstrate this, applicants must **attach** a copy of a financial record displaying the amount of cooperative agreement funds drawn down and corresponding dates (e.g., a report from the Automated Standard Application for Payments (ASAP) or general ledger entries documenting receipts for funds drawn down from ASAP or the required State financial system). If necessary, applicants may contact the assigned EPA Project Officer for the cooperative agreement or Elyse Salinas (brownfields@epa.gov) to obtain draw down information from EPA's grant financial database (Compass Data Warehouse). Non-State applicants should be aware that if they receive an award, they must comply with EPA's General Terms and Conditions, including the requirement that funds must be substantially disbursed within 5 business days of draw down.

[6] The Lobbying Disclosure Act (2 U.S.C. 1601 et. seq.) provides requirements for the disclosure of lobbying activities to influence the Federal Government.

[7] For the purposes of this requirement, the term "open" refers to a grant period of performance that has not ended.

If you are applying for multiple sites, threshold eligibility criteria responses must include responses to items 4. – 13. below, for each site.

4. **Site Ownership**
   Identify the current owner of the site and **provide** information that demonstrates site ownership as it pertains to your circumstance(s).

   - If you own the site in fee simple, as evidenced by a recorded deed or title, **provide** the date that the deed or title was recorded. EPA may request a copy of the recorded deed or title.

   - If you own the site in fee simple, but the deed or title has not been recorded, a) **attach** a copy of the deed or title; and b) **cite** the State or local law that establishes site ownership has been conveyed to you through an executed deed or title.

   - If you do not own the site in fee simple, a) **identify** your ownership arrangement and/or transfer method (e.g., a quitclaim deed, nominee agreement, or 99-year irrevocable lease), which EPA must approve as functionally equivalent to fee simple ownership; and b) **attach** documentation to demonstrate site ownership.

   - If you are not the current owner, a) **identify** the date you plan to acquire ownership of the site; and b) **identify** how you plan to acquire ownership (e.g., fee simple title, or another ownership arrangement, which EPA must approve). EPA staff may follow up for more information and obtain documentation to demonstrate site ownership.

   To be eligible to receive a Cleanup Grant, the applicant must be the sole owner of the site that is the subject of its Cleanup Grant application and must own the site by **January 21, 2027**. For the purposes of Brownfields Cleanup Grant eligibility determinations, the term "own" means fee simple ownership as evidenced by a recorded deed or title or other documentation establishing you are the fee simple owner. Alternatively, EPA may approve a different ownership agreement or transfer method that is determined to be functionally equivalent to fee simple ownership (for example, a quitclaim deed, nominee agreement, or 99-year irrevocable lease). (**EPA strongly recommends contacting the Regional Brownfields Contact listed in Section 1.E. to ensure the proposed site is eligible for funding prior to submitting your application.**) EPA will find applicants ineligible if they do not meet the ownership requirement by **January 21, 2027**. If awarded a Cleanup Grant, the recipient must retain ownership of the site(s) for the duration of time in which Brownfields Cleanup Grant funds are disbursed for the cleanup of the site(s).

5. **Basic Site Information**
   Identify: a) the name of the site; and b) the address of the site, including zip code.

6. **Status and History of Contamination at the Site**
   Identify: a) whether this site is contaminated by hazardous substances or petroleum; b) the operational history and current use(s) of the site; c) environmental concerns, if known, at the site; and d) how the site became contaminated, and to the extent possible, describe the nature and extent of the contamination.

7. **Brownfield Site Definition**
To be eligible for Brownfield Grant funding, sites must meet the definition of a brownfield site under CERCLA § 101(39) as described in the Information on Sites Eligible for Brownfields Funding under CERCLA § 104(k). The following types of properties are not eligible for Brownfield Grant funding:

- facilities listed (or proposed for listing) on the National Priorities List (NPL);
- facilities subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA; and
- facilities that are subject to the jurisdiction, custody, or control of the U.S. government. (Note: Land held in trust by the U.S. government for an Indian Tribe is eligible for funding.)

Affirm that the site is:
a) not listed or proposed for listing on the National Priorities List;
b) not subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA; and
c) not subject to the jurisdiction, custody, or control of the U.S. government.
(Please refer to CERCLA §§ 101(39)(B)(ii), (iii), and (vii) and the Information on Sites Eligible for Brownfields Funding under CERCLA § 104(k).)

8. **Environmental Assessment Required for Cleanup Grant Applications**
A written ASTM E1903-19 or equivalent Phase II environmental site assessment report (a draft report is sufficient) must be completed prior to application submission. Equivalent reports include site investigations or remedial action plans developed for a State cleanup program or Office of Surface Mining surveys for mine-scarred lands.

Describe the type of environmental assessments conducted at your proposed site (do not attach assessment reports).

Provide the date of the Phase II or equivalent report. Contact your Regional Brownfields Contact listed in Section 1.E. if you have questions.

9. **Sufficient Site Characterization**

Affirm that an Environmental Professional (as defined in 40 CFR § 312.10) has certified that there is a sufficient level of site characterization from the environmental site assessment performed to date for the remediation work to begin on the site(s); or

Indicate that additional assessment is needed to sufficiently characterize the site(s) for the remediation work to begin; and **affirm** that, if selected for funding, there will be a sufficient level of site characterization from the environmental site assessment performed, before the grant is awarded, for the remediation work to begin on the site(s). Applicants selected for funding must affirm that an Environmental Professional has certified that there is a sufficient level of site characterization for the remediation work to begin on the site(s) before an award is made. Failure to meet this requirement may result in EPA not making the award.

10. Enforcement or Other Actions

Affirm there are no known ongoing or anticipated environmental enforcement or other actions related to the site for which Brownfields Grant funding is sought.

Alternatively, **identify** known ongoing or anticipated environmental enforcement or other actions related to the site for which Brownfields Grant funding is sought. If there are known ongoing or anticipated environmental enforcement or other actions related to the site, **provide** information on any inquiries, or orders from federal, State, or local government entities that the applicant is aware of regarding the responsibility of any party (including the applicant) for the contamination, or hazardous substances at the site, including any liens. The information provided in this section may be verified, and EPA may conduct an independent review of information related to the applicant's responsibility for the contamination or hazardous substances at the site, or the site's eligibility.

11. Sites Requiring a Property-Specific Determination

Certain types of sites require a property-specific determination to be eligible for Brownfields Grant funding. Please refer to Section 1.5 in the Information on Sites Eligible for Brownfields Funding under CERCLA § 104(k) and the information below to determine whether your site requires a property-specific determination.

- If your site requires a property-specific determination, then you must **attach** the information requested in the FY27 FAQs.
- If not required, **affirm** that the site does not need a Property-Specific Determination.

The following special classes of property require a "Property-Specific Determination" from EPA to be eligible for Brownfields Grant funding:

- properties subject to planned or ongoing removal actions under CERCLA;
- properties with facilities that have been issued or entered into a unilateral administrative order, a court order, an administrative order on consent, or judicial consent decree, or to which a permit has been issued by the United States or an authorized State under the Resource Conservation and Recovery Act (RCRA), the Federal Water Pollution Control Act (FWPCA), the Toxic Substances Control Act (TSCA), or the Safe Drinking Water Act (SDWA);
- properties with facilities subject to RCRA corrective action (§ 3004(u) or § 3008(h)) to which a corrective action permit or order has been issued or modified to require the implementation of corrective measures;
- properties that are land disposal units that have submitted a RCRA closure notification or that are subject to closure requirements specified in a closure plan or permit;
- properties where there has been a release of polychlorinated biphenyls (PCBs) and all, or part, of the property is subject to TSCA remediation; and
- properties that include facilities receiving monies for cleanup from the Leaking Underground Storage Tank (LUST) Trust Fund (see the Information on Sites Eligible for Brownfields Funding under CERCLA § 104(k) for a definition of LUST Trust Fund sites).

EPA's approval of Property-Specific Determinations will be based on whether or not awarding a grant will protect human health and the environment, and either promote economic development or enable the property to be used for parks, greenways, and similar recreational or

nonprofit purposes. Property-Specific Determination requests must be included in your application as an attachment and do not count toward the 10-page limit for the Narrative. (See the Information on Sites Eligible for Brownfields Funding under CERCLA § 104(k) for more information or contact your Regional Brownfields Contact listed in Section 1.E. if you think your site requires a Property-Specific Determination.)

12. Threshold Eligibility Criteria Related to CERCLA/Petroleum Liability

Entities potentially liable for contamination on the site(s) are not eligible for Brownfields Grant funding. The following items are intended to help EPA ensure that you are not potentially liable under CERCLA § 107 for response costs at the site(s) designated in your Narrative, or determine, if necessary, that your site(s) is eligible for funding as a petroleum site(s). **Please respond to the following items fully and in the order that they appear.** Note: based on your responses, EPA may need to obtain additional information to determine eligibility. For sites at which the applicant is demonstrating eligibility through a limitation on CERCLA § 107 liability, EPA will make an eligibility determination based on the information provided in the application. EPA will not consider information from sources outside of the application, including information from EPA files.

If the site is contaminated with hazardous substances, please **respond to all the items under a**.

If the site is contaminated with petroleum or petroleum product, please **respond to all the items under b.**, including the requirement to provide a petroleum determination letter.

If the site is comingled with hazardous substances and petroleum contaminants, determine whether the predominant contaminant is hazardous substances or petroleum, and **respond to the corresponding items (as noted above).**

If the site is contaminated with hazardous substances and petroleum, and the hazardous substances and petroleum contaminated areas of the site are distinguishable, **respond to all the items under a. and b.**, including the requirement to provide a petroleum determination letter.

a. Property Ownership Eligibility – Hazardous Substance Sites

For sites contaminated by hazardous substances, persons, including government entities, who may be found liable for the contamination under CERCLA § 107 are not eligible for grants. Liable parties may include all current owners and operators, former owners and operators of the site at the time of disposal of hazardous substances, and parties that arranged for, or contributed to, the disposal or treatment of hazardous substances on the site. Therefore, even owners who did not cause or contribute to the contamination may be liable.[8]

To be eligible for a Brownfields Grant to address hazardous substances at a brownfield property, eligible entities must demonstrate that:

- They are exempt from CERCLA liability; or

[8] Note that under Section 7 of the BUILD Act, a government entity that acquired property prior to January 11, 2002, is eligible for Brownfields Grant funding even if it does not qualify as a Bona Fide Prospective Purchaser (BFPP), so long as the entity did not cause or contribute to the release or threat of release of a hazardous substance at the property.

- They qualify for funding because the property is publicly owned; was acquired prior to January 11, 2002; and the applicant has not caused or contributed to a release or threatened release of hazardous substances at the property; or
- They meet the requirements for asserting an affirmative defense to CERCLA liability through one of the landowner liability protections (e.g., the bona fide prospective purchaser liability protection per CERCLA § 101(40)); or
- The hazardous substance(s) or pollutant(s) or contaminant(s) at the site is hazardous building material(s) that is not released into the environment per CERCLA §§ 101(22) and 107(a).

Please review sections i., ii., iii., and iv. below and **only provide responses to the section that pertains to your circumstance.**

For additional information on the CERCLA liability framework and protections that may apply to local government acquisitions of contaminated property, see EPA's Guidance: Superfund Liability Protections for Local Government Acquisitions.

i. EXEMPTIONS TO CERCLA LIABILITY

(1) Indian Tribes

EPA does not consider Indian Tribes to be liable under CERCLA and, therefore, Tribes are exempt from demonstrating that they meet the requirements of a CERCLA liability defense to be eligible for a Brownfields Grant.

Affirm the applicant is an Indian Tribe and is therefore exempt from demonstrating that they meet the requirements of a CERCLA liability defense.

(2) Alaska Native Village Corporations and Alaska Native Regional Corporations

Alaska Native Village Corporations and Alaska Native Regional Corporations that acquired title to property from the U.S. Government under the Alaska Native Claims Settlement Act are excluded from the CERCLA definition of "owner/operator" and are therefore exempt from CERCLA liability for any previous contamination at the property provided that the Alaska Native Village Corporation or Alaska Native Regional Corporation did not cause or contribute to the release or threatened release of a hazardous substance. Entities that satisfy these conditions are eligible for a Brownfields Grant.

Note, Alaska Native Village Corporations and Alaska Native Regional Corporations that purchased the subject property must respond to section ii., iii., or iv. below as appropriate.

Provide the following to demonstrate that the Alaska Native Village Corporation or Alaska Native Regional Corporation is exempt from CERCLA liability:

(a) Describe in detail the circumstances of the acquisition.
(b) Provide the date on which the property was acquired.
(c) Identify whether you caused or contributed to any release of hazardous substances at the site.

(3) Property Acquired Under Certain Circumstances by Units of State and Local Government

Per CERCLA § 101(20)(D), State and local units of government that acquired ownership or control of a property by any of the circumstances listed below and did not cause or contribute to the release or threatened release of a hazardous substance at the property, are exempt from liability for any previous contamination at that property and, therefore, do **not** have to demonstrate that they meet the requirements of a CERCLA liability defense to be eligible for a Brownfields Grant. Such circumstances include:

- Seizure or in connection with law enforcement activity;
- Bankruptcy;
- Tax delinquency; or
- Abandonment.

Further, EPA will treat acquisitions by escheat and inter-governmental transfers through uniquely governmental functions as exempt from liability if the other conditions in CERCLA § 101(20)(D) are met.

See the FY27 FAQs for additional information on the types of acquisitions that are not exempt from CERCLA liability.

Provide the following to demonstrate that the State or local government is exempt from CERCLA liability:

(a) Describe in detail the circumstances (from the list above) under which the property was acquired.
(b) Provide the date on which the property was acquired.
(c) Identify whether all disposal of hazardous substances at the site occurred before you acquired the property.
(d) Affirm that you have not caused or contributed to any release of hazardous substances at the site.
(e) Affirm that you have not, at any time, arranged for the disposal of hazardous substances at the site or transported hazardous substances to the site.

ii. EXCEPTIONS TO MEETING THE REQUIREMENTS FOR ASSERTING AN AFFIRMATIVE DEFENSE TO CERCLA LIABILITY

(1) Publicly Owned Brownfield Sites Acquired Prior to January 11, 2002

Per CERCLA § 104(k)(3)(E), if an applicant that is a public entity (such as a State or local government) acquired property prior to January 11, 2002, the applicant is eligible for a Brownfields Grant and may use grant funds to address contamination at the property, even if the entity does not qualify as a bona fide prospective purchaser, provided the applicant did not cause or contribute to the release or threatened release of a hazardous substance at the property.

Provide the following information to demonstrate that the applicant qualifies for the exception at CERCLA § 104(k)(3)(E):

(a) Describe in detail the circumstances under which the property was acquired.

(b) Provide the date on which the property was acquired.
(c) Identify whether all disposal of hazardous substances at the site occurred before you acquired the property.
(d) Affirm that you have not caused or contributed to any release of hazardous substances at the site.
(e) Affirm that you have not, at any time, arranged for the disposal of hazardous substances at the site or transported hazardous substances to the site.

iii. LANDOWNER PROTECTIONS FROM CERCLA LIABILITY

To be eligible to expend Brownfields Grant funding at a site owned by an eligible entity (including State, local government, nonprofit organizations, etc.), the applicant must establish that it is a bona fide prospective purchaser (BFPP), contiguous property owner (CPO), or innocent landowner (ILO), as defined in CERCLA, unless the applicant qualifies for one of the exemptions from liability noted in section i., ii., or iv. under this threshold eligibility criterion.

