	U.S. ENVIRONMENTAL PROTECTION AGENCY Cooperative Agreement	GRANT NUMBER (FAIN): 98392507 MODIFICATION NUMBER: 0 PROGRAM CODE: BG	DATE OF AWARD 09/07/2022
		TYPE OF ACTION New	MAILING DATE 09/12/2022
		PAYMENT METHOD: ASAP	ACH# 30359
		RECIPIENT TYPE: State	
RECIPIENT: VA Dept of Environmental Quality 1111 E Main St Richmond, VA 23219-3531 EIN: 54-1661753		PAYEE: VA Dept of Environmental Quality 1111 E Main St Richmond, VA 23219-3531	
PROJECT MANAGER Kizmet Tavarez 1111 E Main St Richmond, VA 23219-3531 Email: kizmet.tavarez@deq.virginia.gov Phone: 804-659-1539		EPA PROJECT OFFICER Rachel Mirro Four Penn Center, 1600 John F. Kennedy Boulevard, 3MD23 Philadelphia, PA 19103-2852 Email: Mirro.Rachel@epa.gov Phone: 215-814-3441	
EPA GRANT SPECIALIST Donna Armstrong Grants Management Section, 3MD22 Four Penn Center, 1600 John F. Kennedy Boulevard Philadelphia, PA 19103-2852 Email: Armstrong.Donna@epa.gov Phone: 215-814-5393			
PROJECT TITLE AND DESCRIPTION FY 2023 - FY 2025 Performance Partnership Grant See Attachment 1 for project description.			
BUDGET PERIOD 10/01/2022 - 09/30/2025	PROJECT PERIOD 10/01/2022 - 09/30/2025	TOTAL BUDGET PERIOD COST \$54,964,398.00	TOTAL PROJECT PERIOD COST \$54,964,398.00
NOTICE OF AWARD Based on your Application dated 07/22/2022 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$3,191,114.00. EPA agrees to cost-share <u>57.91%</u> of all approved budget period costs incurred, up to and not exceeding total federal funding of \$3,191,114.00. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.			
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)		AWARD APPROVAL OFFICE	
ORGANIZATION / ADDRESS U.S. EPA, Region 3 , US EPA Region 3, 3MD22 Four Penn Center, 1600 John F. Kennedy Boulevard Philadelphia, PA 19103-2852		ORGANIZATION / ADDRESS U.S. EPA, Region 3, Mission Support Division 3MD00 R3 - Region 3 Four Penn Center, 1600 John F. Kennedy Boulevard Philadelphia, PA 19103-2852	
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY			
Digital signature applied by EPA Award Official Diana Esher - Deputy Regional Administrator			DATE 09/07/2022

EPA Funding Information

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$0	\$3,181,114	\$3,181,114
EPA In-Kind Amount	\$0	\$10,000	\$10,000
Unexpended Prior Year Balance	\$0	\$0	\$0
Other Federal Funds	\$0	\$0	\$0
Recipient Contribution	\$0	\$0	\$0
State Contribution	\$0	\$23,133,032	\$23,133,032
Local Contribution	\$0	\$0	\$0
Other Contribution	\$0	\$0	\$0
Allowable Project Cost	\$0	\$26,324,146	\$26,324,146

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.605 - Performance Partnership Grants	1996 Appropriations Act (PL 104-134) & 1998 Appropriations Act (PL 105-65)	2 CFR 200, 2 CFR 1500, 40 CFR 33 and 40 CFR 35 Subpart A

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
-	2203PP0012	22	E1	03W5	000D24	4108	-	-	\$483,474
-	2203PP0012	22	E1	03M5	000A04	4108	-	-	\$1,000,000
-	2203PP0012	22	E1	03L5	000B01	4108	-	-	\$1,450,600
-	2203PP0012	22	E1	03L5	000B06XP1	4108	-	-	\$247,040
									\$3,181,114

Budget Summary Page

Table A - Object Class Category (Non-Construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$23,933,443
2. Fringe Benefits	\$11,191,099
3. Travel	\$513,276
4. Equipment	\$238,402
5. Supplies	\$435,736
6. Contractual	\$1,184,768
7. Construction	\$0
8. Other	\$10,646,640
9. Total Direct Charges	\$48,143,364
10. Indirect Costs: 0.00 % Base See Condition 17 under Administrative General Terms and Conditions	\$6,821,034
11. Total (Share: Recipient <u>42.09</u> % Federal <u>57.91</u> %)	\$54,964,398
12. Total Approved Assistance Amount	\$31,831,366
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$3,191,114
15. Total EPA Amount Awarded To Date	\$3,191,114

Attachment 1 - Project Description

This agreement provides funding for the operation of the Virginia Department of Environmental Quality's (VADEQ) continuing environmental programs while giving VADEQ greater flexibility to address its highest environmental priorities, improve environmental performance, achieve administrative savings, and strengthen the partnership between VADEQ and EPA. This agreement funds statewide programs to support ongoing environmental management efforts to improve air quality and reduce localized pollution and health impacts; protect and restore waterbodies and watersheds; clean up and restore land for productive uses and healthy communities; reduce waste and prevent environmental contamination; and detect violations and promote compliance. These objectives will be met by carrying out activities in accordance with the Performance Partnership Grant (PPG) workplan and statutory requirements of the PPG and participating media programs. Sub-awards are anticipated under this agreement to achieve the stated objectives.

This action provides a total of \$3,191,114 (\$3,181,114 cash and \$10,000 in-kind) of incremental Federal funds for FY23 as follows: \$247,040 for CWA 106 Monitoring; \$1,460,600 for CWA 319 (\$1,450,600 cash and \$10,000 in-kind); \$1,000,000 for CAA 105; and \$483,474 for Brownfields 128(a).

Federal funds in the amount of \$28,640,252 for project period 10/1/2022-9/30/2025, are contingent upon availability.

