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# Lead Testing in School and Child Care Program Drinking Water Tribal Grant Implementation Document



## **WATER INFRASTRUCTURE IMPROVEMENTS FOR THE NATION (WIIN) ACT**

Section 1464(d) of the Safe Drinking Water Act (SDWA), amended by WIIN Section 2107



## SUMMARY

The Environmental Protection Agency's (EPA) Office of Ground Water and Drinking Water (OGWDW) is providing funding for participation in the *Lead Testing in School and Child Care Program Drinking Water Tribal Grant Program*. Funding for this program is available to tribal consortia to conduct drinking water lead testing at tribal schools and child care facilities and to provide training and technical assistance to support tribal educational agencies in lead testing efforts.

Funds used to implement this program shall be used in accordance with the [EPA's 3Ts for Reducing Lead in Drinking Water guidance](#), or applicable regulations or guidance that are not less stringent than the 3Ts guidance. The grantees will support tribal schools and child care facilities in communicating and engaging with the school community, as well as parent, teacher, and employee organizations, including making testing results publicly available and notifying the community of the availability of the results.

EPA has allocated \$4,304,000 under this grant program for projects that benefit tribal schools and child care facilities. Awards will be made to all eligible applicants with approved applications that choose to participate in the program.

This document contains the *Lead Testing in School and Child Care Program Tribal Drinking Water Grant Program* implementation information for both internal and external stakeholders. Information related to the grant program is available at [www.epa.gov/tribaldrinkingwater/epas-role-safe-drinking-water-tribal-lands#tab-4](http://www.epa.gov/tribaldrinkingwater/epas-role-safe-drinking-water-tribal-lands#tab-4).

*A separate grant information document is available for non-tribal applicants and can be found here:* [www.epa.gov/dwcapacity/implementation-documents-lead-testing-schools-child-care-facilities-drinking-water-grant](http://www.epa.gov/dwcapacity/implementation-documents-lead-testing-schools-child-care-facilities-drinking-water-grant)

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## I. OVERVIEW

This document describes the programmatic requirements applicable to funding awarded through this grant program. Projects funded with *Lead Testing in School and Child Care Programs Drinking Water Tribal Grant Program* funds must meet all eligibility and funding requirements set forth in this program document.

Eligible projects for assistance will establish voluntary school and child care lead testing programs. The grantees will develop or expand existing programs to provide technical assistance to eligible tribal education agencies (TEAs) to test for lead contamination in drinking water. The grantees will conduct outreach to support participation by TEAs to assess lead levels; provide technical assistance to TEAs to support 3Ts program implementation; support sampling procedures; and provide resources to communicate results to enhance community, parent, and teacher trust. Assistance will prioritize supporting TEAs in underserved communities. Eligibility details can be found in Section III: Eligible Applicants and Section VI: Programmatic Eligibility Criteria.

This document provides information to eligible recipients on how EPA intends to award and manage *Lead Testing in School and Child Care Program Drinking Water Tribal Grant Program* funds. Some of the statutory provisions described in this document contain legally binding requirements. This document does not substitute for those provisions or regulations, nor is it a regulation itself. Thus, the document cannot impose legally binding requirements on EPA, grant recipients, or the regulated community, and may not apply to all situations.

## II. STATUTORY AUTHORITY

Section 1464(d) of the Safe Drinking Water Act (SDWA), as amended by Section 2107 of the 2016 Water Infrastructure Improvements for the Nation Act (WIIN), authorizes EPA to award grants to states, territories, and tribes to assist local education agencies to test for lead contamination in drinking water at schools and child care programs. The SDWA section 1464(d)(1) defines *child care programs* and *local education agencies* as:

- (A) *Child Care Program*- The term ‘child care program’ has the meaning given the term ‘early childhood education program’ in section 103(8) of the Higher Education Act of 1965 (20 U.S.C. 1003(8)).
- (B) *Local Education Agency*- The term ‘local education agency’ means:
  - (i) a local education agency (as defined in section 8101 of Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));
  - (ii) **a tribal education agency (as defined in section 3 of the National Environmental Education Act (20 U.S.C. 5502)); and**
  - (iii) a person that owns or operates a child care program facility.