Applicants asserting that they meet the BFPP, CPO, or ILO liability protection must review EPA's Landowner Liability Protections webpage and contact the Regional Brownfields Contact listed in Section 1.E. to determine which eligibility criteria apply. For more comprehensive guidance on the landowner liability protections, see EPA's Enforcement Discretion Guidance Regarding Statutory Criteria for Those Who May Qualify as CERCLA Bona Fide Prospective Purchasers, Contiguous Property Owners, or Innocent Landowners ("Common Elements").

(1) Bona Fide Prospective Purchaser Liability Protection

Applicants that acquired property after January 11, 2002, and are asserting the BFPP liability protection (the most common liability protection) must demonstrate that they complied or are complying with all of the requirements listed below.

- The owner must have acquired title to a property after January 11, 2002.
- The owner must have conducted all appropriate inquiries (AAI) prior to acquiring the property. AAI, typically met by conducting a Phase I Environmental Site Assessment using the ASTM E1527-21 (or ASTM E2247-16) standard practice, must be conducted or updated within one year prior to the date the property is acquired (i.e., the date on which the entity takes title to the property). In addition, certain aspects of the AAI or Phase I Environmental Site Assessment must be updated, prior to property acquisition, if the activities were conducted more than six months prior to the date of acquisition.
- The owner must not be liable in any way for contamination at the site or affiliated with any other person potentially liable for the contamination. (Affiliations include familial, contractual, financial, or corporate relationships that are the result of a reorganization of a business entity with potential liability.)
- All disposal of hazardous substances at the site occurred before the person acquired the site.

- The owner must exercise appropriate care by taking reasonable steps to address releases, including stopping continuing releases and preventing threatened future releases and exposures to hazardous substances on the site.
- The owner must comply with any land use restrictions and not impede the effectiveness or integrity of any institutional controls associated with response actions at the site.
- The owner must provide full cooperation, assistance, and access to authorized persons.
- The owner must comply with any CERCLA information requests and administrative subpoenas, and provide all legally required notices with respect to the discovery or release of any hazardous substances found at the site.
- The owner must not impede performance of a response action or natural resource restoration.

Demonstrate that the applicant meets the requirements for the BFPP CERCLA liability protection.

(a) Information on the Property Acquisition You may combine responses to the following into one response, though please be sure to answer each item fully. **Provide** information on:

(i) how you acquired (or will acquire) ownership (e.g., negotiated purchase from a private individual, voluntary purchase or transfer from another governmental unit, donation or gift, inheritance or bequest, eminent domain, or other circumstance (describe));

(ii) the date you acquired the property;

(iii) the nature of your ownership (fee simple) (note that you must have sole ownership of the site to be eligible for funding; unless EPA approves a different ownership arrangement);

(iv) the name and identity of the party from whom you acquired ownership (i.e., the transferor); and

(v) all familial, contractual, corporate, or financial relationships or affiliations you have or had with all prior owners or operators (or other potentially responsible parties) of the property (including the person or entity from which you acquired the property).

(b) Pre-Purchase Inquiry Describe any inquiry by you or others into the previous ownership, uses of the property, and environmental conditions conducted prior to taking ownership. Please **include** the items below in your description.

(i) The types of site assessments performed (e.g., ASTM E1527-21 Phase I), the dates of each assessment, and the entity for which they were performed (state whether the assessment was performed specifically for you, or if not, the name of the party that had the assessment performed and that party's relationship to you).

(ii) Affirm that the AAI investigation or Phase I environmental site assessment was performed by an Environmental Professional (as defined in 40 CFR §

312.10) and the required declaration by the environmental professional is included in a written report (per 40 CFR § 312.21(d)).

(iii) If the original AAI investigation or Phase I environmental site assessment was conducted more than 180 days prior to the date you acquired the property, affirm that you conducted the appropriate updates in the original assessment within 180 days prior to your acquisition of the property to take advantage of the bona fide prospective purchaser provision.

(c) Timing and/or Contribution Toward Hazardous Substances Disposal **Identify** whether all disposal of hazardous substances at the site occurred before you acquired the property and whether you caused or contributed to any release of hazardous substances at the site. **Affirm** that you have not, at any time, arranged for the disposal of hazardous substances at the site or transported hazardous substances to the site.

(d) Post-Acquisition Uses **Describe** all uses of the property since you acquired ownership through the present, including any uses by persons or entities other than you. Please **provide** a timeline with the names of all current and prior users during the time of your ownership; the dates of all uses; the details of each use, including the rights or other reason pursuant to which the use was claimed or taken (e.g., lease, license, trespass); and your relationship to the current and prior users. Alternatively, **indicate** if the property has been vacant since acquisition.

(e) Continuing Obligations **Describe in detail** the **reasonable steps**[9] you took with respect to hazardous substances found at the site to:

(i) stop any continuing releases;
(ii) prevent any threatened future release; and
(iii) prevent or limit exposure to any previously released hazardous substance.

Please **affirm** that you are:

(i) complying with any land use restrictions and not impeding the effectiveness or integrity of any institutional controls;
(ii) assisting and cooperating with those performing the cleanup and providing access to the property;
(iii) complying with all information requests and administrative subpoenas that have or may be issued in connection with the property; and
(iv) providing all legally required notices.

For further information, please see FY27 FAQs on All Appropriate Inquiries and the Brownfields All Appropriate Inquiries webpage.

[9] Please note that reasonable steps may include actions such as limiting access to the property, monitoring known contaminants, and complying with State and/or local requirements. The steps taken to prevent or limit exposure to previously released hazardous substances may depend, for example, on such things as the location of the site in relation to the public and whether the public has been known to use (or even trespass on) the site.

(2) Non-Publicly Owned Sites Acquired Prior to January 11, 2002

Although the statute limits eligibility for the BFPP liability protection to entities that acquire property after January 11, 2002, a Brownfields Grant applicant that is not a public entity (such as a nonprofit organization), for grant purposes only, is eligible for a grant if it acquired the site prior to January 11, 2002, provided the applicant can demonstrate it performed environmental due diligence that was customary at the time and did not cause or contribute to the release or threatened release of a hazardous substance. (For a site acquired by a public entity prior to January 11, 2002, please review Section 2.B.(12).ii.(1). above.)

For applicants that are not public entities that acquired property prior to January 11, 2002, **provide** the information requested below.

(a) Describe in detail the circumstances of the acquisition.
(b) Provide the date on which the property was acquired.
(c) Discuss the environmental due diligence you performed prior to your acquisition of the site and/or affirm that it was customary at the time of acquisition.
(d) Identify whether all disposal of hazardous substances at the site occurred before you acquired the property.
(e) Affirm that you have not caused or contributed to any release of hazardous substances at the site.
(f) Affirm that you have not, at any time, arranged for the disposal of hazardous substances at the site or transported hazardous substances to the site.
(g) **Describe in detail** the **reasonable steps**[10] you took with respect to hazardous substances found at the site to:
  (i) stop any continuing releases;
  (ii) prevent any threatened future release; and
  (iii) prevent or limit exposure to any previously released hazardous substance.

For more information on the CERCLA landowner liability protections, please refer to Fact Sheet: EPA Brownfields Grants, CERCLA Liability, and All Appropriate Inquiries.

Applicants may also contact the Regional Brownfields Contact listed in Section 1.E. with questions about BFPP, CPO, or ILO eligibility.

iv. SITES WITH HAZARDOUS BUILDING MATERIAL THAT IS NOT RELEASED INTO THE ENVIRONMENT

(1) If the brownfield site has a hazardous substance contained in the building materials (e.g., insulation, flooring, caulk, etc.) and the hazardous substance has not been released (and there is no threat of release) into the outdoor environment (i.e., air, groundwater, land surface, etc.), then CERCLA § 107 liability may not apply. The site may be eligible for funding, provided all other site eligibility requirements are met.

[10] Please note that reasonable steps may include actions such as limiting access to the property, monitoring known contaminants, and complying with State and/or local requirements. The steps taken to prevent or limit exposure to previously released hazardous substances may depend, for example, on such things as the location of the site in relation to the public and whether the public has been known to use (or even trespass on) the site.

If there has been a release or there is a threatened release of the hazardous substance(s) into the outdoor environment, review threshold eligibility criteria 12.a.i., 12.a.ii., and 12.a.iii. and only provide responses to the section that pertains to your circumstance.

Affirm that there has been no release and that there is no threat of release of the hazardous substance(s) from building materials into the outdoor environment based on the site conditions.

For more information on the threshold eligibility analysis for sites with hazardous building materials (e.g., asbestos, lead-based paint) that are not released into the outdoor environment, please refer to FAQ L.25.

b. Property Ownership Eligibility – Petroleum Sites

In addition to the basic Brownfield Grant eligibility criteria, eligibility for petroleum sites is determined by applying the criteria established in the statute: there can be no viable responsible party, the applicant cannot be potentially liable for cleaning up the site, and the site must not be subject to a RCRA corrective action order. If a party is identified as being responsible for contamination at the site and that party is financially viable, then the site is not eligible for Brownfields Grant funding (refer to Section 1.3.2. in the Information on Sites Eligible for Brownfields Funding under CERCLA § 104(k) for more information). Generally, the State will determine petroleum site eligibility. Where the State is unable to make the eligibility determination, EPA will make the determination. EPA will make the determination for Tribes.

Non-tribal applicants must **provide** the information required for a petroleum site eligibility determination (listed below) to your State so that the State can make the necessary determination on petroleum site eligibility. You must **provide** EPA with a copy of the State determination letter as an attachment to your Narrative. The State determination letter must clearly indicate that the applicant is applying for an FY27 Brownfields Cleanup Grant. If the State does not make the determination before the application due date or is unable to make the determination, please attach a copy of the request you sent to the State. (**Note:** You must provide EPA with the date you submitted your request to the State to make the petroleum site determination. EPA will make the petroleum site eligibility determination if a State is unable to do so following a request from an applicant.) Also, in your letter to the State, please request that the State provide information regarding whether it applied EPA's guidelines in making the petroleum determination, or if not, what standard it applied.

Tribal applicants must **submit** the information required for a petroleum site eligibility determination (listed below) as an attachment to your Narrative. EPA will make the petroleum site eligibility determinations for Tribes.

i. INFORMATION REQUIRED FOR A PETROLEUM SITE ELIGIBILITY DETERMINATION

(1) Current and Immediate Past Owners **Identify** the current and immediate past owner of the site. Alternatively, if one or more underground storage tanks (USTs) are the source of the petroleum contamination, **identify** the current and immediate past owner of the UST(s). (For Cleanup Grants, the applicant must be the current owner.)

(2) Acquisition of Site **Identify** when and by what method the current owner acquired the property (e.g., purchase, tax foreclosure, donation, eminent domain).

(3) No Responsible Party for the Cleanup of the Site **Identify** whether the current and immediate past owner of the real property (or if one or more UST is the source of the petroleum contamination, **identify** the current and immediate past owner of the UST(s)): (i) dispensed or disposed of petroleum or petroleum product contamination, or exacerbated the existing petroleum contamination at the site; (ii) owned the site (or in the case of UST-related contamination, owned the UST(s)), when any dispensing or disposal of petroleum (by others) took place; and (iii) took reasonable steps with regard to the contamination at the site.

(4) Cleaned Up by a Person Not Potentially Liable **Identify** whether you (the applicant) dispensed or disposed of petroleum or petroleum products, or exacerbated the existing petroleum contamination at the site, and whether you took reasonable steps with regard to the contamination at the site.

(5) Judgments, Orders, or Third-Party Suits **Provide** information that no responsible party (including the applicant) is identified as potentially liable for cleaning up the site, through either:
   (a) a judgment rendered in a court of law or an administrative order that would require any person to assess, investigate, or clean up the site; or
   (b) an enforcement action by federal or State authorities against any party that would require any person to assess, investigate, or clean up the site; or
   (c) a citizen suit, contribution action, or other third-party claim brought against the current or immediate past owner of the site (or where a UST(s) is involved, the current or immediate past owner of the UST(s)), that would, if successful, require the assessment, investigation, or cleanup of the site.

(6) Subject to RCRA **Identify** whether the site is subject to any order under § 9003(h) of the Solid Waste Disposal Act.

(7) Financial Viability of Responsible Parties For any current or immediate past landowners (or where appropriate, current or immediate past UST owners), identified as responsible for the contamination at the site, **provide** information regarding whether they have the financial capability to satisfy their obligations under federal or State law to assess, investigate, or clean up the site.

Note: If no responsible party is identified in (3) or (4) above, then the petroleum-contaminated site may be eligible for funding. If a responsible party is identified above, EPA or the State must next determine whether that party is viable. If any such party is determined to be viable, then the petroleum-contaminated site may not be eligible for funding. For more information, see the Information on Sites Eligible for Brownfields Funding under CERCLA § 104(k).

13. **Cleanup Authority and Oversight Structure**

Please note that you will be required to comply with all applicable federal and State laws and ensure that each cleanup project protects human health and the environment.

a. **Describe** how you will ensure adequate oversight of the cleanup at the site(s). **Indicate** whether you plan to enroll in a State or Tribal response program. If you do not plan to enroll in a State or Tribal response program, or an appropriate State or Tribal response program is not available, you will be required to consult with EPA to ensure the cleanup is protective of human health and the environment. Therefore, if you do not plan to enroll in a State or Tribal response program, **provide** a description of the technical expertise you have to conduct, manage, and oversee the cleanup and/or whether you plan to acquire additional technical expertise. See Section 2.B.16. and Section 4.D. for requirements related to obtaining additional technical expertise via a contract or subaward.

b. Cleanup response activities often impact adjacent or neighboring properties. For example, access to neighboring properties may be necessary to conduct the cleanup, perform confirmation sampling, or monitor offsite migration of contamination. If this type of access is needed, **provide** your plan to acquire access to the relevant property(ies).

14. **Community Notification**

The applicant must provide the community with notice of its intent to apply for an EPA Brownfields Cleanup Grant and allow the community an opportunity to comment on the draft application. The community notification ad (or equivalent), public meeting, and other requirements discussed below must be current and related to this specific application. All applicants must meet these requirements. **Failure to demonstrate timely community notification will disqualify the application.** Refer to the FY27 FAQs for examples of acceptable community notification methods and an acceptable community notification ad.

Applicants that are proposing multiple sites may plan to have a single community notification ad (or equivalent) and meeting to address the multiple sites. However, all target communities must receive the notification and be provided an opportunity to comment on the application.

a. Draft Analysis of Brownfield Cleanup Alternatives

The applicant must **allow** the community an opportunity to comment on the draft application, which must include an attached draft Analysis of Brownfield Cleanup Alternatives (ABCA). The draft ABCA(s) must briefly summarize information about:

- the site and contamination issues, cleanup standards, and applicable laws;
- the cleanup alternatives considered (for each alternative considered and the alternative chosen including information on the effectiveness, the ability of the applicant to implement, the resilience to address potential adverse impacts caused by extreme weather events, the cost, and an analysis of the reasonableness); and
- the proposed cleanup.

Applicants requesting funding for multiple sites must **include** a draft ABCA for each site.

The draft ABCA(s) submitted as part of the application is intended as a brief preliminary document. A suggested outline, with information that the ABCA must contain, can be found in the FY27 FAQs.