Among others, activities to be performed under this agreement include: ongoing projects to reduce diesel emissions; development and implementation of regulations, State plans, and delegation agreements for the successful implementation and oversight of programs pursuant to sections 111, 112, and 129 of the Clean Air Act; submitting Point, Non-point, On-road Mobile, Non-road Mobile, and Events data category emissions of criteria air pollutants to the EIS as required by the AERR; inspecting 20% of the State's large quantity generator universe; seeking opportunities to apply RCRA First initiatives to progress corrective action projects forward; ensuring all permit, closure and post closure facilities meet financial assurance requirements; consolidating and documenting activities for implementing nutrient reduction strategies, including the Chesapeake Bay and its tributaries under the Bay TMDL and VA's Bay Watershed Implementation Plan; providing public access to the annual assessment data for Virginia in the EPA-provided Assessment Database; performing biological monitoring to determine use impairments, use attainability, and waste load allocations on priority waters; evaluating nutrient management planning under the Erosion and Sediment Control regulations; submitting summary status reports on statewide Office of Water Supply Planning efforts to expand the Climate Response Monitoring Network to assess the onset of drought conditions in Virginia; collecting genus-level macroinvertebrate data that will be used to create a genus-level bioassessment tool; collecting diatom data at probabilistic stations to enhance the understanding of nutrient impacts to freshwater systems; ensuring that Cooperative Agreement workplans are developed in accordance with recipient and EPA policies; ensuring budget and programmatic aspects of application requests conform to State and EPA policies; conducting Brownfields Individualized Outreach and Advocate Stakeholder events for local governments or other groups to assist and

facilitate with local brownfields issues; identifying and promoting grant opportunities to support local watershed initiatives; updating the NPS webpage as source of information for the public; developing annual progress or closeout reports for projects describing progress in implementing watershed-based plans; coordinating and tracking the implementation of the 2019-2024 NPS Pollution Management Plan.

The intended outcomes and deliverables of the recipient's activities include, but are not limited to: increasing the number of people breathing cleaner air; reducing risk from toxic air pollutants; improving water quality; providing safe drinking water; cleaning-up and reusing contaminated land; managing hazardous wastes properly; reducing chemical and biological risks; improving compliance through monitoring and enforcement; and managing non-point source pollution.

The intended beneficiaries of the activities are the citizens of the Commonwealth of Virginia.

A subaward is expected to be made to the Department of Conservation Recreation Soil and Water Conservation Program Support to fund staff to coordinate the delivery of a variety of agricultural programs to soil and water conservation districts that will reduce the impact of nonpoint sources of pollution.

Administrative Conditions

General Terms and Conditions

The recipient agrees to comply with the current EPA general terms and conditions available at:
<https://www.epa.gov/grants/epa-general-terms-and-conditions-effective-october-1-2021-or-later>.

These terms and conditions are in addition to the assurances and certifications made as a part of the award and the terms, conditions, or restrictions cited throughout the award.

The EPA repository for the general terms and conditions by year can be found at:
<https://www.epa.gov/grants/grant-terms-and-conditions#general>.

A. Correspondence Condition

The terms and conditions of this agreement require the submittal of reports, specific requests for approval, or notifications to EPA. Unless otherwise noted, all such correspondence should be sent to the following email addresses:

Federal Financial Reports (SF-425): RTPFC-Grants@epa.gov with a copy to grant specialist of record.

MBE/WBE reports (EPA Form 5700-52A): R3_MBE-WBE_Reports@epa.gov.

All other forms/certifications/assurances, Indirect Cost Rate Agreements, Requests for Extensions of the Budget and Project Period, Amendment Requests, Requests for other Prior Approvals, updates to recipient information (including email addresses, changes in contact information or changes in authorized representatives) and other notifications: Grant specialist and project officer of record.

Payment requests (if applicable): RTPFC-Grants@epa.gov

Quality Assurance documents, workplan revisions, equipment lists, programmatic reports and deliverables: project officer of record.

B. Contingent Funding

EPA is funding this agreement incrementally. There is no guarantee of funding beyond the first year. The **Total Approved Assistance Amount** identified on Line 12 of the budget table of this award is contingent upon the availability of appropriated funds, EPA funding priorities, and satisfactory progress in carrying out the activities described in the scope of work. If EPA informs the recipient that the amount on Line 12 will be reduced, the recipient agrees to provide an updated workplan and budget information, as needed, to amend the agreement.

Programmatic Conditions

A. PERFORMANCE REPORTING

Performance Reports – Content (applies to all programs included in the agreement including those with specific reporting requirements identified below)

In accordance with 2 CFR 200.329, the recipient agrees to submit performance reports that include brief information on each of the following areas: 1) A comparison of actual accomplishments to the outputs/outcomes established in the assistance agreement work plan for the period; 2) The reasons why established outputs/outcomes were not met; and 3) Additional pertinent information, including, when appropriate, analysis and explanation of cost overruns or high-unit costs.

Additionally, the recipient agrees to inform EPA as soon as problems, delays, or adverse conditions which will materially impair the ability to meet the outputs/outcomes specified in the assistance agreement work plan are known.

Interim performance and final progress reports must prominently display the three Essential Elements for state work plans: 1) Strategic Plan Goal; (2) Strategic Plan Objective; and (3) Workplan Commitments plus time frame. (See [Grants Policy Issuance 11-03 State Grant Workplans and Progress Reports](#) for more information)

Subaward Performance Reporting

The recipient must report on its subaward monitoring activities under [2 CFR 200.332\(d\)](#). Examples of items that must be reported if the pass-through entity has the information available are:

1. Summaries of results of reviews of financial and programmatic reports.
2. Summaries of findings from site visits and/or desk reviews to ensure effective subrecipient performance.
3. Environmental results the subrecipient achieved.
4. Summaries of audit findings and related pass-through entity management decisions.
5. Actions the pass-through entity has taken to correct deficiencies such as those specified at [2 CFR 200.332\(e\)](#), [2 CFR 200.208](#) and the [2 CFR Part 200.339](#) Remedies for Noncompliance.

Frequency

The recipient agrees to submit annual performance reports electronically to the EPA Project Officer within 90 days after the annual reporting period ends on September 30th. The final project report is due within 120 days of the budget/project period end date.

If quarterly or semi-annual performance reports are required, they are to be submitted electronically to the EPA Project Officer within 30 days after the reporting period (every three- or six-month period). Quarterly **performance reports** are due on January 31st, April 30th, July 31st, and October 31st. Semi-annual performance reports are due on April 31st and October 31st.

PROGRAM SPECIFIC REPORTING AND OTHER REQUIREMENTS

Nonpoint Source (NPS) Program

The recipient agrees to provide information required under § 319(h)(11) of the Clean Water Act for the purpose of annual reporting on progress under the State's NPS management program. The §319 Annual Program Report will be due by November 30th. At a minimum, the report shall contain a summary of progress, including rationale/evidence, in meeting the

schedule of milestones in the approved management program and reductions in NPS pollutant loading and improvements in water quality that has resulted from implementation of the NPS management program. Failure to submit the annual NPS program report may affect the recipient's eligibility for future § 319 grant funding.