For the purposes of this program, a tribal education agency (TEA) is defined as a child care, school, or community college which is controlled by an Indian tribe, band, or nation which is recognized as eligible for special programs and services provided by the United States to Indians because of their status as Indians and which is not administered by the Bureau of Indian Affairs (BIA).

While the funds under this grant program cannot be used for remediation, the 2018 America's Water Infrastructure Act (AWIA), Section 2006(a), further amended Section 1464(d) of the Safe Drinking Water Act (SDWA) and requires EPA to provide technical assistance to grantees for accessing resources to support the identification and remediation of lead contamination. EPA shall provide technical assistance:

- (i) to assist in identifying the source of lead contamination in drinking water at schools and child care programs under the jurisdiction of the grant recipient;*
- (ii) to assist in identifying and applying for other Federal and State grant programs that may assist the grant recipient in eliminating lead contamination described in clause (i);*
- (iii) to provide information on other financing options in eliminating lead contamination described in clause (i); and*
- (iv) to connect grant recipients with nonprofit and other organizations that may be able to assist with the elimination of lead contamination described in clause (i).*

This program is referred to as the *Lead Testing in School and Child Care Program Drinking Water Tribal Grant Program* (the program). The program is designed to reduce exposure of children, who are most vulnerable, to lead in drinking water at TEAs. Beneficiaries of this program (i.e., children in schools and child care programs that receive assistance from grantees to test drinking water for lead) must be members of a federally recognized tribe.

EPA will provide technical assistance to support recipients in the implementation of EPA's *3Ts for Reducing Lead in Drinking Water* guidance. Examples of Technical Assistance that EPA will provide to recipients under this grant program include:

- Providing technical information and tools through the 3Ts toolkit. EPA continues to update the toolkit and provide training to grantees to support lead testing programs.
- Upon request, working with the grantees to establish a Memorandum of Understanding (MOU) with project partners to promote and support implementation of the 3Ts.

This document provides information for tribal consortia applicants only. *A separate grant document for state funding can be found here: <https://www.epa.gov/dwcapacity/implementation-documents-lead-testing-schools-child-care-facilities-drinking-water-grant>.*

### III. ELIGIBLE APPLICANTS

Under the authority provided in SDWA Section 1464(d), as amended, EPA is establishing a voluntary school and child care program lead testing grant program. Based on tribal consultations, EPA will provide funding to tribal consortia to administer the program under the Associated Program Support Cost Authority (see public law 105-276). Activities undertaken by recipients will support the reduction of lead in school and child care facility drinking water, and will directly benefit tribal children in schools and child care facilities. For additional information on the tribal consultations and on co-regulator eligibility under this program, please see Appendix B: Tribal Consultation Summary. Schools administered by the BIA are ineligible for assistance under this grant program. Funding for Alaskan Native Villages (ANV) is included in the state allotment for Alaska and will be administered according to the Alaska state program. Alaskan Native Villages interested in applying for funding under this program should coordinate with the appropriate state agency. School officials interested in implementing a lead testing

program in a facility that is ineligible to participate should contact their regional EPA and/or state program office to identify other available options.

Please consult the following link for regional EPA and state points of contact for this grant program:  
[www.epa.gov/tribaldrinkingwater/regional-tribal-drinking-water-coordinators](http://www.epa.gov/tribaldrinkingwater/regional-tribal-drinking-water-coordinators).

#### IV. ALLOCATION OF FUNDS

EPA has allocated \$4,304,000 under this grant program for projects that benefit TEA activities assisting children that are members of a federally recognized tribe. Tribal consortia that want to receive *Lead Testing in School and Child Care Program Drinking Water Grant Program* funding must submit a Notice of Intent to Participate (NOIP) indicating the point of contact charged with the consortia's oversight and responsibility for receipt and actions pertaining to the grant program. EPA will allocate the funding proportionally among the total number of participating applicants in proportion to the number of TEAs that will be served, as described in the notice of intent to participate.