If the application is selected for funding, recipients will be required to finalize the ABCA(s) and make it available for additional public review and comment as part of their pre-cleanup activities. (See the Brownfield Programmatic Requirements for more information.)

b. Community Notification Ad

The applicant must **publish** a community notification ad in the local newspaper or an equivalent means customarily used to communicate to the target community(ies) (e.g., notifying the target community via website, listserv, social media, radio, or television broadcast, etc.) **no later than 7 calendar days before the public meeting**.[11]

The community notification ad (or equivalent) must clearly state:

- that a copy of the grant application, including the draft ABCA(s), is currently available for public review and comment;
- where the draft application, including the draft ABCA(s), is located (e.g., include a website link or the location where a copy is currently available, such as town hall or the library);
- how to comment on the draft application, including the draft ABCA(s); and
- the date, time, and location of the public meeting(s).

All target communities, including community members with limited English proficiency and community members with disabilities, must receive the notification and be provided an opportunity to comment on the application.

Refer to the FY27 FAQs for examples of acceptable community notification methods and an acceptable community notification ad. **If the community notification ad (or equivalent) does not include all of the bulleted items above, or if the draft application, including the draft ABCA(s), is not made available for public review and comment when the ad is published, the application will fail this threshold eligibility criterion**.

c. Public Meeting

The applicant must **hold** a public meeting no later than **January 14, 2027**, to discuss the draft application, including the draft ABCA(s), and **consider** public comments prior to the final submittal of this application. A regularly scheduled community meeting where multiple topics are discussed is sufficient to meet this requirement, provided there is an opportunity to discuss the draft application, including the draft ABCA(s). The public meeting may be held in person, virtually, and/or by teleconference, must be accessible to persons with limited English proficiency and persons with disabilities, and must be held on or before **January 14, 2027**.

From the meeting, the applicant must **produce**:

[11] The community meeting must be held no later than **January 14, 2027**. The community notification ad must be published no later than **January 7, 2027**. If you hold the community meeting before **January 14, 2027**, the community notification ad must be published at least 7 calendar days before the community meeting.

- the comments or a summary of the public comments received;
- the applicant's response to those comments;
- meeting notes or a summary of the public meeting(s); and
- meeting sign-in sheet/participant list.

In addition to the public meeting, the applicant may choose to host additional outreach sessions via webinars or other media outlets to further engage the community and solicit comments on the application.

d. Submission of Community Notification Documents

The applicant **must attach** the items listed below to the application submitted to EPA:

- a copy of the draft ABCA(s);
- a copy of the **dated** newspaper ad (or equivalent) that demonstrates solicitation for comments on the draft application, including the draft ABCA(s), and that notification to the public occurred at least 7 calendar days before the public meeting. An equivalent method may include, for example, a **dated** image/screenshot of the social media or website post, or a copy of the listserv message used to notify the public with the date it was sent;
- the comments or a summary of the comments received;
- the applicant's response to those public comments;
- meeting notes or summary from the public meeting(s); and
- meeting sign-in sheet/participant list.

If one or more of the above-requested attachments are not submitted with the application, **please explain why** the requested attachment is not included.

This threshold eligibility response and/or attachments must demonstrate how the applicant's personnel were involved in the community notification (i.e., attended a public meeting, responded to comments, etc.), even if another party acts on behalf of the applicant.

If the issue date for the community notification ad (or equivalent) is unclear, EPA may contact the applicant for clarification. If the applicant cannot provide a dated copy of the community notification ad (or equivalent social media post, website post, listserv, etc.), the application will fail this threshold eligibility criterion. EPA will not accept a receipt or order confirmation for purchasing the ad or a signed affidavit as confirmation of the date the ad ran.

15. Waiver of the $500,000 Limit

Applicants that plan to only address one brownfield site in their application may request a waiver of the $500,000 limit and request up to $650,000. EPA will consider requests submitted with the application on a case-by-case basis and intends to approve such requests on an **extremely limited basis**.

Applicants requesting a waiver must **attach** a justification for the waiver request, up to two pages, that includes information which demonstrates the applicant's need for additional funding (above $500,000), readiness to begin and complete the project in the 4-year period of

performance, and secured resources that will facilitate completion of the project/reuse. The request should provide information on:

- an explanation of the need for the waiver;
- the size of the site;
- the extent of contamination at the site;
- whether the site is enrolled in the State or Tribal response program;
- the planned reuse of the site and whether the reuse aligns with a completed master/land use/revitalization plan/related community priorities;
- whether there are firm leveraging commitments in place to complete the remediation activities (source, amount, and whether the commitment is secured);
- whether there are firm leveraging commitments, including commitments from developers, in place to complete the redevelopment/reuse of the site (source, amount, and whether the commitment is secured); and
- other relevant information as needed.

Note, these leveraging commitments are not included in the budget for the application and may include state and other federal resources without regard to whether the costs are eligible and allowable for Brownfields Grant funding.

Successful applicants will be notified at the time of the grant announcement if their waiver of the $500,000 funding limit was approved. If the waiver is not approved, the application may still be selected for funding, up to $500,000.

16. Contractors and Named Subrecipients

Provide information about contractors and named subrecipient eligibility as described below.

Applicants that plan to use contractors and/or subrecipients in their application or the subsequent award should review Section 4.D. to ensure they comply with all applicable competitive procurement and/or subaward requirements.

- **Contractors.**
  State, territory,[12] Tribal, and eligible Tribal entity applicants must **disclose** whether they have already selected/hired a contractor that will be compensated with EPA funds made available under this NOFO and whether they followed the same policies and procedures they use for procurements with non-federal funds.[13] If such policies and procedures do not exist, the applicant must also respond to the requirements below.

  Applicants (other than State, territory, Tribal, and eligible Tribal entity applicants that followed the same policies and procedures they use for procurements with non-federal

[12] As defined in 2 CFR § 200.1, the definition of State for purposes of federal procurement standards applicable to the Brownfields Program "means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, U.S. Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any agency or instrumentality thereof exclusive of local governments."

[13] Consistent with 2 CFR § 200.317, State and Tribal applicants (including eligible Tribal entities) must follow the same policies and procedures they use for procurements with non-federal funds, as well as the requirements in 2 CFR §§200.321, 200.322, 200.323, and 200.327 and 40 CFR Part 33. If such policies and procedures do not exist, then the federal procurement standards at 2 CFR §§ 200.318 through 200.327 apply and must be followed.

funds) must **disclose** whether they have already selected a contractor that will be compensated with EPA funds made available under this NOFO and the procurement procedures that were followed to hire the contractor(s). If a contractor(s) has been selected prior to submitting the application to EPA (including when a contractor(s) has been selected under a "dual procurement process" for both grant proposal writing and grant implementation services), applicants must **describe**:

- information on **where and when** the solicitation document (e.g., Request for Proposals/Request for Qualifications) was posted;
- the length of time the RFP/RFQ was advertised;
- the number of firms solicited and the number of offers received and considered; and
- the name(s) of the firm(s) the applicant entered into contract(s) with.

Provide a copy of (or link to) the solicitation document(s) and the signed executed contract(s).

Alternatively, **state** 'n/a' or 'not applicable' if a contractor has not been procured at the time of application submission.

- **Named Subrecipients.**
  All applicants, **describe** how the named subrecipient is eligible for a subaward (e.g., is a nonprofit organization or unit of government). Alternatively, **state** 'n/a' or 'not applicable' if a subrecipient is not named at the time of application submission.

Failure to provide the requested information will result in rejection of the application. EPA staff may contact the applicant to clarify issues or obtain additional information before making a final eligibility determination.

Please see Section 6 for additional information on threshold eligibility review.

C. Cost Sharing

Cleanup Grant applicants must demonstrate in their application how they will meet the 20% cost share requirement to be considered eligible. Selected recipients must comply with 2 CFR § 200.306 when meeting a cost share requirement.

The cost share is calculated as 20% of the total federal Cleanup Grant funds awarded. For example, if EPA awards you $500,000 of federal Cleanup Grant funds, you must provide a cost share of an additional $100,000. The cost share may be in the form of a contribution of money, labor, material, or services from a non-federal source. If the cost share is in the form of a contribution of labor, material, or other services, it must be incurred for an eligible and allowable expense under the grant and not for ineligible expenses. Eligible and allowable expenses may include administrative costs borne by the recipient or a third-party to meet its cost share obligation; including indirect costs, subject to the 5% limit on administrative costs. Costs incurred before EPA notifies the applicant of selection are generally not allowable to meet the cost share. See the FY27 FAQs for more information on the cost share requirement.

As provided in 2 CFR § 200.1, voluntary committed cost sharing is when an applicant voluntarily proposes to legally commit to provide costs or contributions to support the project when a cost share is not required. **Voluntary cost share above the required 20% cost share will not be accepted under this competition**.

Government entities with populations of 50,000 and less, Tribes, eligible Tribal entities, and nonprofit organizations may petition EPA to waive the cost share requirement if meeting a cost share will place an undue hardship. EPA will consider hardship waiver requests submitted with the application on a case-by-case basis and intends to approve such requests on an **extremely limited basis**. EPA will only consider hardship waiver requests at the time of application. Applicants **must** include the cost share in the budget even if applying for a cost share waiver. If the applicant is successful and the cost share waiver is approved, it will be removed in pre-award negotiation.

Insular Territory applicants: The cost share requirement is waived for any Cleanup Grant projects located in U.S. Territories. This is consistent with the Omnibus Territories Act of 1977, which authorizes Departments and Agencies to award grants to Insular Territories, such as the U.S. Virgin Islands, without a cost share requirement. Requests for waivers from the cost share requirement are not required for projects located within U.S. Territories.

a. **Describe** how you will meet the required cost share, including the sources of the funding or services, as required for this Cleanup Grant.

b. Applicants requesting a hardship waiver of the entire cost share, or a portion of the cost share, must **attach** a justification for the waiver request, up to two pages, titled "Hardship Waiver Request." The justification should include whether the proposed project(s) could still proceed if the cost share waiver was not approved and relevant data such as:

   - unemployment rate;
   - per capita income;
   - data demonstrating substantial out-migration or population loss;
   - data demonstrating underemployment, that is, employment of workers at less than full-time or at less skilled tasks than their training or abilities permit;
   - local natural or other major disasters or emergencies;
   - information regarding extraordinary depletion of natural resources;
   - closure or restructuring of industrial firms and negative effects of changing trade patterns;
   - whether you are located in a President-declared disaster area (declared within 18 months of the submission date for your application); and/or
   - whether you have exhausted effective taxing (for governmental entities only) and borrowing capacity.

Where available, applicants must supply data derived from the most recent American Community Survey ("ACS") published by the U.S. Census Bureau. In cases where such data are not available, applicants may provide data from other sources (including data available from the Census Bureau and the Bureaus of Economic Analysis, Labor Statistics, Indian Affairs, or other federal sources). In cases where no federal data is available, applicants may submit the most recent data available through their State, Tribal, or local government. Cite all sources for data provided.

Successful applicants will be notified at the time of the grant announcement if their cost share waiver request was approved. Approval of a cost share waiver does not increase the amount of funding that will be provided by EPA in the grant award. Rather, approval of the cost share waiver will relieve the selected applicant of the responsibility for providing the cost share amount for the grant award.

3. Program Description

A. Purpose, Priorities, and Activities

1. Purpose

EPA's Brownfields and Land Revitalization Program provides funds to empower States, Tribal Nations, communities, and nonprofit organizations to prevent, inventory, assess, clean up, and reuse brownfield sites.

A **brownfield site is defined** in CERCLA § 101(39) as real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, contaminant, controlled substance, petroleum, or petroleum product, or is mine-scarred land.[14]

A critical part of EPA's Brownfields and Land Revitalization Program is to ensure that residents living in communities historically affected by economic disinvestment, health disparities, and environmental contamination have an opportunity to benefit from brownfields redevelopment. EPA's Brownfields and Land Revitalization Program is committed to helping communities revitalize brownfield properties, mitigate potential health risks, and restore economic vitality.

As described in Section 6 of this announcement, applications will be evaluated based on the extent to which the applicant demonstrates: a vision for the cleanup, reuse, and redevelopment of brownfield sites and a strategy for leveraging resources to help accomplish the vision; the environmental, social, health, and economic needs and benefits of the target area(s); strong community engagement; reasonable costs, eligible tasks, and appropriate use of grant funding; the capacity for managing and successfully implementing the cooperative agreement; and other factors.

For examples of grant project accomplishments across the country, please see the EPA Brownfield Grant Recipients Success Stories.

2. Eligible Uses of Grant Funds

Cleanup Grants provide funding to carry out cleanup activities at brownfield sites owned by the applicant. Applicants may request up to $500,000 for a Single Site Cleanup to remediate one brownfield site, or a Multiple Site Cleanup to allocate up to $500,000 among multiple sites.

Participant Support Costs

Participant support costs, as defined in 2 CFR § 200.1, are allowable under Cleanup Grants. Examples of potentially allowable participant support costs include stipends for attendees at community meetings, attendee travel to community meetings, or childcare expenses to encourage attendance at

[14] The *Understanding Brownfields Fact Sheet Series* is available at www.epa.gov/brownfields/understanding-brownfields.

community meetings. Please refer to the FY27 FAQs for additional details on the use of participant support costs.

In their project descriptions, applicants should describe the process they will follow for determining the amounts of allowable stipends, procedures for accounting for participant support cost payments (including receipts), and procedures for documenting that the costs are allowable and do not duplicate other support for the individual(s). Additional information on participant support costs is available in EPA's Guidance on Participant Support Costs.

In addition to direct costs associated with the cleanup of a brownfield site, Cleanup Grant funds may be used for:

i. Direct costs associated with programmatic management of the grant, such as required performance reporting, cleanup oversight, and environmental monitoring of cleanup work.

   All costs charged to Cleanup Grants must be consistent with the requirements at 2 CFR Part 200, Subpart E.

ii. A local government (as defined in 2 CFR § 200.1, *Local Government*, and summarized in Section 2.A. of these guidelines and the Health Monitoring Fact Sheet) may use up to 10% of its grant funds for the following activities:
   a. health monitoring of populations exposed to hazardous substances from a brownfield site; and
   b. monitoring and enforcement of any institutional control used to prevent human exposure to any hazardous substance from a brownfield site.

iii. A portion of the Brownfields Grant may be used to purchase environmental insurance. (See the FY27 FAQs for additional information on purchasing environmental insurance.)

3. Ineligible Uses of Grant Funds
Grant funds cannot be used for the payment of:

i. Direct costs for proposal preparation;

ii. a penalty or fine;

iii. a federal cost share requirement consistent with 2 CFR § 200.306(b)(5) (i.e., a cost share required by other federal funds unless there is authority in another Federal statute to use Federal funds for cost share);

iv. administrative costs, including all indirect costs and direct costs for grant administration, in excess of five (5) percent of the total award amount (EPA funds plus the recipient's cost share), with the exception of financial and performance reporting costs (which are considered allowable programmatic costs and not subject to the 5% limitation);

v. a response cost at a brownfield site for which the recipient of the grant or a subaward is potentially liable under CERCLA § 107;

vi. a cost of compliance with any federal law, excluding the cost of compliance with laws applicable to the cleanup; or

vii. unallowable costs (e.g., lobbying) under 2 CFR Part 200, Subpart E.

See the FY27 FAQs for additional information on ineligible grant activities and unallowable costs.

4. Measuring Environmental Results: Anticipated Outputs/Outcomes

EPA requires that applicants adequately describe environmental outputs (performance measures) and outcomes to be achieved under assistance agreements.[15] Applicants must include specific statements describing the environmental results of the proposed project in terms of well-defined outputs and, to the maximum extent practicable, well-defined outcomes that will demonstrate how the project will contribute to EPA's goals and objectives described below in Section 3.B.