Sufficient Progress/Satisfactory Progress

EPA may terminate the assistance agreement for failure of the recipient to make sufficient progress so as to reasonably ensure completion of the project within the project period, including any extensions. EPA will measure sufficient progress by examining the performance required under the workplan in conjunction with the milestone schedule, the time remaining for performance within the project period, and/or the availability of funds necessary to complete the project. In determining sufficient progress, EPA may also consider the rate of expenditure of funds (unliquidated obligations), as well as the findings from the most recent § 319 performance and progress determination §319 (h)(8). (See EPA's *Guidance and Checklist for Determining Progress of State NPS Management Programs and Performance of CWA Section 319 Grants.*)

Watershed-based Plans

Under the § 319 guidelines, use of §319 "watershed project" funds requires that a watershed-based plan which includes all of the information in elements (a)-(i) as described in the § 319 grant guidelines or an acceptable alternative plan be completed prior to implementation of on- the-ground projects. The recipient shall ensure a watershed-based plan or acceptable alternative plan is completed prior to beginning to implement any on-the-ground project with § 319 watershed project funds.

Upon request by EPA, the recipient shall provide a copy of any watershed-based plan or acceptable alternative plan funded under § 319 as well as any available information regarding the status of implementation activities and results, including but not limited to any reports on BMP's implemented; § 319 funds expended; contributions of funds by other sources to assist in implementation of the watershed-based plans (to the extent this information is readily available to the State); results achieved; and other relevant and appropriate information.

Operation and Maintenance

The recipient will assure the continued proper operation and maintenance of all nonpoint source management practices that have been implemented for projects funded under this agreement. Such practices shall be operated and maintained for the expected lifespan of the specific practice and in accordance with commonly accepted standards. The recipient shall include a provision in every applicable sub-agreement (subgrant or contract) awarded under this grant requiring that the management practices for the project be properly operated and maintained. Likewise, the sub- agreement will assure that similar provisions are included in any sub-agreements that are awarded by the sub-recipient

Obligation and Outlay of Funds

In accordance with § 319(h)(6) of the Clean Water Act, the recipient will show commitment to complete the funded projects in accordance with its EPA approved Nonpoint Source management program and the approved work plan. The recipient will award all proposed contracts, subgrants and interagency agreements within one year after grant award.

Public Awareness Options

<https://www.epa.gov/grants/clean-water-act-section-319-non-point-source-assistance-agreements-public-awareness-terms-and>

1. Outreach Signage Requirements

If the 319 award includes an outreach component, the recipient agrees to provide signage that informs the public that the project is funded by EPA. The signage shall contain the EPA logo. To obtain the appropriate EPA logo or seal graphic file, the recipient should send a request directly to the Office of Public Affairs (OPA) and include the EPA Project Officer in the communication. Instructions for contacting OPA are available at: <http://www2.epa.gov/stylebook/using-epa-seal-and-logo>. The EPA Logo will be displayed meeting the following specifications: [EPA Logo & Seal Specifications for Signage produced by EPA Assistance Agreement Recipients](#). If the physical design of the sign allows, it should also include the following text:

- “This project has been funded by the United States Environmental Protection Agency”; **or**
- “This cooperative project has been funded in part by the United States Environmental Protection Agency”

Exceptions to including the EPA logo may be made by the Regional 319 Coordinator on recommendation by the State.

2. Announcements

The grant recipient agrees that announcements through the web or print materials for workshops, conferences, demonstration days or other events as part of a project funded by a 319 assistance agreement shall contain a statement that the materials or conference has been funded by the United States Environmental Protection Agency.

3. Public or Media Events

The Recipient agrees to notify the EPA Project Officer listed in this award document of public or media events publicizing the accomplishment of significant events related to construction projects as a result of this agreement and provide the opportunity for attendance and participation by federal representatives with at least ten (10) working days’ notice.

4. Limited English Proficiency Communities

To increase public awareness of projects serving communities where English is not the predominant language, recipients are encouraged to include in their outreach strategies communication in non-English languages. Translation costs for this purpose are allowable, provided the costs are reasonable.

Permits

The recipient agrees to ensure that all necessary permits (such as Clean Water Act § 404) are obtained prior to implementation of any grant funded activity that may fall under applicable federal, state or local laws. The subgrantee’s project implementation plan must identify permits that may be needed to complete work plan activities. The recipient must keep documentation regarding necessary permits in the project file. EPA approval of a workplan does not imply nor guarantee that a federal, state, or local permit will be issued for a particular activity.

Participation in Regional and National Meetings

The recipient agrees to attend NPS Manager’s meetings and GRTS users meeting, as scheduled, unless agreed upon in advance by the EPA Project Officer.

NPS Success Stories

The recipient must draft and submit to EPA all applicable NPS program success stories which highlight projects resulting in the restoration of waterbodies. These stories shall be submitted through the success story database in GRTS.

TMDLs Developed Under Section 319 Grant

For each § 319-funded TMDL, the recipient will provide the following supplemental information to support the load allocations specified in the TMDL: (1) an identification of total NPS existing loads and total NPS load reductions necessary to meet water quality standards, by source type; (2) a detailed identification of the causes and sources of NPS pollution by source type to be addressed in order to achieve the load reductions specified in the TMDL (e.g., acres of various row crops, number and size of animal feedlots, acres and density of residential areas); and (3) an analysis of the NPS management measures by source type expected to be implemented to achieve the necessary load reductions, with the recognition that adaptive management may be necessary during implementation.

Water Quality Data Reporting

The recipient agrees to enter water quality monitoring data, for data collected in a waterbody pursuant to the implementation of a §319 project, into EPA's Water Quality Exchange (WQX) data system. All water quality data generated with §319 funding, either directly or by sub-award, are required to be transmitted into the WQX system using either the WQX or WQXweb. When uploading data through WQX or WQXweb, data should be identified as a §319 rant related by providing project ID **CWA319** in the data submission. If you have an existing project ID, please include this in addition to data collected using 319 funds. Please contact the WQX helpdesk (WQX@epa.gov) if you need assistance assigning multiple project IDs to a dataset.

GRTS

The recipient shall enter all mandated data elements into the GRTS for NPS projects funded under § 319 of the Clean Water Act, and any other data and/or information required by the EPA, according to deadlines specified by EPA.

Initial data entry is due 90 days from award and includes all mandated data elements except the geographic area (if still to be determined), best management practices (BMPs) and load reduction data. The recipient will report BMP and load reduction data as projects are implemented. At a minimum, the BMP and load reduction data will be reported by February 15th of each year for projects implementing BMPs in the previous federal fiscal year.