#### V. REQUIRED APPLICATION DOCUMENTS AND SUBMISSION INFORMATION

**A. Content of Application Package:** The application package will include all the following materials:

- a. **Standard Form (SF) 424**, Application for Federal Assistance
- b. **Standard Form (SF) 424A**, Budget Information
- c. **Key Contacts Form**
- d. **EPA Form 4700-4**, Pre-award Compliance Review
- e. **Project Narrative Attachment Form, with final Work Plan and Budget Narrative** attached. An optional sample is available at [www.epa.gov/safewater/grants](http://www.epa.gov/safewater/grants) to prepare the Work Plan and Budget Narrative.

**B. Grants.gov Application Instructions**

- a. Your organization's authorized official representative (AOR) must submit your complete application package electronically to EPA through [Grants.gov](http://Grants.gov).
- b. Follow the steps below to download, complete, and submit an application package through [Grants.gov](http://Grants.gov). The application package contains the required forms listed above.
  1. Go to [Grants.gov](http://Grants.gov)
  2. Search by **Funding Opportunity Number: EPA-CEP-02**
  3. From the list of Opportunity Package(s) currently available, click on the "Apply" link corresponding with CFDA#: **66.444**.
  4. Click the "Save & Submit" button after completing the application package. The Save & Submit button will not be functional until the application is properly completed with no errors and saved.
  5. Please note: The deadline date for submission is listed in the announcement on [Grants.gov](http://Grants.gov).

## VI. PROGRAM REQUIREMENTS

Funds awarded under SDWA 1464(d) support testing for lead contamination in drinking water at TEAs. Work Plans must describe how the applicant will ensure that funding supports the programmatic priorities listed below.

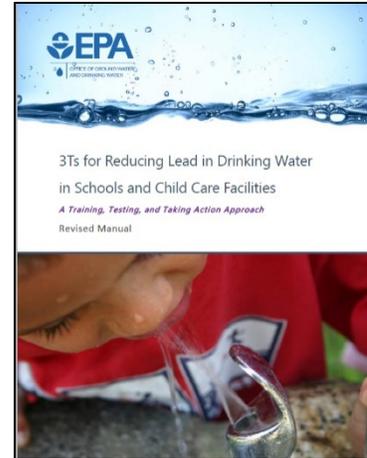
The funds are subject to the following.

**A. Eligible Activities:** Funds used for testing for lead in drinking water in TEAs must be used in accordance with the following:

- EPA's *3Ts for Reducing Lead in Drinking Water* guidance ([www.epa.gov/safewater/3ts](http://www.epa.gov/safewater/3ts)).

Or

- Applicable regulations or guidance regarding reducing lead in drinking water in schools and child care facilities that are not less stringent.



Please note that funds under this grant program cannot be used for remediation, only for testing and costs associated with testing.

Awards made under this program will be awarded to tribal consortia as co-regulator organizations that represent the interests of federally recognized tribes. These organizations must provide technical assistance to tribes and/or TEAs to implement lead testing programs in TEAs. These organizations must coordinate with EPA Regional points of contact for the grant, other grant program participants, and primacy agency representatives, as appropriate, to notify participating schools, child care facilities, and/or tribes to ensure no duplication of effort occurs.

As outlined in Section V: Required Application Documents and Submission Information, applicants must include a Work Plan and Budget Detail outlining the proposed project and how it meets the requirements and priorities of the program. Grantees under this program shall provide technical assistance to TEAs by establishing or expanding programs for lead testing in drinking water. Examples of eligible technical assistance projects and activities can include, but are not limited to, the following.

- Conduct outreach to TEAs on the importance of implementing a 3Ts program that ensures protection of children's health.
- Conduct training for the individuals or team that are collecting drinking water samples at TEAs.
- Provide technical assistance in assessment of premise plumbing in identifying appropriate sampling locations.
- Develop monitoring, maintenance, and/or sampling plans that facilitate protecting children from lead exposure.
- Collect samples, including collecting samples of drinking water at TEAs to identify sources of lead or for follow-up monitoring after remediation.
- Analyze the drinking water samples and conduct quality assurance/quality control (QA/QC) for testing results.