Applicants are required to describe how funding will help EPA achieve environmental outputs and outcomes in their Narrative Criteria Responses in Section 6.B. Outputs and outcomes specific to each project will be identified as deliverables in the negotiated workplan if the application is selected for award. Recipients will be expected to report progress toward the attainment of expected project outputs and outcomes during the project performance period. Outputs and outcomes are defined as follows:

i. Outputs

The term "outputs" refers to an environmental activity, effort, and/or associated work product(s) related to an environmental goal or objective that will be produced or provided over a period of time or by a specified date. Outputs may be quantitative or qualitative but must be measurable during the project period. The expected outputs for the grants awarded under these guidelines are cleaned up brownfield sites. Other outputs may include the number of community meetings held, the number of Analysis of Brownfield Cleanup Alternatives (ABCA) completed, the number of community involvement and cleanup plans completed, and/or the number of underground storage tanks pulled.

ii. Outcomes

The term "outcomes" refers to the result, effect, or consequence that will occur from carrying out the activities under the grant. Outcomes may be environmental, behavioral, health-related, or programmatic; must be qualitative or quantitative, and may not necessarily be achievable during the project period. Expected outcomes of Brownfield Grants include the number of jobs created and funding leveraged through the economic reuse of sites; the number of acres made ready for reuse; acres of greenspace created for communities; and the minimized exposure to hazardous substances and petroleum contamination.

EPA will evaluate whether recipients have made sufficient progress in implementing the environmental outputs outlined in the cooperative agreement 18 months from the date of award. Additional details on sufficient progress and Brownfield Programmatic Requirements are in Section 8.D.

[15] *EPA Order 5700.7, EPA's Policy for Environmental Results under EPA Assistance Agreements* is available at www.epa.gov/grants/epa-order-57007a1-epas-policy-environmental-results-under-epa-assistance-agreements.

5. Leveraging

Leveraging is generally when an applicant commits to contributing additional funds or resources, either from its own assets or from third-party sources, such as private organizations or other federal grants, to support or complement the project they are seeking to fund. This contribution goes above and beyond the financial support provided by the EPA grant funds awarded and is intended to amplify the project's impact. Leveraging demonstrates the applicant's ability to secure and utilize supplementary resources to achieve greater outcomes.

Leveraged resources are not the same as voluntary committed cost sharing under 2 CFR § 200.1. Leveraged resources are funds, services, or in-kind support that complement the project but are not a binding cost share commitment and are not part of the EPA assistance agreement budget. They may occur during the period of performance or after the grant ends. Applicants that wish to include leveraged resources should describe them and their sources in the Narrative Criteria Responses. Applicants must not include leveraged resources in the project budget - they are not part of the budget, and the costs do not have to be eligible or allowable. By contrast, voluntary committed cost sharing, which is prohibited under this funding opportunity, is a binding commitment that becomes part of the award budget and must meet all eligibility and allowability requirements. Under this solicitation, applicants must not propose a voluntary cost share above the required 20% cost share.

- **Leveraging that will materialize during the grant:** Leveraging that typically materializes during a Brownfields Grant period of performance includes an applicant's leveraged resources that are needed to support or complement the grant.[16] Examples include additional public or private funds or in-kind resources for assessment, remediation, and/or subsequent reuse of the site. If applicants propose to provide leveraged funds/resources, EPA expects them to make the effort to secure the leveraged resources described in their Narrative Criteria Responses. If the proposed leveraging does not materialize during grant performance, then EPA may reconsider the legitimacy of the award and/or take other appropriate action as authorized by CERCLA § 104(k)(8)(C) and 2 CFR § 200.339 and 2 CFR Part 1500. The grant workplan must include a statement indicating that the applicant is expected to produce the proposed leveraging consistent with the terms of the announcement and the applicant's Narrative Criteria Responses.

- **Leveraging that will materialize after the Brownfields Grant has ended:** Examples of leveraging that typically materialize after the Brownfields Grant has ended include resources for remediation, infrastructure updates, and reuse.[17]

B. Program Goals and Objectives

The activities to be funded under this funding announcement support Goal 1 of EPA's Strategic Plan and are aligned with all current executive orders, including Executive Order 14154 Unleashing American Energy and Executive Order 14332 Improving Oversight of Federal Grantmaking. The objectives of this funding opportunity are to advance EPA's mission to protect human health and the environment by supporting efforts to ensure access to clean air, land, and water; reduce toxic emissions; clean up hazardous sites; promote conservation; and improve emergency response capabilities to help

[16] If an applicant proposes to contribute leveraged resources to support or complement the grant, EPA will evaluate responses to the *3.b. Project Implementation* criterion.

[17] EPA will evaluate an applicant's responses to criteria *1.f. Resources Needed for Site Remediation*, *1.g.Resources Needed for Site Reuse*, and *1.h. Use of Existing Infrastructure*.

communities recover quickly and safely. EPA expects funded activities to ensure the efficient and effective use of Federal resources in support of these mission-driven objectives.

The goal of the Brownfields and Land Revitalization Program is to provide grants to communities, States, Tribes, and others to assess and clean up contaminated properties with the aim of facilitating their sustainable reuse.

C. Statutory Authority

CERCLA was amended by the Small Business Liability Relief and Brownfields Revitalization Act in 2002 to include Section 104(k), which provides federal financial assistance authorities for brownfields revitalization, including grants for assessment, cleanup, and revolving loan funds. The Brownfields Utilization, Investment, and Local Development (BUILD) Act (Public Law 115-141) enacted in 2018 reauthorized EPA's Brownfields and Land Revitalization Program and made additional amendments to CERCLA that affect EPA's brownfield grant authorities, and ownership and liability provisions. (Note: References to CERCLA in this funding opportunity refer to CERCLA as amended by the 2002 Small Business Liability Relief and Brownfields Revitalization Act and the 2018 BUILD Act.)

The statutory authority for assistance agreements expected to be awarded by EPA under this announcement is CERCLA § 104(k)(3).

D. Funding Type

It is anticipated that cooperative agreements will be funded under this funding opportunity.

Cooperative agreements provide for substantial involvement between the EPA Project Officer and the selected applicant(s) in the performance of the work supported. Although EPA will negotiate precise terms and conditions relating to substantial involvement as part of the award process, the anticipated substantial federal involvement for these projects may include, but is not limited to:

- Close monitoring of the successful applicant's performance to verify the results proposed by the applicant.
- Collaboration during performance of the scope of work, including participation in project activities, to the extent permissible under EPA policies. Examples of collaboration include:
    - Consultation between EPA staff and the recipients on effective methods of carrying out the scope of work provided the recipient makes the final decision on how to perform authorized activities.
    - Advice from EPA staff on how to access publicly available information on EPA or other federal agency websites.
    - With the consent of the recipient, EPA staff may provide technical advice to recipient contractors or subrecipients provided the recipient approves any expenditures of funds necessary to follow advice from EPA staff. (The recipient remains accountable for performing contract and subaward management as specified in 2 CFR §§ 200.317, 200.318, and 200.332, as well as the terms of the EPA cooperative agreement.)
    - EPA staff participation in meetings, webinars, and similar events upon the request of the recipient or in connection with a co-sponsorship agreement.
- Reviewing and approving Quality Assurance Project Plans and related documents or verifying that appropriate Quality Assurance requirements have been met where quality assurance

activities are being conducted pursuant to an EPA-approved Quality Assurance Management Plan.

- In accordance with 2 CFR § 200.325, review of proposed procurements, as well as the substantive terms of proposed contracts or subawards as appropriate. This may include reviewing requests for proposals, invitations for bids, scopes of work, and/or plans and specifications for contracts over the simplified acquisition threshold prior to advertising for bids.
- Approving qualifications of key personnel (EPA does not have the authority to and will not select employees or contractors employed by the award recipient).
- Review and comment on reports prepared under the cooperative agreement (the final decision on the content of reports rests with the recipient).
- Reviewing and approving that the Analysis of Brownfield Cleanup Alternatives (ABCA), or equivalent State Brownfields program document, meets the Brownfields and Land Revitalization Program's requirements for an ABCA.
- Participation in periodic telephone conference calls to share ideas, project successes and challenges, etc., with EPA.

4. Application Contents and Format

All application materials must be in English. The Application Information Sheet and the Narrative Criteria Responses must be typed, single-spaced, on letter-sized (8.5 x 11-inch) paper, and should **use standard Times New Roman, Arial, or Calibri fonts with a 12-point font size**. The Application Submission Checklist below outlines the documents that must be submitted to complete the application package. Extraneous materials, including photos, graphics, and attachments not listed, will not be considered.

A. Application Forms (Submission Checklist)

The following forms and documents are required under this announcement:

Mandatory Documents:[18]

1. Application for Federal Assistance (SF-424)
2. Budget Information for Non-Construction Programs (SF-424A)
3. EPA Key Contacts Form 5700-54
4. EPA Form 4700-4 Preaward Compliance Review Report [Guidance on how to complete this form is available at www.epa.gov/grants/tips-completing-epa-form-4700-4.]
5. Project Narrative Attachment Form: use this to submit the following as one file, if possible
   - **Application Information Sheet** (3-page limit, single-spaced)
   - **Application Information Sheet Attachment**: Letter from the State or Tribal environmental authority (see Section 4.B.10.)
   - **Narrative Criteria Responses** as described in Section 6.B. (10-page limit, single-spaced)
   - **Narrative Attachment**: Documentation indicating committed leveraged resources, if applicable (see Section 6.B.1.f. and Section 6.B.1.g.)
   - **Threshold Eligibility Criteria Responses and Documentation** as described in Section 2.B.:
     - A statement of applicant eligibility if a village, town, city, county, State, or Tribe (see Section 2.B.1.)

[18] FY27 sample federal forms are available on the MARC Grant Application Resources webpage under open solicitations.

- Documentation of applicant eligibility if other than a village, town, city, county, State, or Tribe; e.g., resolutions, statutes, Intertribal Consortium documentation, or documentation of 501(c)(3) tax-exempt status or qualified community development entity (see Section 2.B.1.)
- A statement of the applicant's 501(c)(4) tax-exempt status and, if applicable, legal opinion regarding lobbying activities (see Section 2.B.1.)
- Information on previously awarded Cleanup Grants (see Section 2.B.2.)
- Documentation of the available balance on an open Multipurpose Grant; or an affirmative statement that the applicant does not have an open Multipurpose Grant (see Section 2.B.3.)
- Site ownership information and documentation to demonstrate site ownership, as applicable (see Section 2.B.4.)
- Basic site information (see Section 2.B.5.)
- Status of history of contamination at the site (see Section 2.B.6.)
- An affirmative statement that the site meets the definition of a brownfield site (see Section 2.B.7.)
- Description of the environmental assessment conducted at the site (see Section 2.B.8.)
- An affirmative statement that an Environmental Professional has certified a sufficient level of site characterization or will do so before an award is made (See Section 2.B.9.)
- Information on enforcement or other actions or an affirmation that there are no enforcement or other actions (see Section 2.B.10.)
- Property-specific determination information or an affirmative statement that a Property-specific determination is not required (see Section 2.B.11.)
- Property ownership eligibility information for hazardous substances sites, if applicable (see Section 2.B.12.a.)
- Property ownership eligibility information for petroleum sites, if applicable (see Section 2.B.12.b.)
- Description of cleanup authority and oversight structure (see Section 2.B.13.)
- Community Notification documents (see Section 2.B.14.)
- Waiver request of the $500,000 limit, if applicable (see Section 2.B.15.)
- Discussion on contractors and named subrecipients; or an affirmative statement that a contractor has not been procured and/or a subrecipient has not been named (see Section 2.B.16.)
- A copy of (or link to) the solicitation documents and the signed executed contract, as applicable (see Section 2.B.16.)

- **Required Cost Share**
  - Discussion on how the cost share will be met; and a cost share waiver request, if applicable (see Section 2.C.)

Optional Documents:

6. Grants.gov Lobbying Form – To be submitted by applicants requesting **more than** $100,000 of EPA grant funding.
7. Other Attachments Form – Negotiated/Proposed Indirect Cost Rate Agreement – To be submitted using the Other Attachments Form by applicants proposing to charge indirect costs to the EPA grant. Please note that applicants may budget for indirect costs pending approval of their Indirect Cost Rate Agreement by the cognizant Federal agency or an exception granted by EPA under section 6.3 or 6.4 of EPA's Indirect Cost Policy for Recipients of EPA Assistance

Agreements. However, recipients may not draw down indirect costs until their rate is approved or EPA approves an exception.

Recommended Resources:
Applicants are encouraged to refer to EPA's:

1. Pre-recorded video on the grant submission process, Application Information Sheet, and threshold eligibility requirements for FY27 Cleanup Grants.
2. National Outreach Webinar on the FY27 Narrative Criteria Responses for Cleanup Grants.
3. Applicant Resources listed under General Program Resources and Open Solicitations
4. Technical Assistance to Brownfields Communities (TAB) Provider assistance with preparing a grant application.

B. Application Information Sheet

The Application Information Sheet should address the information below and shall not exceed three single-spaced pages. Do not include a summary or overview of your Narrative Criteria Responses/project. Any pages submitted over the page limit or information beyond what is requested below will not be considered and may be redacted. EPA does not consider information in the Application Information Sheet to be Narrative Criteria Responses. Provide the Application Information Sheet on the applicant's official letterhead. You will not be penalized if you provide this information to EPA in a different format.

1. Applicant Identification: Provide the name and full address of the entity applying for funds. This is the agency or organization that will receive the grant and be accountable to EPA for the proper expenditure of funds.

2. Website URL: Provide the website URL of your organization. If selected for funding, EPA will include the link to your website on the Brownfields Grant Factsheet Tool.

3. Funding Requested:
   a. Grant Type: Indicate "Single Site Cleanup" or "Multiple Site Cleanup."

   b. Federal Funds Requested:
      i. $_____ (Include the amount being requested from EPA. Do not include the amount the applicant will contribute toward the cost share.)
      ii. Indicate if you are requesting a waiver of the 20% cost share requirement.
      iii. Indicate if you are requesting a waiver of the $500,000 limit.

4. Location: Provide the a) city, b) county, and c) State or reservation, Tribally owned lands, Tribal fee lands, etc., of the brownfields property(ies).

5. Property Information:
   Provide the property name and complete site address, including zip code. (If you are requesting funding for multiple sites, include the property information for each site.)

   (Optional) As a separate one-page attachment, you may include a map to visually depict the proposed site(s). Do not include any additional information or data on the map. Maps will not be

evaluated and will not count against the 3-page limit. Applicants that do not include a map will not be penalized.

6. Contacts:
   a. Project Director: Provide the name, phone number, email address, and mailing address of the Project Director assigned to this proposed project. This person should be the main point of contact for the project and should be the person responsible for the project's day-to-day operations. The Project Director may be contacted if other information is needed.
   b. Chief Executive/Highest-Ranking Elected Official: Provide the name, phone number, email address, and mailing address of the applicant's Chief Executive or highest-ranking elected official. For example, if your organization is a municipal form of government, provide this information for the Mayor or County Commissioner. Otherwise, provide this information for your organization's Executive Director or President. These individuals may be contacted if other information is needed.