Water Pollution Control State and Interstate Program Support

All water quality data generated by the VADEQ in accordance with an EPA approved Quality Assurance Project Plan will be transmitted into the Water Quality Portal (<https://waterqualitydata.us>) using the Water Quality Exchange (WQX), WQXweb, or through cooperation with USGS where USGS conducts the monitoring and manages the collected data in their National Water Information System (NWIS).

Water quality data that are appropriate for the Water Quality Portal include physical, chemical, and biological sample results for water, sediment and fish tissue. The data include toxicity data, microbiological data, and the metrics and indices generated from biological and habitat data. WQX is the water data schema associated with the EPA, State and Tribal Exchange Network. More information about WQX, WQXweb, and the Water Quality Portal, including tutorials, can be found at <https://www.epa.gov/waterdata/water-quality-data>.

Brownfields State and Tribal Assistance Program Grant

Response Program Elements

Throughout the duration of this agreement the Recipient must remain a party to the Voluntary Response Program Memorandum of Agreement with EPA, dated 03/01/2017.

Public Record System

The recipient must establish a public record system pursuant to CERCLA Section 128(b)(1)(C). The public record must be maintained and updated at least annually and include the requirements listed below.

1. For sites where response actions were completed in the previous grant project year, include the following:
 - a. Date the response action was completed
 - b. Site name, name of owner at time of cleanup, and type of site (e.g., petroleum, methamphetamine laboratory, mine scarred lands);
 - c. Location of the site (street address, latitude and longitude); Explanation of whether or not the site will be suitable for unrestricted use upon completion of the response action. If not, the public record must identify and describe the institutional control(s) in place or relied on for the remedy (e.g., deed restriction);
 - d. Nature of the contamination at the site (e.g., hazardous substances, contaminants, pollutants, petroleum contamination, etc.); and
 - e. Size of the site in acres.

2. A list of sites planned to be addressed in the next year by the state response program including:
 - a. Site name, name of owner at time of cleanup, and type of site (e.g., petroleum, methamphetamine laboratory, mine scarred lands);
 - b. Location of the site (street address, latitude and longitude);
 - c. To the extent known, whether an institutional control is in place. If so, describe the type of institutional control in place (e.g., deed restriction);
 - d. To the extent known, the nature of the contamination at the site (e.g., hazardous substances, contaminants, pollutants, petroleum contamination, etc.); and
 - e. Size of the site in acres.

3. Once a public record is established in a manner consistent with CERCLA Section 128(b)(1)(C), recipients must maintain the public record throughout the duration of this agreement.

Site-Specific Assessment and Cleanup Activities

1. Consistent with CERCLA Section 128(a)(2)(C)(iii), EPA guidance, and to the extent authorized by the scope of work for this agreement, the recipient may conduct assessments or cleanups at brownfield sites ("brownfield," as defined by CERCLA Section 101(39)) in response to a request by a person who is or may be affected by a release or threatened release of a hazardous substance, pollutant, contaminant, or petroleum at a brownfield located in the community in which the person works or resides. Assessments and cleanups must comply with all applicable laws and are subject to the following restrictions:
 - a. Absent approval by EPA's Project Officer, no more than \$200,000 per site can be funded for assessments, and no more than \$200,000 per brownfield site can be funded for cleanups.
 - b. Absent approval by EPA's Project Officer, the recipient may not use funds awarded under this agreement to assess and/or cleanup brownfields owned by the recipient or held in trust by the United States Government for the

recipient.

c. Subawards, as defined by 2 CFR 200.1, may not be provided to entities that may be potentially responsible parties (pursuant to CERCLA Section 107) at the site for which the assessment or cleanup activities are proposed to be conducted, with the exception of sites contaminated by a controlled substance as defined in CERCLA Section 101(39)(D)(ii)(I); or when the subrecipient would satisfy all of the elements set forth in CERCLA Section 101(40) to qualify as a bona fide prospective purchaser, except that the date of acquisition of the property was on or before January 11, 2002.

d. Assessments and cleanups may not be conducted at brownfields where the recipient is a potentially responsible party (pursuant to CERCLA Section 107), with the exception of sites contaminated by a controlled substance as defined in CERCLA Section 101(39)(D)(ii)(I); or when the recipient would satisfy all of the elements set forth in CERCLA Section 101(40) to qualify as a bona fide prospective purchaser, except that the date of acquisition of the property was on or before January 11, 2002.

2. Consistent with CERCLA Section 128(a)(2)(B)(ii), and to the extent authorized by the scope of work for this agreement, the recipient may use funds awarded under this agreement to complete the necessary response activities, including assessments and cleanups, if the person conducting a response action overseen by the recipient fails to complete the necessary response activities, including operation and maintenance or long-term monitoring activities. Assessments and cleanups under this provision must comply with all applicable laws and are subject to the following restrictions:

a. Absent approval by EPA's Project Officer, the recipient may not use funds awarded under this agreement to assess and cleanup sites owned by the recipient.

b. The recipient may not use funds awarded under this agreement to assess or cleanup sites for which the recipient is a potentially responsible party (pursuant to CERCLA Section 107), with the exception of sites contaminated by a controlled substance as defined in CERCLA Section 101(39)(D)(ii)(I).

c. The recipient may not use subaward funds awarded under this agreement to assess or cleanup a site for which the subrecipient is a potentially responsible party (pursuant to CERCLA Section 107).

3. For the site-specific activities, the recipient must maintain documentation supporting the recipient's conclusion that the site meets the brownfield definition in CERCLA Section 101(39). For those sites which are excluded from the brownfield definition, pursuant to CERCLA Section 101(39)(B), but are eligible for a property-specific funding determination pursuant to CERCLA Section 101(39)(C), the recipient must comply with paragraph IV below. NOTE: To the extent authorized in the scope of work for this agreement, the recipient may conduct oversight of cleanups at sites other than brownfields. Records must be maintained per 2 CFR 200.334.

4. For site-specific activities at petroleum-only brownfields sites (CERCLA Section 101(39)(D)(ii)(II)), the requirements listed below apply.

a. The recipient must determine and maintain supporting documentation that:

i. There is no viable responsible party for the site;

ii. The site will not be assessed, investigated, or cleaned up by a person that is potentially liable for cleaning up the site; and

iii. The site is not subject to any order issued under Section 9003(h) of the Solid Waste Disposal Act.

- b. The supporting documentation must identify the state official who made the determinations identified in 4.a., the date the recipient obtained the determinations, and a summary of each conclusion.