- Hire a contractor to support sampling efforts.
- Report to tribal entities the information collected.
- Provide TEAs with resources and tools to communicate the results of the testing to the community at large.
- Establish and maintain recordkeeping/documentation of the sampling, monitoring, and actions related to testing conducted for each facility and/or school district.
- Coordinate with Regional EPA points of contact or other primacy agency representatives, as appropriate, to notify participating schools, child care facilities, and/or tribes to ensure no duplication of effort occurs.

**B. Notification:** Below are the reporting and notification requirements for sharing testing results.

- Make publicly available a copy of the results of any testing for lead in drinking water carried out using grant funds in the school and child care facility administration offices. This should also be, to the extent practicable, made available on the website of the TEA for inspection by the public.
- Notify parent, teacher, and employee organizations of the availability of the testing results.

**C. SDWA 1464(d) Programmatic Priorities:** The principal objective of the assistance to be awarded under this program is to provide grants to eligible recipients to establish programs to support testing at TEAs for lead contamination in drinking water, utilizing EPA's *3Ts for Reducing Lead in Drinking Water* guidance or applicable regulations or guidance that are not less stringent concerning the reduction of lead in drinking water in TEAs. The program has the following objectives:

- Improve protection of tribal children's health by reducing exposure to lead in drinking water.
- Provide broad availability of services to support implementation of the 3Ts program at TEAs.
- Provide universal understanding of the need to protect children's health by implementing the 3Ts program.
- Prioritize TEAs unable to afford testing.
- Prioritize TEAs that serve children ages six and under.
- Utilize the 3Ts model or model requirements that are no less stringent to establish best practices for a lead in drinking water prevention program.
- Enhance community, parent, and teacher communication, cooperation and trust.
- Educate TEAs on available resources to address sources of lead contamination identified through implementing the 3Ts program.

Project Work Plans should detail how the grantee will expend grant funds in accordance with:

- EPA's [\*3Ts for Reducing Lead in Drinking Water\*](#) guidance.

Or

- Applicable regulations or guidance regarding reducing lead in drinking water in schools and child care facilities that are not less stringent.

If the grant recipient intends to use regulations or guidance that is not less stringent than EPA's 3Ts, the grantee must demonstrate that the program or regulation is no less stringent than the following elements outlined in the 3Ts.

- **Communication** integrated throughout the development and implementation of the lead testing in drinking water in schools and child care facilities program. Communication should establish key partnerships to support the program as well as keeping the public informed.
- **Training** school and child care program officials to raise awareness of the potential occurrences, causes, and health effects of lead in drinking water. Utilize partnerships to develop program plans and to assign responsibilities that provide the framework for an effective program.
- **Testing** drinking water in schools and child care facilities to identify potential problems utilizing existing guidance for testing or, when not established, utilizing 3Ts guidance for testing.
- **Taking Action** by developing a plan to reduce lead in drinking water and communicate to parents, staff, and the larger school and child care program community.

For additional details regarding the 3Ts, please visit [www.epa.gov/safewater/3Ts](http://www.epa.gov/safewater/3Ts).

**D. Prioritize:** In accordance with SDWA 1464(d), recipients will prioritize testing for lead contamination in drinking water at TEAs that are in low-income areas.

Recipients must prioritize TEAs in low-income areas (e.g., schools with at least 50% of the children receiving free and reduced lunch and Head Start facilities). EPA recommends testing activities that also prioritize the following.

- Tribal elementary and child care facilities that primarily care for children six years and under.
- Older facilities that are more likely to contain lead plumbing; TEAs built before 1988 are more likely to have lead pipes, fixtures, and solder.
- Established and sustainable tribal child care facilities without factors indicating that the building may not be serving as a child care facility in the future (e.g., short-term leases).

If resources are available to a TEA from any other federal agency, a state, or a private foundation for testing for lead contamination in drinking water, the grantee must demonstrate that the funds provided from the SDWA 1464(d) grant will not replace those resources. Grant funding can be used to create or supplement and enhance existing programs.