7. Population:
   - If you are a city/town/village, provide the population of your jurisdiction.
   - If you are a county/parish/borough, State, or regional organization that covers a geographic area with more than one city/town, provide the population of the city(ies)/town(s) in which each proposed site is located.
   - If you are a nonprofit organization (either exempt from taxation under section 501(c)(3) or otherwise fall within the definition of nonprofit at 2 CFR § 200.1) or a qualified community development entity, provide the population of the city(ies)/town(s) in which each proposed site is located.
   - If you are a Tribe, provide the number of Tribal/non-tribal members affected.

   Population data can be found at www.census.gov.

8. Other Factors: Applicants claiming one or more of the other factors below must provide a summary in the Narrative Criteria Responses on the applicable other factor(s). Please identify which of the below items apply to your community/proposed project by noting the corresponding Narrative Criteria Responses page number. **If none of the Other Factors apply to your community/proposed project, please provide a statement to that effect**. EPA may verify this information prior to selection.

Sample Format for Providing Information on the Other Factors	Page #
Community population is 15,000 or less.	
The applicant is, or will assist, a federally recognized Indian Tribe or United States Territory.	
The proposed site(s) is impacted by mine-scarred land.	
Secured firm leveraging commitment ties directly to the project and will facilitate completion of the remediation/reuse; secured resource is identified in the Narrative Criteria Responses and substantiated in the attached documentation.	
The proposed site(s) is adjacent to a body of water (i.e., the border of the proposed site(s) is contiguous or partially contiguous to the body of water, or would be contiguous or partially contiguous with a body of water but for a street, road, or other public thoroughfare separating them).	
The proposed site(s) is in a federally designated flood plain.	
The reuse of the proposed site(s) will facilitate renewable energy from wind, solar, or geothermal energy.	
The reuse of the proposed site(s) will incorporate energy efficiency measures.	
The proposed project will improve local resilience to the impacts of extreme weather events and natural disasters.	
The target area(s) is impacted by a coal-fired power plant that has recently closed (2016 or later) or is closing.	

9. Releasing Copies of Applications:
To support transparency, EPA may make copies of applications submitted under this NOFO publicly available on the Office of Brownfields and Land Revitalization website or another public website for approximately 3 months after selected applications are announced. EPA recommends that you do not include confidential business information (CBI) or trade secrets in your application. Additionally, do not include information that would invade someone's personal privacy (e.g., an individual's salary, personal email address, etc.).

If the application does not include CBI, state 'n/a' or 'not applicable.'

Applicants that include CBI in their application must make CBI claims at the time of application submission as follows:

- **Clearly mark the specific sections/pages you claim as CBI (e.g., with a cover sheet, a stamped or typed legend, or another appropriate notice) to help EPA identify and handle them.**
- **Use terms such as "trade secret," "proprietary," or "confidential" as per 40 CFR § 2.203(b).**
- **If confidentiality is needed only until a specific date or event, state that date or event.**

Information covered by a CBI claim will be treated in accordance with, and disclosed only to the extent, and by means of the procedures, set forth in 40 CFR Part 2, Subpart B. If information is not marked as CBI when EPA receives it, EPA may make it public without further notice. See 40 CFR § 2.203(a)(2), 41 Fed. Reg. 36,907.

10. Letter from the State or Tribal Environmental Authority (not included in the three-page limit):
For an applicant other than a State or Tribal environmental authority, attach a current letter from the appropriate State or Tribal environmental authority (or equivalent State or Tribal regulatory oversight authority) acknowledging that the applicant plans to conduct cleanup activities at one or

more sites and is planning to apply for FY27 EPA Brownfields Grant funds. Letters regarding applications from prior years will not be accepted.

If you are applying for more than one type of grant, one acknowledgment letter from your State or Tribal environmental authority is sufficient, but you must attach a copy of that letter to each application. Please note that general correspondence and documents evidencing State involvement with the project (i.e., State enforcement orders or State notice letters) will not be accepted. Coordinate early with your State or Tribal environmental authority in order to allow adequate time for you to obtain the acknowledgment letter and include it in your application.

C. Narrative Criteria Outline

Section 6.B. provides detailed instructions for what to include in the Narrative Criteria Responses. These responses should address the Review Criteria that are also listed in Section 6.B. You may use the outline below to organize your responses. The Narrative Criteria Responses, including citations, must not exceed 10 single-spaced pages.

This section also includes sample format tables that applicants may use to present all or a portion of their response. Applicants that do not use the sample format tables will not be penalized.

1. PROJECT AREA DESCRIPTION AND PLANS FOR REVITALIZATION

Target Area and Brownfields

a. Overview of Brownfield Challenges and Description of Target Area
b. Description of the Proposed Brownfield Site(s)

Revitalization of the Target Area

c. Reuse Strategy and Alignment with Revitalization Plans
d. Outcomes and Benefits of Reuse Strategy

Strategy for Leveraging Resources

To conserve space, you may present information for 1.e. – 1.g. in the same response and/or use the suggested table format below.

e. Resources Needed for Site Characterization
f. Resources Needed for Site Remediation
g. Resources Needed for Site Reuse

Sample Format for Resources Needed for Site Characterization, Remediation, and Reuse

Name of Resource	Is the Resource for (1.e) Assessment, (1.f.) Remediation, or (1.g.) Reuse Activities?	Is the Resource Secured or Unsecured?	Additional Details or Information About the Resource
Add rows as needed			

h. Use of Existing Infrastructure

2. COMMUNITY NEED AND COMMUNITY ENGAGEMENT

Community Need

a. The Community's Need for Funding
b. Health or Welfare of Sensitive Populations
c. Greater Than Normal Incidence of Disease and Adverse Health Conditions
d. Disaster Preparedness

Community Engagement

To conserve space, you may present information for 2.e. – 2.f. in the same response and/or use the suggested table format below.

e. Project Involvement
f. Project Roles

Sample Format for List of Organizations/Entities/Groups & Roles

Name of organization/entity/group	Entity's mission	Point of contact (name & email)	Specific decision-making role or contribution to the project
Add rows as needed			

g. Incorporating Community Input

3. TASK DESCRIPTIONS, COST ESTIMATES, AND MEASURING PROGRESS

a. Proposed Cleanup Plan

Description of Tasks/Activities and Outputs

To conserve space, you may present information for 3.b. – 3.e. in the same response and/or use the suggested table format below.

b. Project Implementation
c. Anticipated Project Schedule
d. Task/Activity Lead
e. Outputs

Sample Format for Tasks/Activities and Outputs

Task/Activity:
b. Project Implementation ▪ EPA-funded tasks/activities: ▪ Non-EPA grant resources needed to carry out tasks/activities, if applicable:
c. Anticipated Project Schedule:
d. Task/Activity Lead:
e. Outputs:

Cost Estimates and Plan to Measure and Evaluate

f. Cost Estimates

You may use the sample table format below to present how you plan to allocate grant funds for tasks/activities described in Section 6.B.3. by budget category. Replace the task number heading in the sample table with the actual title of the task.

Sample Format for Budget (do not change Budget Categories)

Budget Categories		Project Tasks ($)				
		(Task 1)	(Task 2)	(Task 3)	Administrative Costs	**Total**
Direct Costs	Personnel					
	Fringe Benefits					
	Travel[1]					
	Equipment[2]					
	Supplies					
	Contractual					
	Construction[3]					
	Other (include subawards, conference registration fees, and specific participant support costs such as stipends) (specify type) _____					
Total Direct Costs[4]						
Indirect Costs[4]						
Total Federal Funding (not to exceed $500,000; or $650,000 if requesting waiver of the $500,000)						
Cost share (20% of requested federal funds)[5]						
Total Budget (Total Direct Costs + Indirect Costs + Cost Share)						

[1] Travel to brownfields-related training conferences is an acceptable use of these grant funds.
[2] EPA defines equipment as items that cost $10,000 or more with a useful life of more than one year unless the applicant has a lower threshold for equipment costs. Items costing less than $10,000 (e.g., laptop computers) are considered supplies. Generally, equipment is not required for Brownfield Grants.
[3] Costs must be placed on the Construction budget line when at least 50% of the estimated amount of the contract(s) will be for the remediation of contamination at the brownfield site. See the FY27 FAQs for more information.
[4] Administrative costs (direct and/or indirect) for the Cleanup Grant applicant itself cannot exceed 5% of the total award amount (EPA funds plus the applicant's cost share). All indirect costs are considered administrative and are therefore subject to the 5% administrative limit.
[5] Applicants must include the cost share in the budget even if applying for a cost share waiver (see Section 2.C. for a list of applicants that may request a cost share waiver). If the applicant is successful and the cost share waiver is approved, it will be removed in pre-award negotiation.

Only include costs to be covered by EPA grant funds and the required cost share in this table. Leveraged resources should not be included in the budget table.

If you are seeking funding to remediate multiple sites, provide either a separate budget table for each site or separate line items within one budget table, which distinguishes each site.

g. Plan to Measure and Evaluate Environmental Progress and Results

4. PROGRAMMATIC CAPABILITY AND PAST PERFORMANCE

Programmatic Capability

To conserve space, you may present information for 4.a. – 4.b. in the same response.

a. Organizational Structure
b. Description of Key Staff
c. Acquiring Additional Resources

Past Performance and Accomplishments

d. Currently Has or Previously Received an EPA Brownfields Grant That Closed in 2016 or Later
   (1) Accomplishments
   (2) Compliance with Grant Requirements

– OR –

e. Has Not Received an EPA Brownfields Grant but has Received Other Federal or Non-Federal Financial Assistance Agreements That Closed in 2016 or Later
   (1) Purpose and Accomplishments
   (2) Compliance with Grant Requirements

– OR –

f. No or Limited Financial Assistance Agreements

D. Applicants Using Contractors and/or Subrecipients

Contractors

EPA does not require or encourage applicants to procure contractors (including consultants) before the EPA cooperative agreement is awarded, but applicants may choose to do so.

Applicants, other than State (which includes territories)[19] or Tribal applicants,[20] that have procured a contractor(s) where the amount of the contract will be more than the micro-purchase threshold in 2 CFR § 200.320(a)(1) must demonstrate how the contractor (including consultants) was selected in compliance with the fair and open competition requirements in 2 CFR Part 200 and 2 CFR Part 1500. EPA

[19] As defined in 2 CFR § 200.1, the definition of State for purposes of federal procurement standards applicable to the Brownfields Program "means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, U.S. Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any agency or instrumentality thereof exclusive of local governments."

[20] Consistent with 2 CFR § 200.317, State and Tribal applicants (including eligible Tribal entities) must follow the same policies and procedures they use for procurements with non-federal funds, as well as the requirements in 2 CFR §§200.321, 200.322, 200.323, and 200.327 and 40 CFR Part 33. If such policies and procedures do not exist, then the federal procurement standards at 2 CFR §§ 200.318 through 200.327 apply and must be followed.

provides guidance on complying with the competition requirements in the Best Practice Guide for Procuring Services, Supplies, and Equipment Under EPA Assistance Agreements and the Brownfields Grants: Guidance on Competitively Procuring a Contractor. For example:

- EPA will not accept sole source justifications for procurement contracts for services such as environmental consulting, engineering, and remediation that are available in the commercial marketplace.

- Firms or individual consultants that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements as provided in 2 CFR § 200.319(b).

- Consistent with 2 CFR § 200.320(b)(2)(iii), when the value of a procurement transaction exceeds the simplified acquisition threshold, price generally must be an evaluation factor in the review of proposals or quotes. As provided in 2 CFR § 200.320(b)(2)(iv), "[q]ualifications-based procurement," where price is not a factor, may be used when acquiring services that can only be provided by a licensed Architectural and Engineering (A/E) firm; such as when State or local law requires that an A/E firm develop specifications for construction work that is part of a remediation project. When the remediation activities do not require the services of an A/E firm, price must be evaluated for those activities.

  Note, unless the exception discussed above applies, regardless of whether the solicitation is issued as a Request for Proposals or a Request for Qualifications, price reasonableness for the grant implementation work must be a selection factor in the evaluation of proposals or quotes. See the Brownfields Grants: Guidance on Competitively Procuring a Contractor for additional guidance.

Successful applicants that procure a contractor(s) after being advised by EPA of selection, but prior to award, must describe how they complied with the procurement procedures described above when submitting the final workplan for the award.

Recipients of EPA funding that select a contractor(s) after award must fully comply with the procurement standards at 2 CFR Part 200, 2 CFR Part 1500, and 40 CFR Part 33.

If EPA determines that the process an applicant completed to select a contractor was not compliant with the federal regulations in 2 CFR Part 200, 2 CFR Part 1500, and 40 CFR Part 33, and the application is selected for funding, the applicant may need to prepare and issue a new RFP/RFQ that is compliant with federal procurement regulations. Additionally, EPA may review the new RFP/RFQ and selection process to ensure compliance with fair and open competition requirements. Please see the FY27 FAQs for additional guidance.

Subrecipients

EPA does not require or encourage applicants to name a specific subrecipient(s) in the application for Brownfields Grant funding. However, if an applicant chooses to identify a specific subrecipient(s) to conduct work proposed in this application, the applicant must comply with the following requirements even if the entity is referred to as a "partner" in the application.

Successful applicants that do not name a specific subrecipient(s) in their application but identify a subrecipient(s) after being advised of selection, must also comply with the requirements described below.

All applicants, including States, territories, and Tribes, that name a specific subrecipient in this application must demonstrate that the subrecipient is eligible for a subaward in compliance with Appendix A of EPA's Subaward Policy for EPA Assistance Agreement Recipients. This policy provides, among other things, that transactions between recipients and for-profit firms and individual consultants are procurement contracts rather than subawards when the transaction involves the acquisition of services from the firm or individual. For additional guidance, applicants should review EPA's Subaward Policy Frequent Questions.

Refer to EPA's NOFO Clause Section IV.E. "Coalitions, Contracts, and Subawards" for additional guidance on these requirements which must be met for all contractors (except for micro-purchases as described above) and/or subrecipients specifically named in the application.

5. Submission Requirements and Deadlines

A. Submission Dates and Times

January 21, 2027 11:59 pm ET Application Submission Deadline

Grants.gov creates a date and time record when it receives the application. If you submit the same application more than once, we will accept the last on-time submission.

B. Unique Entity Identifier (UEI) and System for Award Management (SAM.gov)

SAM.gov

You must have an active account with SAM.gov. SAM.gov will provide a UEI for your organization, which is required to apply for grants using Grants.gov. To register, go to SAM.gov Entity Registration and click Get Started. From the same page, you can also click on the Entity Registration Checklist for the information you will need to register. Make sure you are current with SAM.gov and UEI requirements before applying for the award.

SAM.gov registration can take several weeks. Begin that process today.

Grants.gov

You must also have an active account with Grants.gov. You can see step-by-step instructions at the Grants.gov Quick Start Guide for Applicants.

Please visit How to Register to Apply for Grants for additional information.

C. Submission Instructions

You must submit your application through Grants.gov. See Section 5.B. above for information on getting registered. The registration process for all the above items **may take a month or more to complete.**

Important tips:

- To begin the application process under this grant announcement, go to Grants.gov and click the red "Apply" button at the top of the view grant opportunity page associated with this opportunity.
- See the Quick Start Guide for Applicants for instructions on how to submit.
- Make sure your application passes the Grants.gov validation checks.
- Do not encrypt, zip, or password protect any files.
- Your application must be submitted by an official representative of your organization who is registered with Grants.gov and is authorized to sign applications for Federal financial assistance.
- If you receive an error or the button is grayed out, it may be because you do not have the appropriate role to submit in your organization. Contact your organization's EBiz point of contact or contact Grants.gov for assistance at 1-800-518-4726 or support@grants.gov.
- See Grants.gov Errors for information on other Grants.gov errors.
- The UEI listed on the application must be registered to the applicant organization's SAM.gov account. If not, the application may be deemed ineligible.