Property-Specific Funding Determination

1. If a recipient plans to use funds for site-specific activities at a site that is excluded from the definition of a brownfield in CERCLA Section 101(39)(A) and (B) but is eligible for a property-specific funding determination, then the recipient must provide information sufficient for EPA's Regional Approval Official, as delegated by Delegation 14-44 and 14-45, to make a property-specific funding determination. Sites eligible for property-specific funding are defined in CERCLA Section 101(39)(C). The recipient must comply with the following requirements:

- a. The recipient must not incur any site-specific costs for those sites which require a property-specific funding determination under this agreement (other than those necessary to provide information to EPA) until EPA's Approval Official makes a property-specific funding determination.
- b. The recipient must submit to EPA's Project Officer a written request for a property-specific funding determination. The request must include information about the site (e.g., name, location, owners) and explain how the financial assistance will:
 - i. Protect human health and the environment, and
 - ii. Either promote economic development or enable the creation of, preservation of, or addition to parks, greenways, undeveloped property, other recreational property or other property used for nonprofit purposes.

2. Any property-specific funding determination granted by EPA does not obviate the recipient's responsibility to incur only costs that meet the terms and conditions of the agreement and are allowable under 2 CFR Parts 200 and 1500 for governmental entities.

Institutional Controls

To the extent authorized by the scope of work for this agreement, the recipient may use funding under this agreement to maintain and monitor institutional controls.

Performance Reporting Requirements

1. Performance Reporting for Program Activity Levels ("PALs")

The recipient must report Program Activity Levels ("PALs") annually when the Section 128(a) funding request is due to the appropriate EPA Regional Office in mid-December. The PALs summarize the work from the previous federal fiscal year, therefore, the recipient's responses to the PALs questions should reflect activities for the period covering the last federal fiscal year (October 1 – September 30), including:

- a. Environmental programs where CERCLA 128(a) funds are used to support capacity building [general program support, non-site-specific work]. Specify which programs were supported with 128(a) funds from the following: Brownfields, Underground Storage Tanks/Leaking Underground Storage Tanks, Federal Facilities, Solid Waste Superfund, Hazardous Waste Facilities, VCP (Voluntary Cleanup Program, Independent Cleanup Program, etc.), and Other;
- b. Number of sites enrolled in a response program during previous federal fiscal year;

- c. Number of properties (or sites) where documentation indicates that cleanup work is complete AND either (a) all required institutional controls (IC's) are in place, or (b) the cleanup does not require ICs;
- d. Total number of acres associated with properties (or sites) in the previous question (item c);
- e. OPTIONAL: Number of properties (or sites) where assistance was provided, but the property was not enrolled in a response program
- f. Date that the public record was last updated
- g. Number of audits/inspections/reviews/other conducted to ensure engineering controls and institutional controls are still protective; and
- h. Did you develop or revise legislation, regulations, codes, guidance documents or policies related to establishing or enhancing your Voluntary Cleanup Program/Response Program during FY21? If yes, please indicate the type and whether it was new or revised.

For this FY22 award, the recipient must report Program Activity Levels (PALs) information either directly in [EPA's Assessment, Cleanup and Redevelopment Exchange System \("ACRES"\) database](#) OR by filling out the form found at <https://www.epa.gov/brownfields/program-activity-levels-pals-reporting-form> and providing it to the appropriate EPA Regional Office along with the recipient's FY23 funding request in mid-December.

Beginning in FY23, recipient's will only be able to provide PALs information directly into ACRES. For detailed instructions on how to report PALs in ACRES, please see the quick reference guide at <https://www.epa.gov/brownfields/brownfields-grantee-reporting-using-assessment-cleanup-and-redevelopment-exchange>.

2. Semi-Annual Performance Reporting Requirements

- a. All interim and final progress reports must prominently display the following three relevant Essential Elements as reflected in the current EPA strategic plan:
 - i. Strategic Plan Goal 6: Safeguard and Revitalize Communities
 - ii. Strategic Plan Objective 6.1: Clean Up and Restore Land for Productive Uses and Healthy Communities
 - iii. Work plan Commitments and Timeframes: See work plan for specifics.
- b. The recipient will report on milestones, activities, and outputs achieved under this agreement. Examples of items to include:
 - i. The completion of significant site planning, assessment, cleanup, or redevelopment activities, including any relevant information regarding whether such activities anticipated or otherwise considered the impacts of climate change and/or benefited a community with environmental justice concerns
 - ii. Information regarding significant outreach, meeting, or training events, including whether such outreach engaged communities with environmental justice concerns;
 - iii. Significant updates to a website or tracking system or improvements to the process;
 - iv. For site-specific work, details such as where and when the activity was conducted and why, who was involved or impacted, and what was accomplished, including whether site-specific work anticipated or otherwise considered

the impacts of climate change and/or benefited a community with environmental justice concerns. The narrative may range in length between a paragraph and one page in length for a specific site. Provide before and after photos of site work and photos of events, unless the site assessment report already has been provided to EPA as a deliverable.

v. A budget summary table which may include the following information: current approved project budget; costs incurred during the reporting quarter; costs incurred to date (cumulative expenditures); and total remaining funds.

c. All recipients must report information relating to establishing and maintaining the public record described in paragraph II above and provide the date of the last update. (NOTE: For this requirement, recipients can refer to their already existing public record, such as a website or other public database).

d. Recipients with work plans that include funding for other site-related activities must include a description of the activities and provide the number of sites at which the activities were conducted. For example:

- i. Number and frequency of oversight reviews (internal audits) of licensed site professional certified cleanups.
- ii. Number and frequency of state oversight reviews (internal audits) conducted.
- iii. Number of sites where staff conducted reviews (internal audits), provided technical assistance, or conducted other oversight activities.
- iv. Number of staff conducting oversight reviews (internal audits), providing technical assistance, or conducting other oversight activities.

f. Recipients must report activities related to establishing or enhancing the four elements of the state's response program:

i. For each element, recipients must report how they are maintaining the element or how they are taking reasonable steps to establish or enhance the element as negotiated in individual recipient's work plans. For example, pursuant to CERCLA Section 128(a)(2)(B), reports on the oversight and enforcement authorities/mechanisms element may include:

1. A narrative description and copies of applicable documents developed or under development to enable the response program to conduct enforcement and oversight at sites. For example:

- a. Legal authorities and mechanisms (e.g., statutes, regulations, orders, agreements)
- b. Cleanup standards for soil and water; and
- c. Policies and procedures to implement legal authorities; and
- d. Other mechanisms

2. A description of the resources and staff allocated/to be allocated to the response program to conduct oversight and enforcement at sites as a result of the grant

3. A narrative description of how these authorities or other mechanisms and resources are adequate to ensure that:

- a. A response action will protect human health and the environment and be conducted in accordance with applicable laws; and

b. A response action will be completed if the person conducting the response action fails to conduct the necessary response activities, including operation and maintenance or long-term monitoring activities

4. A narrative description and copy of appropriate documents demonstrating the exercise of oversight and enforcement authorities by the response program at a site.

ii. EPA strongly encourages recipients to report specific performance measures related to the four elements in progress reports. These data may be aggregated for national reporting to Congress, and include:

1. Timely Survey & Inventory - Estimated number of brownfield sites in the state or tribal response program.

2. Oversight & Enforcement Authorities/Mechanisms - Number of active cleanups and percentage that received oversight; percentage of active cleanups not in compliance with the cleanup work plan and that received communications from the recipient regarding non-compliance.