#### **E. EPA Strategic Plan Linkage and Anticipated Outputs/Outcomes**

Pursuant to Section 6a of EPA Order 5700.7, “Environmental Results under EPA Assistance Agreements,” recipients’ Work Plans must link proposed assistance agreements with the Agency’s Strategic Plan. EPA also requires that grant applicants adequately describe environmental outputs and outcomes to be achieved under assistance agreements (see EPA Order 5700.7, Environmental Results under Assistance Agreements, [www.epa.gov/sites/production/files/2015-03/documents/epa\\_order\\_5700\\_7a1.pdf](http://www.epa.gov/sites/production/files/2015-03/documents/epa_order_5700_7a1.pdf)).

**1. Linkage to EPA Strategic Plan:** The activities to be funded under this announcement support EPA’s FY 2018-22 Strategic Plan, Goal 1, “A Cleaner, Healthier Environment: Deliver a cleaner, safer, and healthier environment for all Americans and future generations by carrying out the agency’s core mission,” Objective 1.2, “Provide for Clean and Safe Water: Ensure waters are clean through improved water infrastructure and, in partnership with states and tribes, sustainably manage programs to support drinking water, aquatic ecosystems, and recreational, economic, and subsistence activities.” Applicants must explain in their Work Plan how their project will further this

objective. EPA's FY 2018-2022 Strategic Plan is available at [epa.gov/planandbudget/strategicplan](https://www.epa.gov/planandbudget/strategicplan) for more information.

Applicants must include specific statements in the Work Plan 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 the priorities described above. Specifically, the proposed activities focus on testing for lead contamination in drinking water.

**2. Outputs:** The term "output" means an environmental activity, effort, and/or associated work product related to an environmental goal and 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 an assistance agreement funding period.

Expected outputs from the projects to be funded under this announcement include, but are not limited to, the following.

- Use EPA's *3Ts for Reducing Lead in Drinking Water* guidance to implement lead testing programs and develop monitoring, maintenance, and/or sampling plans that protect children from lead exposure both now and in the future.
- Prioritize testing to target vulnerable communities and populations. Specifically, TEAs in underserved and/or low-income communities (e.g., schools with at least 50% of the children receiving free and reduced lunch and Head Start facilities); elementary and child care programs that primarily care for children six years and under; and older facilities that are more likely to contain lead plumbing. Facilities built before 1988 are more likely to have lead pipes, fixtures, and solder.
- Provide results of any testing for lead contamination in tribal school and child care facility drinking water carried out using grant funds in the facility administration offices and, to the extent practicable, on the internet website for inspection by the public; notify parent, teacher, and employee organizations of the availability of the results.

**3. Outcomes:** The term "outcome" means the result, effect, or consequence that will occur from carrying out an environmental program or activity that is related to an environmental or programmatic goal or objective. Outcomes may be qualitative and environmental, behavioral, health-related, or programmatic in nature, but must also be quantitative. They may not necessarily be achievable within an assistance agreement funding period.

Expected outcomes from the projects to be funded under this announcement include, but are not limited to, the following.

- Lead exposure through drinking water is mitigated by implementing sampling programs and by utilizing the 3Ts toolkit in determining best action to take for remediation.
- Reduced children's exposure to lead in drinking water.
- Improved knowledge and expertise of the TEAs related to lead in drinking water and drinking water maintenance and testing programs.
- Established routine practices such as point-of-use filter maintenance, cleaning, communication, and other practices outlined in [the 3Ts toolkit](#).

Other potential outcomes may include, but are not limited to:

- Foster sustainable partnerships to allow for a more efficient use of resources and exchange of information among experts in various areas of school, child care, utility, and health sectors.
- Enhance community, parent, and teacher trust.

## VII. USE OF FUND REQUIREMENTS

Provide a detailed budget and estimated funding amounts for each project component/task. This section provides an opportunity for a description of the budget or aspects of the budget found in the SF-424A such as “Other”, “Contractual”, and “Travel”:

- A. Federal Matching Funds:** No funds awarded under the program shall be used for matching funds for other federal grants unless expressly authorized by statute.
- B. Administrative Costs Expense Cap:** No more than 4 percent of the total award may be used to cover administrative type costs (e.g., grant record keeping, reporting, personnel, benefits, travel, and office supplies).
- C. Expenses Incurred Prior to the Project Period:** The allowability of pre-award costs are governed by 2 CFR §200.458 and 2 CFR §1500.8. Pre-award costs are those incurred prior to the effective date of the Federal award directly pursuant to the negotiation and in anticipation of the Federal award where such costs are necessary for efficient and timely performance of the scope of work. Such costs are allowable only to the extent that they would have been allowable if incurred after the date of the Federal award and only with the written approval of the Federal awarding agency. EPA defines pre-award costs as costs incurred prior to the award date, but on or after the start date of the project/budget period. Under EPA’s interpretation of [2 CFR 200.309](#), all eligible costs must be incurred during the budget/project period as defined by the start and end date shown on the grant award to receive EPA approval. This policy is implemented in a grant-specific Term and Condition entitled “Pre-award Costs.” No funds awarded under the program shall be used for reimbursement of previous testing efforts prior to the project period. All costs incurred before EPA makes the award are at the recipient’s risk. EPA is under no obligation to reimburse such costs if for any reason the recipient does not receive a Federal award or if the Federal award is less than anticipated and inadequate to cover such costs.
- D. Cannot Displace Existing Funds (Maintenance of Effort):** If resources are available to a tribe or tribal educational agency from any other federal agency, a state, or a private foundation for testing for lead contamination in drinking water, the tribe or tribal educational agency must demonstrate that the funds provided from the SDWA 1464(d) grant will not displace those resources.

## VIII. AWARD ADMINISTRATION INFORMATION

**A. 2 CFR part 200 and 2 CFR part 1500:** The requirements of 2 CFR part 200 (OMB Uniform Grant Guidance) and 2 CFR part 1500 (EPA Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards) apply to this grant funding.

**B. Terms and Conditions:** General administrative and programmatic terms and conditions applicable to EPA assistance agreements under this program may be viewed at: [www.epa.gov/grants/grant-terms-and-conditions](http://www.epa.gov/grants/grant-terms-and-conditions). EPA will ensure that all applicable terms and conditions are included in the grant agreement upon award.

**C. Quality Assurance Project Plan (QAPP):** This Project will include the collection of environmental data and will require the development of a Quality Assurance Project Plan (QAPP). The structure of the QAPP is intended to step through the thought process of planning a project, as well as to provide a framework for documenting the plan. A QAPP is prepared as part of the project planning process and should be completed and approved before the sampling is conducted. For more information, visit: [www.epa.gov/quality/quality-assurance-project-plan-development-tool](http://www.epa.gov/quality/quality-assurance-project-plan-development-tool).

**D. Procurements:** When procuring property and services under a Federal award, grantees must comply with §200.322 Procurement of Recovered Materials and ensure that every purchase order or other contract includes any clauses required by section §200.326 Contract provisions. All other non-Federal entities, including subrecipients of a grantee, will follow §200.318 General Procurement Standards through §200.326 Contract Provisions.

**E. Performance Partnership Grants:** Funds awarded under this program are not eligible for inclusion with Performance Partnership Grants.

**F. Public Notification:** Not later than 60 days after the date of the award of a subaward provided to local education agencies by a grantee, the grantee shall publish the total number and dollar amount of the subaward on its website.

**G. Requirements for Making Testing Results Publicly Available:** Eligible entities receiving assistance will adhere to the statutory requirements as noted in the Safe Drinking Water Act (SDWA), Section 1464:

- “(B)(i) make available, if applicable, in the administrative offices and, to the extent practicable, on the Internet website of the local educational agency for inspection by the public (including teachers, other school personnel, and parents) a copy of the results of any voluntary testing for lead contamination in school and child care program drinking water carried out using grant funds under this subsection; and “(ii) notify parent, teacher, and employee organizations of the availability of the results...”

The grant requires using EPA’s *3Ts for Reducing Lead in Drinking Water* guidance, or a regulation or guidance that is no less stringent. The 3Ts guidance provides for flexible and effective preparation and coordination to deliver information swiftly, professionally and consistently, which includes maintaining reporting and recordkeeping. The process and the degree to which information is presented or maintained, however, is at the discretion of the grantee and as approved by EPA via the workplan process.