D. Technical Issues with Submission

Applicants that experience technical issues during the submission of an application and are unable to submit through Grants.gov must follow the below procedures **before** the application deadline for EPA to consider accepting the application outside of Grants.gov.

1. Contact the appropriate help desk before the deadline:
    - Grants.gov Support Center for Grants.gov issues
    - Federal Service Desk for SAM.gov registration issues

2. Before the deadline, send an email to brownfields@epa.gov with EPA-OLEM-OBLR-26-06 in the subject line. Include the following information:
    - Grants.gov ticket/case number(s)
    - Full copy of Federal Service Desk ticket(s), if applicable
    - Description of the issue
    - The entire application package as described in Section 4.A. in PDF format.

The EPA will decide whether to accept applications submitted via email on a **case by case basis** and will only consider exceptions for:

- **Grants.gov or SAM.gov system issues**
- **Unforeseen emergencies**, such as extreme weather affecting internet access

Not registering on time is **not** a valid reason to justify acceptance of an application outside of Grants.gov.

Important:

- If any of the above information is missing, the EPA may not review the request.
- Applications submitted after the deadline will be ineligible.
- Submitting through Grants.gov or email does not guarantee eligibility.

Limited Internet Access: Applicants with limited or no access to the internet may request an exception by following the procedures outlined here. The request must be received at least 15 calendar days before the application due date to allow enough time to negotiate alternative submission methods.

E. Intergovernmental Review

Intergovernmental review is applicable to this assistance listing when proposed Federal financial assistance involves land use planning or construction associated with demonstration projects.

If the application includes land use planning or construction, applicants may need to submit application information for Intergovernmental Review. Some States have adopted Single Points of Contact (SPOC) for coordinating the review.

See the FY27 FAQs for more information.

This requirement does not apply to American Indian and Alaska Native Tribes or Tribal organizations.

6. Application Review Information

A. Responsiveness Review

Applications must meet the eligibility requirements described in Section 2 to be evaluated. Applicants not meeting these requirements will be deemed ineligible and will be notified within 15 calendar days of the determination.

- Applications must adhere to the page limit requirements. Any pages over the limit(s) in Section 4 will not be reviewed.
- Initial applications must be submitted *on or before* the application deadline through Grants.gov or through limited circumstances as expressed in Section 5. EPA will not evaluate applications that are not submitted on time.
- *Technical difficulties applying:* Applicants having technical difficulties applying must contact the Grants.gov hotline at 1-800-518-4726 *and* then must email a PDF of the full application to the EPA contact listed in Section 1. The submission must be received prior to the application deadline for consideration.

B. Narrative Criteria Responses and Review Criteria

The Narrative Criteria Responses must provide clear, concise, and factually correct responses to all criteria and sub-criteria below, with sufficient detail to allow for an evaluation of the application's merits. **A response to a criterion/sub-criterion that is included in a different section of the Narrative** Criteria Responses **may not be scored as favorably**. If a criterion does not apply, clearly state this. **Any criterion left unanswered may result in zero points given for that criterion.** Responses should include the criteria number and title but need not restate the entire text of the criteria.

If selected for funding, the information in your Narrative Criteria Responses will be incorporated into the workplan, subject to any adjustments to clarify issues with carrying out the project's scope of work made during the post-selection negotiation process. The workplan is a legally binding document. Therefore, applicants should carefully consider and accurately respond to the criteria, including the use of grant funds, and leveraged resources committed to the project that will materialize during the period of performance. EPA may not permit material changes to the workplan.

If you are applying for multiple sites, your Narrative Criteria Responses must include information on each site.

Applicants will be evaluated based on the extent and quality to which they demonstrate that they have the capability to successfully perform the project as described in Section 3 of this funding opportunity.

Only eligible entities whose applications meet the threshold eligibility criteria in Section 2 of this announcement will be evaluated. **Applicants should explicitly address these criteria as part of their application package submittal in the Narrative Criteria Responses.** Each application will be rated using a point system. Applications will be evaluated based on a total of 175 possible points.

Narrative Criteria Responses *Instructions for Applicants*	Review Criteria ***Each application will be evaluated on the quality and extent to which it addresses the following:***

1. PROJECT AREA DESCRIPTION AND PLANS FOR REVITALIZATION

55 Points

Target Area and Brownfields	
1.a. Overview of Brownfield Challenges and Description of Target Area (5 points)	
Applicants should: • Discuss the brownfield challenges and their impact on the city(ies), town(s), or geographic area(s) that are the focus of this application. Briefly explain how this grant may help address these challenges and impacts. • Identify and describe the target area(s) for the focused grant activities, such as a neighborhood, district, corridor, or census tract. *(Depending on the scope and design of your project, one or more target areas may be presented.)*	The degree to which the identified brownfield challenges impact the target area(s) within the city(ies), town(s), or geographic area(s). The extent to which the proposed grant activities may help address these challenges and impacts.
1.b. Description of the Proposed Brownfield Site(s) (10 points)	
Applicants should: • Describe the property(ies) targeted for cleanup, characterizing known contamination and site conditions (including structures), and relevant past and current land uses.	The extent to which the description of the property(ies) targeted for cleanup provides clear information on the known contamination and site conditions (including structures), and relevant past and current land uses, and the degree of severity of the conditions.
Revitalization of the Target Area	
1.c. Reuse Strategy and Alignment with Revitalization Plans (10 points)	
Applicants should: • Describe the reuse strategy, or projected reuse, for the proposed site(s). • Discuss how the reuse strategy/projected reuse aligns with and advances the local government's land use and revitalization plans or related community priorities; and if applicable, how it considers the site's location in a federally designated flood plain. • Describe how the public and project partners were meaningfully involved in developing the reuse strategy/projected reuse.	The extent to which a reuse strategy, or projected reuse, for the proposed site(s) clearly aligns with and advances the local government's land use and revitalization plans, or related community priorities. When applicable, the extent to which the reuse strategy/projected reuse appropriately considers that a site(s) is in a federally designated flood plain. The degree to which the public and project partners had meaningful involvement in developing the reuse strategy/projected reuse(s).

Narrative Criteria Responses *Instructions for Applicants*	Review Criteria ***Each application will be evaluated on the quality and extent to which it addresses the following:***
1.d. Outcomes and Benefits of Reuse Strategy (10 points)	
Applicants should: • Describe how the proposed project or revitalization plans may stimulate economic development in the target area(s) post-cleanup of the proposed site(s), and/or may facilitate the creation of, preservation of, or addition to a park, a greenway, undeveloped property, recreational property, or other property used for nonprofit purposes in the target area(s). • If applicable, describe how the reuse of the proposed site(s) will facilitate renewable energy from wind, solar, or geothermal energy; or will incorporate energy-efficient approaches. *(For more information on energy efficiency, please refer to the FY27 FAQs and Renewable Energy or Energy-Efficient Approaches in Brownfields Redevelopment Fact Sheet.)*	Given the type of community being served (e.g., urban, rural, Tribal, etc.), the degree to which the proposed project or revitalization plans will substantially stimulate economic development in the target area(s) post-cleanup of the proposed site(s) and/or may facilitate the creation of, preservation of, or addition to a park, a greenway, undeveloped property, recreational property, or other property used for nonprofit purposes in the target area(s). The degree to which these outcomes clearly correlate with the applicant's reuse strategy/projected site reuse(s). When applicable, the extent to which the reuse of the proposed site(s) will facilitate renewable energy from wind, solar, or geothermal energy, or will incorporate energy-efficient approaches.
Strategy for Leveraging Resources Consistent with CERCLA § 104(k)(6)(C)(i), describe your eligibility for and likelihood to obtain funding from other resources (e.g., any other EPA Brownfields resources or public or private resources) and how the grant will stimulate the availability of additional funds for environmental site assessment, remediation, and subsequent reuse for the proposed site(s) by addressing the following criteria below. Applicants may consolidate information for 1.e – 1.g. into one response and/or use the suggested table format in Section 4.C.1.	
1.e. Resources Needed for Site Characterization (5 points)	
Applicants should: • Identify an additional assessment funding resource(s) that will be sought if unforeseen characterization for the proposed site(s) is required for the remediation to continue.	Given the size and extent of contamination of the proposed site(s), the degree to which the identified assessment funding resource(s) are relevant and potentially sufficient to complete unforeseen site characterization if required for the remediation to continue.
1.f. Resources Needed for Site Remediation (5 points)	
Applicants should: • Identify funding resources that have been secured, sought, or will be sought, to contribute to the completion of the remediation. • Attach documentation that substantiates secured commitments of leveraged funding for remediation of	The relevancy and degree to which secured funding resources will contribute to the completion of the remediation of the proposed site(s). The degree to which the attached documentation substantiates secured commitments discussed in the Narrative Criteria Responses. *(Note, a response may not earn full points if*

Narrative Criteria Responses *Instructions for Applicants*	Review Criteria ***Each application will be evaluated on the quality and extent to which it addresses the following:***
the proposed site(s). *(Do not duplicate sources discussed in 3.b-3.e. under Description of Tasks/Activities and Outputs or sources used to meet the cost share.)* • Alternatively, discuss if the EPA funding requested in this application will be enough to complete the remediation of the proposed site(s).	*the applicant duplicates sources that are listed in 3.b. Description of Tasks/Activities and Outputs or sources used to meet the cost share. Additionally, a response that indicates additional resources will be needed for site remediation may only earn full points when the applicant has resources that are secured (as substantiated by the attached documentation), significant, relevant, and sufficient to complete the remediation.)* Or, the extent to which the EPA funding discussed in this application is enough to complete the remediation. *(Note, a response that indicates this EPA funding is enough to complete the remediation may only earn full points when it aligns with the rest of the Narrative Criteria Responses.)*
1.g. Resources Needed for Site Reuse (5 points)	
Applicants should: • Identify funding resources that have been secured, sought, or will be sought, to contribute to the completion of the reuse (e.g., demolition activities, redevelopment activities, etc.) for the proposed site(s). • Attach documentation that substantiates secured commitments of leveraged funding for the reuse of the proposed site(s). *(Do not duplicate sources discussed in 3.b-3.e. under Description of Tasks/Activities and Outputs or sources used to meet the cost share.)*	The relevancy and degree to which secured funding resources will contribute to the completion of the reuse of the proposed site(s). The degree to which the attached documentation substantiates secured commitments discussed in the Narrative Criteria Responses. (*Note, a response may not earn full points if the applicant duplicates sources that are listed in 3.b. Description of Tasks/Activities and Outputs or sources used to meet the cost share. Additionally, a response may only earn full points when the applicant has resources that are secured, significant, and relevant to the cleanup project.*)
1.h. Use of Existing Infrastructure (5 points)	
Applicants should: • Describe the state of the existing infrastructure (e.g., utilities, roads, buildings, etc.) at the proposed site(s) and/or within the target area(s). • Describe how this grant will facilitate the use of this existing infrastructure. • If applicable, identify infrastructure needs or upgrades that are key to the reuse of the proposed site(s), describe these needs/upgrades and funding resources that will be sought to implement that work.	The extent to which this grant will facilitate the use of existing infrastructure at the proposed site(s) and/or within the target area(s). When additional infrastructure needs or upgrades are key to the reuse of the proposed site(s), the extent to which the identified funding resources that will be sought to implement that work are relevant.

2. COMMUNITY NEED AND COMMUNITY ENGAGEMENT

35 Points

Narrative Criteria Responses *Instructions for Applicants*	Review Criteria ***Each application will be evaluated on the quality and extent to which it addresses the following:***
Community Need Applicants may use geospatial mapping tools to better understand the communities that may be adversely and disproportionately affected by environmental or human health harms and risks. Applicants should include data in their Narrative Criteria Responses to help characterize and describe the target area(s) and its community(ies). Data from other sources (e.g., studies, census, and third-party reports) can also be included to give a more complete picture of the impacted communities and populations. Applicants are not expected to generate new data. Applicants are encouraged to explain if supporting data is limited or unavailable and why the level of data provided is appropriate.	
2.a. The Community's Need for Funding (5 points)	
Applicants should: • Describe how this grant will meet the needs of the community(ies) (i.e., the city(ies), town(s), or geographic area(s) targeted in this application) that has an inability to draw on other sources of funding to carry out environmental remediation and subsequent reuse in the target area(s) **because of the small population[21] and/or low income of the community**.	The extent to which this grant will meet the needs of the community(ies) (i.e., the city(ies), town(s), or geographic area(s) targeted in this application) that has an inability to draw on other sources of funding to carry out environmental remediation and subsequent reuse in the target area(s) **because the community has a small population and/or is low income**. *(Note, if the response does not demonstrate why the community's small population or low income has resulted in an inability to draw on other sources of funding, then the response may only earn up to 2 points.)*
2.b. Health or Welfare of Sensitive Populations (5 points)	
Applicants should: • Identify sensitive populations[22] in the target area(s) and describe their health or welfare issues.[23] • Discuss how this grant and reuse strategy/projected site reuse(s) will address these issues and/or help identify and reduce related threats.	The extent to which this grant and reuse strategy/projected site reuse(s) will address, or help identify and reduce related threats to, the health or welfare issues among the sensitive populations in the target area(s).

[21] There is no statutory definition of what constitutes a "small" population, so EPA leaves it to the applicant to make their case as to why the community is small. However, the Brownfields Program considers communities of 10,000 people and less as "micro" communities, 15,000 people and less as "small" communities, 50,000 people and less as "rural," and less than 100,000 people as "nonurban." Communities with less than 50,000 in population may be considered small.

[22] Sensitive populations are those populations that are likely to experience elevated health risks from pollution, including populations based on age (young children and the elderly), pregnant women, and serious disease burden (such as, high rates of cancer, asthma, chronic respiratory disease, coronary heart disease, low birth weights, etc.), as well as low-income populations. See CERCLA § 104(k)(6)(C)(x). The Brownfields Program will implement this provision in accordance with all applicable law.

[23] For more information on health and welfare issues, please refer to the FY27 FAQs.

Narrative Criteria Responses *Instructions for Applicants*	Review Criteria ***Each application will be evaluated on the quality and extent to which it addresses the following:***
2.c. Greater Than Normal Incidence of Disease and Adverse Health Conditions (5 points)	
Applicants should: • Provide quantitative data to demonstrate that populations in the target area(s) suffer from a greater-than-normal[24] incidence of diseases or conditions (including cancer, asthma, or birth defects) that may be associated with exposure to hazardous substances, pollutants, contaminants, or petroleum. If applicable, explain why the level of data provided is appropriate. • Describe how this grant and reuse strategy/projected site reuse(s) will address, or help identify and reduce, threats to these populations.	The extent to which this grant and reuse strategy/projected site reuse(s) will address, or help identify and reduce, threats to populations in the target area(s) with a greater-than-normal incidence of diseases or conditions (including cancer, asthma, or birth defects) that may be associated with exposure to hazardous substances, pollutants, contaminants, or petroleum. *(Note, if the response does not quantitatively demonstrate that the populations in the target area(s) suffer from a greater-than-normal incidence of cancer, asthma, or birth defects, then the response may only earn up to 2 points.)*
2.d. Disaster Preparedness (5 points)	
Applicants should: • Provide a brief description of any extreme weather events and/or natural disasters[25] that have occurred and their impact on populations in the target area(s). • Describe how the proposed project will improve local resilience to the impacts of extreme weather events and/or natural disasters.	The extent to which the proposed project will improve local resilience to the impacts of extreme weather events and/or natural disasters.
Community Engagement Applicants may consolidate information for 2.e. – 2.f. into one response and/or use the suggested table format in Section 4.C.2.	
2.e. Project Involvement (5 points)	
Applicants should: • Identify the local organizations/entities/groups that will assist with this project. Project involvement may be provided by a broad variety of entities including, but not limited to, community-based organizations (e.g., neighborhood groups, citizen groups,	The degree to which the applicant involves a variety of local organizations/entities/groups that are relevant to the proposed project.