3. Public Participation - Percentage of sites in the state or tribal response program where public meetings/notices were conducted regarding the cleanup plan and/or other site activities; number of requests and responses to site assessment requests.

4. Cleanup Approval/Certification Mechanisms - Total number of "no further action" letters or total number of certificate of completions.

3. Significant Developments

As required by 2 CFR 200.329(e), the recipient must inform EPA and report on significant impacts to grant-supported activities when they occur between the scheduled reporting dates. Significant developments to report may include problems or delays (such as staff vacancies or travel restrictions) as well as favorable developments or successes associated with milestones and activities as listed under section VII.B above.

4. Reporting Requirements Related to Site Assessment and Cleanup Work

The recipient must report on interim progress (e.g., assessment started) and any final accomplishments (e.g., assessment completed, cleanup required, contaminants, Institutional Controls, Engineering Controls) by submitting information into the Brownfields online reporting system, known as the Assessment, Cleanup and Redevelopment Exchange System ("ACRES"). The recipient must enter this data into ACRES within 30 days of the end of the next reporting period or sooner at EPA's request. EPA will provide the recipients with training, which is required to obtain access to ACRES.

5. Final Report

The recipient must submit a final performance report at the end of the period of performance in order to finalize the closeout of the grant. This final report must capture the work that was performed during the period of performance, explain how the funding was utilized, and may include a summary of activities as is listed under VI.B. above. The final report is due within 120 days of the end of the period of performance and, with approval from the EPA Project Officer, may be submitted in lieu of a final quarterly or semi-annual report.

6. Subaward Reporting

If the recipient plans on making any subawards under this agreement, then it becomes a pass-through entity. As the pass-

through entity, the recipient must report on its subaward monitoring activities under 2 CFR 200.332(d), including the following information on subawards:

- Summaries of financial and programmatic report reviews.
- Summaries of findings from site visits and/or desk reviews to ensure effective subrecipient performance.
- Environmental results the subrecipient achieved.
- Summaries of audit findings and related pass-through entity management decisions.
- Actions the pass-through entity has taken to correct any deficiencies such as those specified at 2 CFR 200.332(e), 2 CFR 200.208, and 2 CFR 200.339 Remedies for Noncompliance.

7. Updating the State Brownfields and Voluntary Response Programs Report in ACRES

State recipients must update their state response program information in ACRES at least once a year (and may update more frequently if changes in their response program warrant an additional update), so that EPA has accurate, up-to-date information to share with the public in the form of a State Brownfields and Voluntary Response Program Report. EPA expects that this annual update will occur when states are already in the ACRES database performing other required ACRES reporting, thereby reducing the administrative burden.

For detailed instructions on how to update your state brownfields information in ACRES, please see the quick reference guide at <https://www.epa.gov/brownfields/brownfields-grantee-reporting-using-assessment-cleanup-and-redevelopment-exchange>.

B. CYBERSECURITY

State Grant Cybersecurity

(a) The recipient agrees that when collecting and managing environmental data under this assistance agreement, it will protect the data by following all applicable State law cybersecurity requirements.

(b) EPA must ensure that any connections between the recipient's network or information system and EPA networks used by the recipient to transfer data under this agreement, are secure.

For purposes of this Section, a connection is defined as a dedicated persistent interface between an Agency IT system and an external IT system for the purpose of transferring information. Transitory, user-controlled connections such as website browsing are excluded from this definition. If the recipient's connections as defined above do not go through the Environmental Information Exchange Network or EPA's Central Data Exchange, the recipient agrees to contact the EPA Project Officer (PO) and work with the designated Regional/Headquarters Information Security Officer to ensure that the connections meet EPA security requirements, including entering into Interconnection Service Agreements as appropriate. This condition does not apply to manual entry of data by the recipient into systems operated and used by EPA's regulatory programs for the submission of reporting and/or compliance data.

(b) (2) The recipient agrees that any subawards it makes under this agreement will require the subrecipient to comply with the requirements in (b)(1) if the subrecipient's network or information system is connected to EPA networks to transfer data to the Agency using systems other than the Environmental Information Exchange Network or EPA's Central Data Exchange. The recipient will be in compliance with this condition: by including this requirement in subaward agreements; and during subrecipient monitoring deemed necessary by the recipient under 2 CFR 200.332(d), by inquiring whether the

subrecipient has contacted the EPA Project Officer. Nothing in this condition requires the recipient to contact the EPA Project Officer on behalf of a subrecipient or to be involved in the negotiation of an Interconnection Service Agreement between the subrecipient and EPA.

C. GENERAL FEDERAL REQUIREMENTS

The recipient must comply with federal cross-cutting requirements. These requirements include, but are not limited to, minority business enterprise (MBE)/women's business enterprise (WBE) requirements found at 40 CFR Part 33; nondiscrimination statutes, including Title VI of the Civil Rights Act of 1964, and EPA's implementing regulations found at 40 C.F.R. Parts 5 and 7; OSHA Worker Health & Safety Standards in 29 CFR 1910.120; the Uniform Relocation Act; National Historic Preservation Act; Endangered Species Act; Permits required by Section 404 of the Clean Water Act; Executive Order 11246, Equal Employment Opportunity, and implementing regulations at 41 CFR 60-4; Contract Work Hours and Safety Standards Act, as amended (40 USC 327-333); the Anti-Kickback Act (40 USC 276c); and Section 504 of the Rehabilitation Act of 1973, as implemented by Executive Orders 11914 and 11250. EPA provides additional information on cross-cutting requirements in [EPA Subaward Cross Cutter Requirements](#).

