

## **NJIT TAB & USEPA**

### **Revolving Loan Fund Workshop**

**(October 13 & 14, 2010 - Boston, MA)**

#### **Overview:**

The Revolving Loan Fund Workshop was conducted over a two day period covering a range of topics developed by the NJIT TAB Team, USEPA staff, and RLF Grantees from EPA Region 1. The first day of the workshop was comprised of presentations detailing the mechanisms of the RLF Program and advice on how new grantees can begin to build their programs, basically RLF 101. The topics covered in the second day were geared for a more experienced audience although the content was presented in such a way that less experienced participants would benefit from the subject matter.

#### **Day 1**

##### ***Establishing the RLF Team***

The first presentation, Establishing your RLF Team, reviewed the parts of an RLF and the roles each participant plays in the application and award process. It was emphasized that the EPA is not involved in any agreement made between the grantee and borrower/sub-grantee. New and existing grantees were encouraged to utilize their relationship with the EPA Project Officer in order to answer questions as they arise as well as to troubleshoot any situations that may create complications for the grantee and the program. They were also encouraged to approach EPA Project Officers for sample templates related to already approved fund managers and QEPs.

In order to provide workshop attendees with real life examples of successful RLF programs, several RLF Grantees spoke about the techniques and strategies they employed to create and maintain successful sustainable RLFs. These shared experiences included topics such as: hiring a financial manager with experience in loan assessment, underwriting, client interaction, and loan repayment administration; using the expertise of state and federal environmental professionals for plan review and program creation; creating an RLF program tailored to particular location, demographic, and needs; and borrower selection.

##### ***First Things First: Site/Borrower Eligibility Exercise***

During this session site/borrower eligibility exercises were conducted in order to mimic real life scenarios and walk workshop participants through the thought process of resolving them. Throughout the exercises an emphasis was placed on the grantees conducting site and borrower eligibility early on in the process. Additionally, the importance of coordinating with EPA Project Officers was stressed.

### ***Eligible Uses of Funds: Loans and Subgrants***

This session was comprised of exercises focused on Eligible Uses of Funds in an RLF Program, with Q&A following the exercises.

### ***Putting it all Together: The Loan Process from Beginning to End***

The Putting It All Together session tied together the parts of the RLF program that were detailed throughout the day and provided some takeaway messages for new grantees including:

- Community involvement in the RLF program is extremely important and the EPA likes seeing programs that have been involved with the community from the beginning and throughout all steps of cleanup. It is important to have a Community Relations Spokesperson. That can be either a standalone position or can be folded in to the responsibilities of an existing position, such as the project manager.
- New grantees should take advantage of the experience of established RLF programs. Networking with established RLF programs is beneficial for both advice as well as a resource of template grant agreements, cover memos, resolutions, etc.
- New Grantees need to pay attention to the cleanup plan process. Cleanups usually need to be approved by both the state and the EPA. Different regions have different practices in regards to Quality Assurance Project Plans (QAPPs) and those should be understood and followed. For example, in Region 5, if a cleanup plan has been approved through a state cleanup program it takes the place of a QAPP while in Region 1, everyone is required to have a QAPP approved by EPA except for Maine, who is allowed to review their own QAPPs.

## **Day 2**

### ***Site and Borrower / Sub-Grantee Eligibility Round Table***

This session was comprised of a roundtable discussion detailing Site and Borrower/Sub-grantee Eligibility, with a review of CERCLA liability within the RLF framework. It was emphasized that as grantees, the responsibility is to exercise appropriate care throughout the program and cleanups conducted and to create appropriate processes to protect grantee/sub-grantee/borrower liability defenses.