[24] For the purposes of this criterion, "greater-than-normal" refers to when the incidence of disease or an adverse health condition exceeds what is typically expected or considered average. Applicants should provide information or data to establish a baseline for what is considered average and demonstrate how the incidence of disease or adverse health condition(s) among the populations in the target area(s) is greater.

[25] For more information on the impacts of extreme weather events and natural disasters, please refer to the FY27 FAQs.

Narrative Criteria Responses *Instructions for Applicants*	Review Criteria *Each application will be evaluated on the quality and extent to which it addresses the following:*
business organizations, etc.), community liaisons representing residents directly affected by the project work, property owners, lenders, developers, and the general public.	
2.f. Project Roles (5 points)	
Applicants should: • Describe each identified local organization/entity/group's role in the project. • Include which organization(s)/entity(ies)/group(s) will be meaningfully involved in decision-making for the cleanup and future reuse of the proposed site(s).	The degree to which each identified local organization/entity/group will have a meaningful role in the project and the extent to which there will be involvement in decision-making for the cleanup and future reuse of the proposed site(s). *(Note: Responses that indicate there will be meaningful involvement in decision-making for site selection, cleanup, and reuse will be evaluated more favorably.)*
2.g. Incorporating Community Input (5 points)	
Applicants should: • Discuss your plan to communicate project progress to engage the local community, including residents directly affected by the project work, and the involved organizations/entities/groups. • Include the frequency and method(s) you will use (including an appropriate alternative(s) to in-person engagement) and how you will meaningfully solicit, consider, and respond to community input.	The extent to which the plan to communicate project progress will effectively engage the local community, including residents directly affected by the project work, and the involved organizations/entities/ groups. The extent to which the plan provides appropriate alternative(s) to in-person engagement, and meaningfully solicits, considers, and responds to community input.

3. TASK DESCRIPTIONS, COST ESTIMATES, AND MEASURING PROGRESS

55 Points

The cost share is calculated as 20% of the total EPA funds requested and must only include costs associated with eligible activities under the grant. The cost share requirement is waived for Cleanup Grant projects located in U.S. Territories.

Local government applicants may use up to 10% of the total grant award for health monitoring activities. The health monitoring activities must be associated with brownfield sites at which at least a Phase II environmental site assessment is conducted and that are contaminated with hazardous substances. Coordination with the local health agency is required. Please review the Health Monitoring Fact Sheet for more information.

In determining costs to include on the "Construction" budget line, EPA recommends that applicants apply the "principal purpose of the contract" test, instead of characterizing discrete tasks that the same contractor will perform. If the principal purpose (i.e., 50% or more of the estimated costs) of the contract is for construction services as defined below, then the cost for the contract should be placed on the "Construction" budget line. Note, a contract that is principally purposed for construction may include tasks performed by the contractor or its subcontractor that are more

<table>
<tr><th>Narrative Criteria Responses
Instructions for Applicants</th><th>Review Criteria
Each application will be evaluated on the quality and extent to which it addresses the following:</th></tr>
<tr><td colspan="2">characteristic of site assessment (e.g., confirmatory sampling, research into the history of the site), incidental engineering work (e.g., inspections to verify that the remedy is complete), or similar ancillary tasks.

Remediation activities that are classified as “Construction” costs include:

• excavation and removal or treatment of contaminated soil,
• installation of concrete caps and other barriers to migration of contamination,
• abatement of asbestos or lead-based paint contamination in buildings,
• construction or assembly of structures housing equipment to pump and treat contamination,
• permanent installation of equipment purchased by the contractor or the recipient, and
• site restoration activities, such as grading, that prepare a site for reuse and similar activities that improve real property.

Cooperative agreements with successful applicants under this funding opportunity will be subject to the administrative cost limitation described at CERCLA § 104(k)(5)(E). Successful applicants may only use up to 5% of the total award amount (EPA funds plus the recipient’s cost share) for their own administrative costs (direct costs for grant administration and indirect costs). For example, if EPA awards $500,000 to an applicant, the applicant’s cost share is $100,000 (20%) and the total award amount is $600,000. Therefore, the 5% limit for administrative costs is based on the $600,000 total award amount and equals $30,000. Costs must be classified as direct or indirect consistently and applicants may not classify the same cost in both categories. The limitation on administrative costs does not apply to otherwise allowable programmatic costs (including indirect costs) charged by procurement contractors. Note that EPA considers costs for performance and financial reporting to be allowable programmatic costs that are not subject to the 5% limitation.

For applications that include indirect costs in the budget and are selected for funding, an EPA Grants Specialist or Grants Management Officer may request a copy of the indirect cost rate agreement that was negotiated with the cognizant agency before the cooperative agreement is awarded.

Do not include activities that are ineligible uses of EPA Cleanup Grant funds (e.g., land acquisition; building demolition that is not necessary to remediate contamination at the site; or building construction for future redevelopment).

Please refer to the FY27 FAQs for additional examples of eligible and ineligible uses of funds (including administrative costs) and information on classifying construction costs. For questions not covered by the FY27 FAQs, contact your Regional Brownfields Contact listed in Section 1.E.</td></tr>
<tr><td colspan="2">3.a. Proposed Cleanup Plan (10 points)</td></tr>
<tr><td>Applicants should:

• Outline the cleanup plan(s) proposed for the site(s).
• Briefly describe the contaminated media to be addressed, cleanup method(s), and disposal requirements. (This description can use the same language as submitted in the draft ABCA attachment(s), but the description must be included in the applicant’s Narrative Criteria Responses.)</td><td>The quality and reasonableness of the proposed cleanup plan(s), including the appropriateness of the cleanup methods being considered.</td></tr>
<tr><td colspan="2">Description of Tasks/Activities and Outputs</td></tr>
</table>

Narrative Criteria Responses *Instructions for Applicants*	Review Criteria ***Each application will be evaluated on the quality and extent to which it addresses the following:***
Applicants should provide a list and description of the tasks/activities required to implement the proposed project. Applicants may respond to 3.b. – 3.e. using the Sample Format for Tasks/Activities in Section 4.C.3.	
3.b. Project Implementation (10 points)	
Applicants should: • Discuss the EPA-funded and cost share-funded tasks/activities that will take place to address the proposed site(s). • If you plan to issue a subaward(s), indicate what tasks/activities or services will be provided. • If you plan to include participant support costs in your project, describe the process you will follow for determining the allowable stipend(s) amounts, procedures for accounting for participant support cost payments (including receipts), and documenting that the costs are allowable. Do not duplicate other support provided through other Federal, State, Tribal, or local programs. • If applicable, identify tasks/activities needed to support or complement the grant that will be contributed by sources other than the EPA grant, such as leveraged resources or funding contributed by your organization. (For example, the applicant does not charge the EPA grant for salary dollars and therefore contributes its own resources to carry out programmatic oversight activities or grant administration.) *(Do not duplicate sources listed in 1.f.-1.g. under Strategy for Leveraging Resources or sources used to meet the cost share.)* Typical eligible tasks/activities may include procuring a Qualified Environmental Professional, submitting and obtaining approval of a Quality Assurance Project Plan, enrollment of the site in the State's Voluntary Cleanup Program, certifying cleanup is complete, coordination with the local health agency on health monitoring activities, community engagement (including using participant support costs (see Section 3.A.2. for details)), etc.	The degree to which the proposed EPA-funded and cost share-funded tasks/activities under this grant are eligible, specific, and appropriate to the goals of the project, and the degree to which the response demonstrates a sound plan to address the proposed site(s) in the target area(s). *(Note, a response that includes ineligible tasks/activities will be evaluated less favorably.)* When the project includes a subaward(s), the extent to which the tasks/activities or services to be provided by the subawardee(s) clearly support the project. When the project includes participant support costs, the extent to which the applicant's process and procedures are sound for determining the amounts of the allowable stipend(s), accounting for participant support cost payments (including receipts), and documenting that the costs do not duplicate support provided through other Federal, State, Tribal, or local programs. When applicable, the extent to which the tasks/activities that are needed to support or complement the grant that will be contributed by sources other than the EPA grant (e.g., leveraged resources) will help bring the grant to successful completion. *(Note, a response may not earn full points if the applicant duplicates sources that are listed in 1.f. Resources Needed for Site Remediation, 1.g. Resources Needed for Site Reuse, or sources used to meet the cost share.)*
3.c. Anticipated Project Schedule (5 points)	
Applicants should: • Discuss the anticipated schedule milestones and timeline for the EPA-funded activities outlined in *3.b.*	The extent to which the anticipated project schedule milestones are achievable and the likelihood that the activities will be completed within the 4-year period of performance.

Narrative Criteria Responses *Instructions for Applicants*	Review Criteria ***Each application will be evaluated on the quality and extent to which it addresses the following:***
Project Implementation during the 4-year period of performance. EPA may reimburse successful applicants for eligible programmatic pre-award costs incurred up to 90 days prior to award. Applicants may include pre-award costs for eligible activities in their proposed project. Travel expenses associated with brownfields-related training, such as the National Brownfields Training Conference, are eligible expenses. The budget/project period start date must be before the date that any proposed pre-award costs are incurred. For more information on pre-award costs, please see the FY27 FAQs.	
3.d. Task/Activity Lead (5 points)	
Applicants should: • Identify the lead entity(ies) overseeing each task/activity (i.e., the applicant, qualified environmental professional, or other identified entity). If not the applicant, explain why the lead entity(ies) is appropriate. *(Note, the local health agency must be involved in health monitoring activities.)*	The extent to which the lead entity(ies) for each task/activity is appropriate. When applicable, the degree to which the local health agency is appropriately involved in health monitoring activities.
3.e. Outputs (5 points)	
Applicants should: • Identify and quantify the anticipated outputs/deliverables for each task/activity. Outputs may include, but are not limited to, cleanup plans, community involvement plans, final Analysis of Brownfield Cleanup Alternatives (ABCA) documents, administrative records, and cleanup completion report or letter. *(Refer to Section 3.A.4. for an explanation of outputs.)*	The extent to which the anticipated outputs/deliverables identified and quantified for each task/activity are reasonable and clearly correlate with the proposed project.
Cost Estimates and Plan to Measure and Evaluate	
3.f. Cost Estimates (15 points)	
Applicants should: • Describe how cost estimates for each task were developed per budget category, including the cost share, and direct and indirect administrative costs (if	The degree of clarity on how each cost estimate was developed, including the cost share, and when applicable, direct and/or indirect administrative costs. The extent to which each proposed cost estimate and costs per unit are

Narrative Criteria Responses *Instructions for Applicants*	Review Criteria ***Each application will be evaluated on the quality and extent to which it addresses the following:***
applicable). Present costs per unit where appropriate. *(Note, the total amount of direct and indirect administrative costs cannot exceed 5% of the total award amount (EPA funds plus the recipient cost share).)* • If you are applying for multiple sites, separate costs for each site. Applicants may use the suggested Sample Format for Budget in Section 4.C.3. Examples of costs per unit may include: ***Task 1, Project Oversight*** – *Personnel Costs*: 222 hours of city staff to provide project oversight, $30/hr salary = $6,660 ***Task 2, Tank Removal*** – *Personnel Costs*: 20 hours at an average rate of $50/hr = $1,000 – *Contractual Costs*: 5 tank pulls at an average cost of $13,000 per tank pull = $65,000 Cost estimates may come from a Phase II report. For information on best practices for preparing budgets for EPA grant applications, refer to the General Budget Development Guidance for Applicants and Recipients of EPA Financial Assistance.	reasonable, realistic, and correlated to the proposed project/grant and tasks/activities. When applicable, the degree to which costs for individual sites are distinguished. (*Notes: A response that includes administrative costs that exceed 5% of the total award amount (requested EPA funds plus the applicant's cost share) will be evaluated less favorably.* *A response that includes cost estimates that are not reasonable or realistic to implement the project/grant will be evaluated less favorably. For example, applicants that request more funding than is reasonably justified in the Narrative Criteria Responses to complete the proposed project/grant.)*
3.g. Plan to Measure and Evaluate Environmental Progress and Results (5 points)	
Applicants should: • Discuss your plan and the tool(s) you will use to track, measure, and evaluate progress in achieving expected project outputs, overall results, and eventual outcomes, including how you will implement corrective action measures if issues arise during the grant's period of performance. *(Definitions of outputs and outcomes are provided in Section 3.A.4.)*	The extent to which the plan and tool(s) to track, measure, and evaluate progress in achieving expected project outputs, overall results, and eventual outcomes, including how corrective action measures will be implemented if issues arise, are reasonable, appropriate, and clearly correlate with information previously presented in the Narrative Criteria Responses.

4. PROGRAMMATIC CAPABILITY AND PAST PERFORMANCE

30 Points

Provide responses for the organization that is applying for funding.

Programmatic Capability

Narrative Criteria Responses *Instructions for Applicants*	Review Criteria ***Each application will be evaluated on the quality and extent to which it addresses the following:***
Applicants may consolidate information for 4.a. – 4.b. into one response. Reviewers must evaluate the response against the sub-criteria outlined below.	
4.a. Organizational Structure (5 points)	
Applicants should: • Describe the organizational structure you will utilize to ensure the timely and successful expenditure of funds and completion of the grant's technical, administrative, and financial requirements.	The degree to which the organizational structure will lead to the timely and successful expenditure of funds and the completion of the grant's technical, administrative, and financial requirements.
4.b. Description of Key Staff (5 points)	
Applicants should: • Briefly describe the key staff who will successfully administer the grant, including their roles, expertise, qualifications, and experience.	The degree to which the key staff's expertise, qualifications, and experience will result in the successful administration of the grant.
4.c. Acquiring Additional Resources (5 points)	
Applicants should: • Describe your system(s) and/or procedure(s) to appropriately acquire additional expertise and resources (e.g., contractors or subrecipients) necessary to complete the project. *(Refer to Section IV of EPA NOFO Clauses regarding the difference between contractors and subrecipients.)*	The degree to which the applicant's system(s) and/or procedure(s) to acquire additional expertise and resources (e.g., contractors or subrecipients) are appropriate to complete the project. *(Note, if an applicant has selected a contractor or subrecipient without complying with applicable requirements as described in Section 2.B.16., the response will be evaluated less favorably.)*
Past Performance and Accomplishments **Review the information on 4.d. – 4.f. below and only respond to the single criterion that pertains to your organization's circumstances.** **4.d.: If your organization directly received an EPA Brownfields Multipurpose Grant, Assessment Grant, Revolving Loan Fund Grant, Cleanup (MARC) Grant, and/or 128(a) Grant that is currently open or closed[26] in 2016 or later, please respond to 4.d. below.** (Do not include information on Targeted Brownfields Assessments, Area-Wide Planning Grants, Job Training Grants, subawards from another Brownfields Grant recipient, or experience as a non-lead member of an Assessment Coalition Grant or RLF Coalition Grant. Do not include information on Brownfields MARC or 128(a) Grants that closed in 2015 or earlier.) **4.e.: If your organization never directly received an EPA Brownfields MARC or 128(a) Grant but received other federal or non-federal financial assistance agreements that are currently open or closed in 2016 or later**	

[26] For the purposes of this criterion, the term "closed" refers to a grant period of performance that has ended.