D. COMPETENCY POLICY

Competency of Organizations Generating Environmental Measurement Data

In accordance with Agency Policy Directive Number FEM-2012-02, Policy to Assure the Competency of Organizations Generating Environmental Measurement Data under Agency-Funded Assistance Agreements, the recipient agrees, by entering into this agreement, that it has demonstrated competency prior to award, or alternatively, where a pre-award demonstration of competency is not practicable, Recipient agrees to demonstrate competency prior to carrying out any activities under the award involving the generation or use of environmental data. Recipient shall maintain competency for the duration of the project period of this agreement and this will be documented during the annual reporting process. A copy of the Policy is available online at <https://www.epa.gov/sites/production/files/2015-03/documents/competency-policy-aaia-new.pdf> or a copy may also be requested by contacting the EPA Project Officer for this award.

E. IN-KIND ASSISTANCE

This action awards federal funds in the amount of \$10,000 as in-kind assistance. EPA will direct the in-kind funding to NPS Program delivery.

F. GEOSPATIAL DATA STANDARDS

All geospatial data created must be consistent with Federal Geographic Data Committee (FGDC) endorsed standards. Information on these standards may be found at www.fgdc.gov.

G. PAPERWORK REDUCTION ACT

The scope of work for this cooperative agreement includes a survey or other information collection of identical information from 10 or more parties. As provided by 5 CFR 1320.3(d), EPA is a sponsor of the information collection for purposes of obtaining approval from the Office of Management and Budget for collecting information. The recipient agrees to assist EPA in complying with OMB procedures at 5 CFR Part 1320 for obtaining Information Collection Request authorization. The recipient may not collect information until EPA obtains OMB approval.

H. POST AWARD CHANGES

To determine if a post-award change in work plan commitments is significant and requires prior written approval for the purposes of [40 CFR §35.114\(a\)](#) or [40 CFR §35.514\(a\)](#), the recipient agrees to consult the EPA Project Officer (PO) before making the change. The term *work plan commitment* is defined at [40 CFR §35.102](#). If the PO determines the change is significant, the recipient cannot make the change without prior written approval by EPA's Grants Management Officer. All transfers of funds must be reported in required performance reports.

I. QUALITY ASSURANCE

Authority: Quality Assurance applies to all assistance agreements involving environmental information as defined in [2 C.F.R. § 1500.12](#) Quality Assurance.

The recipient shall ensure that subawards involving environmental information issued under this agreement include appropriate quality requirements for the work. The recipient shall ensure sub-award recipients develop and implement a Quality Assurance (QA) planning document in accordance with this term and condition; and/or ensure sub-award recipients implement all applicable approved QA planning documents.

1. Quality Management Plan (QMP)

- a. Prior to beginning environmental information operations, the recipient must:
 - i. Submit a previously EPA-approved and current QMP,
 - ii. The EPA Quality Assurance Manager or designee (hereafter referred to as QAM) will notify the recipient and EPA Project Officer (PO) in writing if the QMP is acceptable for this agreement.
- b. The recipient must submit the QMP no more than 180 days after grant award.
- c. The recipient must review their approved QMP at least annually. The results of the QMP review and any revisions must be submitted to the PO and the QAM at least annually and may also be submitted when changes occur.

2. Quality Assurance Project Plan (QAPP)

- a. Prior to beginning environmental information operations, the recipient must:
 - i. Submit a previously EPA-approved QAPP proposed to ensure the collected, produced, evaluated, or used environmental information is of known and documented quality for the intended use(s).
 - ii. The EPA Quality Assurance Manager or designee (hereafter referred to as QAM) will notify the recipient and EPA Project Officer (PO) in writing if the previously EPA-approved QAPP is acceptable for this agreement.

For Reference:

- [EPA QAR-2: EPA Requirements for Quality Management Plans](#) and [EPA QAR-5: EPA Requirements for Quality Assurance Project Plans](#); contain quality specifications for EPA and non-EPA organizations and definitions applicable to these terms and conditions.
- [EPA QA/G-5: Guidance for Quality Assurance Project Plans](#), Appendix C provides a QAPP Checklist.
- [EPA's Quality Program](#) website has a [list of QA managers](#), and [Quality Specifications for non-EPA Organizations to do business with EPA](#).

- [The Office of Grants and Debarment Quality Assurance Requirements.](#)

J. SUBSTANTIAL INVOLVEMENT


EPA will be substantially involved in this agreement. Substantial involvement by the EPA Project Officer may include:

1. monthly telephone calls and other monitoring
 2. reviewing project phases and providing approval to continue to the next phase
 3. reviewing and commenting on any documents, web content, or other materials developed under this agreement (the recipient will make final decisions on these matters)
 4. approving substantive terms included in contracts or subawards (EPA's Project Officer will not suggest, recommend, or direct the recipient to select any particular contractor or subrecipient except to the extent permitted in Section 10 of EPA's Subaward Policy)
 5. reviewing and commenting on the programmatic progress reports
 6. consultation with EPA regarding the selection of key personnel (EPA's involvement is limited to reviewing the technical qualifications of key personnel and the recipient will make the final decisions on selection. EPA's Project Officer will not suggest, recommend, or direct the recipient to select any individual)
 7. joint operational involvement, participation, and/or collaboration between EPA and the recipient
 8. Consultation and collaboration on technical matters that will help the recipient carry out the agreement effectively
 9. EPA's review of the watershed-based plans or alternatives
 10. Consultation and collaboration on technical and policy matters at the recipient's request. EPA's Project Officer or designee may provide data, advice, and information that will help the recipient carry out the agreement effectively
 11. EPA's Project Officer may review the substantive terms of professional services contracts or subawards the recipient enters into to carry out specific elements of the scope of work. Neither EPA's Project Officer nor any other EPA employee will direct, recommend, or suggest that the recipient enter into a contract or subaward with a specific entity. EPA approval is not required for contracts for supplies, equipment, information technology and other administrative support services
 12. EPA's Project Officer may review the qualifications of key staff hired by the recipient or consultants with whom the recipient contracts to carry out specific elements of the scope of work when those staff or contractors are paid by the grant funds. Neither EPA's Project Officer nor any other EPA employee will direct, recommend, or suggest that the recipient hire a particular individual or enter into a consulting contract with a specific entity
 13. Monitoring by EPA of the recipient's performance under the agreement

K. USE OF LOGOS

If the EPA logo is appearing along with logos from other participating entities on websites, outreach materials, or reports, it must **not** be prominently displayed to imply that any of the recipient or subrecipient's activities are being conducted by the