### ***Federal Procurement and Procuring a Qualified Environmental Professional (QEP)***

This presentation was initiated with an overview of procurement practices in order to lay the groundwork for discussions regarding both large and small purchases as well as aligning qualified professionals with cleanup projects and best practices. The following tips were noted during discussions:

- Borrowers are not subject to federal procurement regulations, but sub-grantees are.
- Municipalities may be interested in placing federal procurement regulations on borrowers, for best practices, but it is not a requirement.
- State laws should be consulted by grantees in order to familiarize one with price driven bids.
- Terms used in contracts should provide flexibly in order to accommodate various parties and the possibility of extra costs as the process is underway.

### ***Review and Compliance with Davis-Bacon Act***

This session was presented with input from both USEPA Headquarters and various established RLF programs. These discussions stressed the importance of grantees being familiar with the Davis-Bacon Act as well as being in compliance with its sometimes complicated requirements. It was stressed throughout the session that it is easier to implement requirements from the beginning, ensuring the professional consultants understand the risks associated with non-compliance. One grantee practice worth noting is the inserting of the Davis-Bacon workbook into RFPs when issuing solicitations in an effort to make potential contractors aware of the Act and its requirements at the earliest possible stage.

### ***How Can We Improve the RLF Program?***

The purpose of this session was to provide workshop participants with the opportunity to voice their opinions as to how USEPA and others might improve the RLF Program. Discussions ranged from questions and comments on marketing to the banking community. It was suggested that USEPA should approach the banking community to ensure that misunderstandings related to the RLF program be eradicated thus ensuring a higher level of confidence in the program. It was also suggested that in addition to building relationships with the banking community, the EPA needs to work with federal partners to update them on the RLF program and activities that are being undertaken in order to generate interest and involvement in projects. Other topics included the collection and sharing of substantive examples of how the RLF works as an economic development tool, and how to convey the success of the RLF program to headquarters.

### ***Participant Roundtable Working Lunch***

The working lunch consisted of a series of presentations by grantees of example brownfields redevelopment projects that have had success, due to the RLF Program.

### ***ACRES RLF Compliance***

This session included an overview of the importance and benefits of reporting in ACRES. Emphasis was placed on timely and accurate reporting of RLF data. ACRES is used to support and justify program support at the EPA, and to study trends. To ensure the continuation of the RLF Program, accurate data needs to be collected for the EPA's review.

### ***RLF Grant Management Items***

The RLF Grant Management presentation reviewed four areas: Program Income, Closeout Policy, Sub-grant Policy Revisions, and RLF Sample Document Repository. In reviewing the areas of grant management, emphasis was placed on understanding the requirements and encouraging grantees to reach out to Project Officers when any questions arise. The RLF Sample Document Repository was introduced as a mechanism that Region 1 will be hosting for participants in the RLF workshop to login, access and upload sample documents and templates for any aspect of individual RLF programs. When the Repository is available, login information will be distributed to the workshop attendees with instructions on use. When documents are uploaded to the repository, a review will take place to ensure that the document is relevant, saved in the most appropriate location, and named correctly.

### ***RLF Marketing Round Table***

The RLF Marketing Presentation and Discussion reviewed techniques and plans for creative and successful marketing campaigns. A number of grantees shared their experiences and techniques in marketing their RLF Programs including: using word of mouth and social media to market and spread information about their RLF program; using before and after pictures to sell their story; and creation of fact sheets for distribution to market their success.

### ***Wrap Up***

Workshop participants were lead through a Q&A discussion to garner feedback on how helpful the workshop has been, what presentations/methods were helpful, and the frequency of future workshops. The feedback was overwhelmingly positive regarding the usefulness of the material covered during the workshop as well as the format it was presented in, especially the sharing of experiences during roundtables. Participants liked the regional setting and would like to continue meeting in an 18 month cycle, with topical webinars more frequently in between to dive deeper into specific areas. Many attendees suggesting the creation of a listserv (a computer software that makes it possible to create, manage and control electronic "mailing lists" on the Internet) for continued discussion between workshop attendees. New grantees felt that a more formalized mentorship program should be developed. Participants also expressed a desire for the creation of a toolbox specific to the RLF program, mimicking the toolbox that currently exists for the brownfield job training program.