Narrative Criteria Responses *Instructions for Applicants*	Review Criteria *Each application will be evaluated on the quality and extent to which it addresses the following:*
(including only receiving an Area-Wide Planning Grant or Job Training Grant), please respond to 4.e. below. (Do not include information on financial assistance agreements that closed in 2015 or earlier.) **4.f.: If your organization has never directly received any type of federal or non-federal financial assistance agreement, or the only financial assistance agreement(s) the organization has received closed in 2015 or earlier, or if your organization has recently received a financial assistance agreement (including a Brownfields Grant) but has not had an opportunity to demonstrate compliance with the award requirements, please indicate this in response to 4.f. below.** *In evaluating an applicant's response to this criterion, in addition to the information provided by the applicant, EPA may consider relevant information from other sources, including information from EPA files and/or from other federal or non-federal grantors to verify or supplement information provided by the applicant. Applicants will only be evaluated using a single sub-criterion below that is appropriate to their situation.*	
4.d. Currently Has or Previously Received an EPA Brownfields Grant That Closed in 2016 or Later (15 points) The period of performance for the organization's EPA Brownfields Grant(s) must have ended in 2016 or later to qualify for this category. Applicants should identify and provide information regarding each of their organization's current and/or most recent EPA Brownfields Grants. Demonstrate how the organization successfully managed the grant(s) and performed all phases of work by providing information on the items listed below. EPA will evaluate the degree to which the applicant demonstrates its ability to successfully manage the grant and perform all phases of work under the grant based on current/past EPA Brownfields Grant(s) (i.e., MARC Grant, or 128(a) Grant).	
(1) Accomplishments (5 points)	
Applicants should: • Describe the accomplishments (including specific outputs and outcomes) achieved under the current/most recent grant(s) (no more than three), including at a minimum, the number of sites assessed and/or cleaned up. • Discuss whether these outputs and outcomes were accurately reflected in the Assessment, Cleanup and Redevelopment Exchange System (ACRES) at the time of this application submission; if not, explain why.	The extent to which meaningful accomplishments (including specific outputs and outcomes) were achieved under the current/most recent grant(s), including at a minimum, the number of sites assessed and/or cleaned up, and the extent to which outputs and outcomes were accurately reflected in ACRES at the time of this application submission. If outputs and outcomes were not accurately reflected in ACRES at the time of this application submission, the extent to which the explanation is adequate.
(2) Compliance with Grant Requirements (10 points) EPA will not penalize the applicant for closure of a Revolving Loan Fund cooperative agreement per the FY23 RLF Policy Memo.	
Applicants should: • Discuss your organization's compliance with the workplan, schedule, and terms and conditions under the current/most recent grant(s) (no more than three), including your organization's history of timely	The extent of compliance with the workplan, schedule, and terms and conditions under the current/most recent grant(s), and the extent to which the history of quarterly performance, grant deliverables, and ongoing ACRES reporting demonstrates timely and acceptable reporting.

Narrative Criteria Responses *Instructions for Applicants*	Review Criteria ***Each application will be evaluated on the quality and extent to which it addresses the following:***
and acceptable quarterly performance, grant deliverables, and ongoing ACRES reporting. Include whether your organization has made and has reported progress towards achieving the expected results of the grant in a timely manner. If not, discuss what corrective measures your organization took and how the corrective measures were effective, documented, and communicated. • For all open EPA Brownfields Grants, indicate the grant period (start and end date), if funds remain, and the plan to expend the funds on eligible activities by the end of the period of performance as defined in 2 CFR § 200.1. • For all closed EPA Brownfields Grants, indicate if there were funds remaining, the amount of remaining funds, and a brief explanation for why any remaining funds were not expended within the period of performance.	The degree to which progress was made (and reported) towards achieving the expected results of the grant(s) in a timely manner. If expected results were not achieved and reported, the extent to which the measures taken to correct the situation were reasonable and appropriate, or the extent to which the explanation for the lack of reporting is adequate. (5 points) The extent to which funds from any open EPA Brownfields Grants (i.e., Multipurpose Grants, Assessment Grants, Revolving Loan Fund Grants, Cleanup Grants, and/or 128(a) Grants) are committed to eligible grant activities. The likelihood that all grant funds under the current grant(s) will be expended by the end of the period of performance as defined in 2 CFR § 200.1. For all closed EPA Brownfield Grants, if funds remained, the extent to which the explanation for why is reasonable, and the degree to which the applicant made every effort to spend the remaining funds within the period of performance. (5 points)
– OR –	
4.e. Has Not Received an EPA Brownfields Grant but has Received Other Federal or Non-Federal Financial Assistance Agreements That Closed in 2016 or Later (15 points) The period of performance for the organization's financial assistance agreement(s) must have ended in 2016 or later to qualify for this category. Applicants should identify and describe each of their organization's current and/or most recent federally and non-federally funded financial assistance agreements (no more than three) *that are most similar in scope and relevance in terms of structure, community engagement, and/or deliverables to the proposed project*. Demonstrate how the organization successfully managed the agreement(s), and performed all phases of work by providing the following information. EPA will evaluate the degree to which the applicant demonstrates its ability to successfully manage the grant and perform all phases of work under the grant based on current/most recent federal or non-federal financial assistance agreements.	
(1) Purpose and Accomplishments (5 points)	
Applicants should: • Describe the awarding agency/organization, funding amount, and purpose of your organization's current/most recent assistance agreement(s). • Discuss the project accomplishments (including specific outputs, outcomes, and measures of success)	The extent to which the current/most recent financial assistance agreement(s) is similar in terms of scope and relevance in terms of structure, community engagement, and/or deliverables to the proposed project. The extent to which meaningful project accomplishments (including specific outputs, outcomes, and measures of success) were achieved under the current/most recent financial assistance agreement(s).

Narrative Criteria Responses *Instructions for Applicants*	Review Criteria ***Each application will be evaluated on the quality and extent to which it addresses the following:***
achieved under the current/most recent assistance agreement(s).	
(2) Compliance with Grant Requirements (10 points)	
Applicants should: • Describe your organization's compliance with the workplan, schedule, and terms and conditions under the current/most recent financial assistance agreement(s), including your organization's history of timely and acceptable reporting, as required by the awarding agency/organization. • Include whether your organization has made and has reported progress towards achieving the expected results of the agreement in a timely manner. If not, discuss what corrective measures your organization took and how the corrective measures were effective, documented, and communicated.	The extent of compliance with the workplan, schedule, and terms and conditions under the current/most recent financial assistance agreement(s), and the extent to which the history of reporting is timely and acceptable, as required by the awarding agency/organization. The degree to which progress was made (and reported) towards achieving the expected results of the agreement(s) in a timely manner. If expected results were not achieved, the extent to which the measures taken to correct the situation were reasonable and appropriate.
– OR –	
4.f. No or Limited Financial Assistance Agreements (8 points)	
Applicants should: • Affirm that your organization has not received any type of federal or non-federal financial assistance agreement (grant or cooperative agreement). • Or, affirm that the only financial assistance agreement(s) your organization has received closed over 10 years ago (i.e., the period of performance ended in 2015 or earlier). • Or, affirm that your organization has recently received a financial assistance agreement, but has not had an opportunity to demonstrate compliance with the award requirements.	Whether it is clearly affirmed that the organization has never received any type of federal or non-federal financial assistance agreement, or the only financial assistance agreement(s) the organization has received closed over 10 years ago (i.e., the period of performance ended in 2015 or earlier), or has recently received a financial assistance agreement, but has not had an opportunity to demonstrate compliance with the award requirements. *(These applicants will receive a "neutral" score of 8 points. Failure to indicate anything in response to this sub-criterion may result in zero points.)*

C. Review and Selection Process

Timely submitted applications will initially be reviewed by OBLR and the EPA Regional Office, which covers the location of the project, to determine compliance with the applicable threshold eligibility criteria for Cleanup Grants (Section 2.B.). All applications that pass the threshold eligibility criteria review will be evaluated by national evaluation panels. The national evaluation panels will be comprised of EPA staff and potentially other federal agency representatives chosen for their expertise in the range of activities associated with the Brownfield Cleanup Grants. Eligible applications will be evaluated based on the criteria described in Section 6.B. and a ranking list of applications will be developed.

OBLR will provide the list to the Headquarters Selection Official, who is responsible for further consideration of the applications and final selection of grant recipients. Applications will be selected for award based on their evaluated point scores, the availability of funds, and, as appropriate, the other factors and considerations described in Section 6.C.1. below.

1. Other Evaluation Factors

In making the final selections from among the most highly ranked applications, EPA's Headquarters Selection Official may consider the factors below as appropriate. Other factors include:

- whether the community population is 15,000 or less;
- whether the applicant is a federally recognized Indian Tribe or United States Territory or whether the project is assisting a Tribe or territory;
- whether the proposed site(s) is impacted by mine-scarred land;
- whether a secured firm leveraging commitment ties directly to the project and will facilitate completion of the remediation/reuse; and whether a secured resource is identified in the Narrative Criteria Responses and substantiated in the attached documentation;
- whether the proposed site(s) is adjacent to a body of water (i.e., the border of the proposed site(s) is contiguous or partially contiguous to the body of water, or would be contiguous or partially contiguous with a body of water but for a street, road, or other public thoroughfare separating them);
- whether the proposed site(s) is in a federally designated flood plain;
- whether reuse of the proposed site(s) will facilitate renewable energy from wind, solar, or geothermal energy;
- whether reuse of the proposed site(s) will incorporate energy efficiency measures;
- whether the proposed project will improve local resilience to the impacts of extreme weather events and natural disasters; and
- whether a target area(s) is impacted by a coal-fired power plant that has recently closed (2016 or later) or is closing.

Additionally, EPA's Headquarters Selection Official may take the following considerations into account when making final selections:

- distribution of funds between urban and non-urban areas;
- whether the proposed site(s) is located within, or includes, a county experiencing "persistent poverty" where 20% or more of its population has lived in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and the most recent Small Area Income and Poverty Estimates;

- distribution of funds among EPA's ten Regions;
- whether the applicant has not received any type of federal or non-federal financial assistance agreements or only had an assistance agreement(s) that closed in 2015 or earlier; and
- whether the applicant has not previously been awarded a Brownfields MARC Grant.

D. Risk Review

EPA will consider any comments by the applicant, along with information available in the responsibility/qualification records in SAM.gov, when doing the risk review as required by 2 CFR § 200.206.

EPA will conduct a risk review of selected applications before making awards, as required by 2 CFR § 200.206. As part of this review, EPA may consider the following:

- Information available in the responsibility/qualification records in SAM.gov, including any comments made by the applicant.
- If the applicant is a new recipient, whether they have completed the mandatory training requirement outlined in RAIN-2024-G01 New Recipient Training Requirement.
- Any unresolved administrative findings in EPA records.
- Reported issues related to financial stability and/or management systems.
- Past performance or audit issues.

7. Award Notices

EPA anticipates notification to successful applicants will be made by OBLR's Director**.** The notification will be sent to the Project Director and Chief Executive/Highest-Ranking Elected Official listed in the Application Information Sheet in Section 4.B. This notification is not an authorization to begin work. The applicants that are selected for award will work with an EPA Project Officer to finalize the required federal application package, the proposed budget, and to negotiate the cooperative agreement workplan. The official notification of an award will be made by the Regional Award Official (EPA Grants Officer) assigned to the cooperative agreement. Selection does not guarantee an award will be made. Statutory authorization, funding, or other issues during the award process may affect the ability of EPA to make an award. The award notice, signed by an EPA grants officer, is the authorizing document and will be provided through electronic or postal mail. The successful applicant may need to prepare and submit additional documents and forms, which must be approved by EPA, before the grant can officially be awarded. The time between notification of selection and award of a grant can take up to 90 days or longer.

8. Post-Award Requirements and Administration

A. Administrative and National Policy Requirements

The recipient and any sub-recipient must comply with the applicable General Terms and Conditions. These terms and conditions are in addition to the assurances and certifications made as part of the award, terms and conditions, and restrictions reflected on the official assistance award document.

Awards issued as a result of this funding opportunity are subject to the requirements of the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards; Title 2 CFR Part 200 and 2 CFR Part 1500.

B. Reporting

EPA's General Terms and Conditions in the Notice of Award will have information on performance and financial reports, including:

- How often you will report.
- Any required form or formatting.
- How to submit them.

C. Subaward and Executive Compensation Reporting

The Federal Financial Accountability and Transparency Act (FFATA) requires:

- Data entry at SAM.gov for all subawards and subcontracts issued for $30,000 or more.
- Reporting executive compensation for both recipient and subaward organizations.

D. Brownfield Programmatic Requirements

Approved cooperative agreements will include terms and conditions (including any applicable Davis-Bacon labor standards and prevailing wage requirements for construction) that will be binding on the recipient. Brownfield Grant recipients must comply with all applicable federal and State laws to ensure that the assessment and cleanup protect human health and the environment. Brownfield Grant recipients also must comply with the program's technical requirements, which may include, but are not limited to, requirements for: reporting of progress and site-specific accomplishments, Quality Assurance requirements, historic properties or threatened and endangered species, environmental cleanup responsibilities, sufficient progress, collection of post-grant information, and protections of nearby and sensitive populations. The assistance agreement will include terms and conditions implementing these requirements. For additional information, please review the Brownfield Programmatic Requirements.

E. Build America, Buy America

Certain projects under this competition are subject to the Buy America Sourcing requirements under the Build America, Buy America (BABA) provisions of the Infrastructure Investment and Jobs Act (IIJA) (P.L. 117-58, §§ 70911-70917) when using funds for the purchase of goods, products, and materials on any form of construction, alteration, maintenance, or repair of infrastructure in the United States. The Buy America preference requirement applies to all of the iron and steel, manufactured products, and construction materials used for an infrastructure project under an award identified in EPA's financial assistance funding programs subject to BABA report.

These sourcing requirements require that all iron, steel, manufactured products, and construction materials used in Federally funded infrastructure projects must be produced in the United States. The recipient must implement these requirements in its procurements, and this article must flow down to all subawards and contracts at any tier. For legal definitions and sourcing requirements, the recipient must consult the EPA's Build America, Buy America website.

Please consider this information when preparing budget information. EPA has and will continue to provide further guidance on which projects are subject to BABA provisions and will work with grant recipients to support implementation as necessary.

When supported by rationale provided in IIJA § 70914, the recipient may submit a waiver request to EPA. The recipient should request guidance on the submission instructions of an EPA waiver request from the EPA Point of Contact listed in Section 1.E. A list of approved EPA waivers is available on the Build America, Buy America website.

In addition to BABA requirements, all procurements under grants may be subject to the domestic preference provisions of 2 CFR § 200.322.

See "Build America, Buy America" clause in EPA NOFO Clauses.

9. Other Information

A. Additional Provisions for Applicants

Additional provisions that apply to this funding opportunity and/or awards made under this funding opportunity can be found at EPA NOFO Clauses. If you are unable to access these provisions electronically at the website above, please contact the EPA point of contact to obtain the provisions.

These provisions are important for applying to this funding opportunity and applicants must review them when preparing applications.