EPA. Instead, the EPA logo should be accompanied with a statement indicating that the VADEQ received financial support from the EPA under an Assistance Agreement. More information is available at: <https://www.epa.gov/stylebook/using-epa-seal-and-logo#policy>

	U.S. ENVIRONMENTAL PROTECTION AGENCY Assistance Amendment	GRANT NUMBER (FAIN): 98392507 MODIFICATION NUMBER: 3 PROGRAM CODE: BG	DATE OF AWARD 08/29/2023
		TYPE OF ACTION Augmentation: Increase	MAILING DATE 09/01/2023
		PAYMENT METHOD: ASAP	ACH# 30359
		RECIPIENT TYPE: State	
RECIPIENT: VA Dept of Environmental Quality 1111 E Main St Richmond, VA 23219-3531 EIN: 54-1661753		PAYEE: VA Dept of Environmental Quality 1111 E Main St Richmond, VA 23219-3531	
PROJECT MANAGER Kizmet Tavarez 1111 E Main St Richmond, VA 23219-3531 Email: kizmet.tavarez@deq.virginia.gov Phone: 804-659-1539		EPA PROJECT OFFICER Rachel Mirro Four Penn Center, 1600 John F. Kennedy Boulevard, 3MD23 Philadelphia, PA 19103-2852 Email: Mirro.Rachel@epa.gov Phone: 215-814-3441	
EPA GRANT SPECIALIST Donna Armstrong Grants Management Section, 3MD22 Four Penn Center, 1600 John F. Kennedy Boulevard Philadelphia, PA 19103-2852 Email: Armstrong.Donna@epa.gov Phone: 215-814-5393			
PROJECT TITLE AND EXPLANATION OF CHANGES FY23-25 Performance Partnership Agreement See Attachment 1 for project description.			
BUDGET PERIOD 10/01/2022 - 09/30/2025	PROJECT PERIOD 10/01/2022 - 09/30/2025	TOTAL BUDGET PERIOD COST \$55,891,382.00	TOTAL PROJECT PERIOD COST \$55,891,382.00
NOTICE OF AWARD Based on your Application dated 07/26/2023 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$2,580,540.00. EPA agrees to cost-share 58.11% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$13,445,174.00. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.			
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)		AWARD APPROVAL OFFICE	
ORGANIZATION / ADDRESS U.S. EPA, Region 3 , US EPA Region 3, 3MD22 Four Penn Center, 1600 John F. Kennedy Boulevard Philadelphia, PA 19103-2852		ORGANIZATION / ADDRESS U.S. EPA, Region 3, Mission Support Division 3MD00 R3 - Region 3 Four Penn Center, 1600 John F. Kennedy Boulevard Philadelphia, PA 19103-2852	
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY			
Digital signature applied by EPA Award Official Diana Esher - Deputy Regional Administrator			DATE 08/29/2023

EPA Funding Information

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$10,854,634	\$2,570,540	\$13,425,174
EPA In-Kind Amount	\$10,000	\$10,000	\$20,000
Unexpended Prior Year Balance	\$0	\$0	\$0
Other Federal Funds	\$0	\$0	\$0
Recipient Contribution	\$0	\$0	\$0
State Contribution	\$23,289,057	\$125,226	\$23,414,283
Local Contribution	\$0	\$0	\$0
Other Contribution	\$0	\$0	\$0
Allowable Project Cost	\$34,153,691	\$2,705,766	\$36,859,457

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.605 - Performance Partnership Grants	1996 Appropriations Act (PL 104-134) & 1998 Appropriations Act (PL 105-65)	2 CFR 200, 2 CFR 1500, 40 CFR 33 and 40 CFR 35 Subpart A

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
-	2303PP0014	23	E1	03L5	000B01	4108	-	-	\$1,502,850
-	2303PP0014	23	E1	03P5	000D24	4108	-	-	\$483,185
-	2303PP0014	23	E1	03L5	000B06XP1	4108	-	-	\$254,861
-	2303PP0014	23	E1	03M5	000A04	4108	-	-	\$165,644
-	2303PP0014	23	E1	03P5	000D11	4108	-	-	\$100,000
-	2303PP0014	23	E1	03L5	000B06	4108	-	-	\$64,000
									\$2,570,540

Budget Summary Page

Table A - Object Class Category (Non-Construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$24,329,416
2. Fringe Benefits	\$11,377,218
3. Travel	\$531,533
4. Equipment	\$310,264
5. Supplies	\$498,103
6. Contractual	\$1,272,479
7. Construction	\$0
8. Other	\$10,638,485
9. Total Direct Charges	\$48,957,498
10. Indirect Costs: 0.00 % Base See Condition 17 of the Administrative Terms and Conditions	\$6,933,884
11. Total (Share: Recipient <u>41.89</u> % Federal <u>58.11</u> %)	\$55,891,382
12. Total Approved Assistance Amount	\$32,477,099
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$2,580,540
15. Total EPA Amount Awarded To Date	\$13,445,174

Attachment 1 - Project Description

This agreement provides funding for the operation of the Virginia Department of Environmental Quality's (VADEQ) continuing environmental programs while giving VADEQ greater flexibility to address its highest environmental priorities, improve environmental performance, achieve administrative savings, and strengthen the partnership between VADEQ and EPA. This agreement funds statewide programs to support ongoing environmental management efforts to improve air quality and reduce localized pollution and health impacts; protect and restore waterbodies and watersheds; clean up and restore land for productive uses and healthy communities; reduce waste and prevent environmental contamination; detect violations and promote compliance; and promote pollution prevention. These objectives will be met by carrying out activities in accordance with the Performance Partnership Grant (PPG) workplan and statutory requirements of the PPG and participating media programs. Sub-awards are anticipated under this agreement to achieve the stated objectives.

This action amends VADEQ's PPG by modifying the budget and adding supplemental funding, increasing the total budget period costs to \$55,891,382. With this action, \$2,580,540 (\$2,570,540 cash and \$10,000 in-kind) of federal funds are awarded as follows: CAA 105-\$165,644; CWA 106 Base-\$64,000; CWA 106 Monitoring-\$254,861; CWA 319-\$1,512,850 (\$10,000 in-kind and \$1,502,850 cash); Brownfields 128(a)-\$483,185; and RCRA HW-\$100,000.

Federal funds in the amount of \$19,031,925, for project period 10/1/2022-9/30/2025, are contingent upon availability.

Administrative Conditions

ALL ADMINISTRATIVE TERMS AND CONDITIONS REMAIN THE SAME.

Programmatic Conditions

ALL PROGRAMMATIC TERMS & CONDITIONS REMAIN THE SAME.