**H. Reporting Requirements:** Quarterly performance progress reports are required. The final report must include: summary of the project or activity, summary of the TEAs where the program was implemented, implementation barriers, testing benefits and other outputs and outcomes achieved, and costs of the project or activity. Specific reporting requirements will be outlined in the Terms and Conditions of the grant agreement. The final report must be submitted to EPA within 90 calendar days of the project/budget period end date.

## IX. APPENDIX A: RESOURCES & LINKS

WIIN Lead Testing in School and Child Care Program Drinking Water Grant FAQs and Resources: [www.epa.gov/tribaldrinkingwater/wiin-act-section-2107-lead-testing-school-and-child-care-program-drinking-water](http://www.epa.gov/tribaldrinkingwater/wiin-act-section-2107-lead-testing-school-and-child-care-program-drinking-water)

3Ts for Reducing Lead in Drinking Water: [www.epa.gov/safewater/3Ts](http://www.epa.gov/safewater/3Ts)

Best Practice Guide for Procuring Services, Supplies, and Equipment Under EPA Assistance Agreements: [www.epa.gov/grants/best-practice-guide-procuring-services-supplies-and-equipment-under-epa-assistance-agreements](http://www.epa.gov/grants/best-practice-guide-procuring-services-supplies-and-equipment-under-epa-assistance-agreements)

EPA Subaward Policy with attachments: [www.epa.gov/grants/grants-policy-issuance-gpi-16-01-epa-subaward-policy-epa-assistance-agreement-recipients](http://www.epa.gov/grants/grants-policy-issuance-gpi-16-01-epa-subaward-policy-epa-assistance-agreement-recipients)

## X. APPENDIX B: TRIBAL CONSULTATION SUMMARY

In September and October 2018, EPA held the first of two tribal consultation periods related to the establishment of this grant program. At the time of the consultation, approximately \$2.6 million was allotted in fiscal years 2018 and 2019 to help tribal schools and child care programs assess lead levels in drinking water. Several tribal entities noted that, when distributed amongst all eligible applications, the total amount of available funding is rather small. Commenters also noted that, due to the relatively high burden on tribes of managing federal funds relative to the small grant amounts to be awarded to carry out the lead testing in individual schools or child care facilities, in many cases, it would be inefficient to award direct grants to different eligible tribal education agencies.

For this reason, commenters recommended that EPA allow funding to be awarded to an entity that can provide national or regional implementation of the grant program on behalf of tribes, tribal schools, and tribal child care facilities, in addition to providing direct grants to interested tribal education agencies. EPA determined that organizations that provide technical assistance to tribes should be eligible recipients of this program. An example of an entity that provides technical assistance to tribes is a tribal consortium.

Based on this feedback, in November and December 2019, EPA initiated a second consultation period with federally recognized Indian Tribes to obtain input on the use of the Associated Program Support Costs (APSC) authority to award funds to organizations that provide technical assistance to tribes. The APSC authority allows EPA to use a portion of the funds available for states and tribes to fund activities that benefit all or a portion of the state and tribal grant recipients at the request of the eligible recipients. See Public Law 105-276. Under this approach, tribal consortia will be eligible to apply for funding, and applicants must describe in their applications if and how they will assist tribal schools and child care facilities on a national or regional level. EPA also requested tribal input on criteria to consider when assessing proposed projects to promote broad access to assistance for tribal schools and child care facilities.

Letters were mailed to all tribal leaders upon initiation of each consultation, providing background information about the grant and the consultation plan. EPA hosted two informational webinars for each consultation, which included the opportunity to submit comments. Tribes informed EPA that consideration ought to be given to reservations in rural areas. The repair history of a buildings should

also be considered, as they may relate to lead in drinking water. As described in Section VI.D above, EPA recommends testing activities that prioritize older facilities that are more likely to contain lead plumbing. EPA did not receive any comments or feedback on the use of the APSC authority.

Note: The consultation and coordination process was conducted in accordance with EPA *Policy on Consultation and Coordination with Indian Tribes*: [www.epa.gov/tribal/forms/consultation-and-coordination-tribes](http://www.epa.gov/tribal/forms/consultation-and-coordination-tribes). Documents related to the tribal consultations for this grant program are available on EPA's tribal consultation opportunities website at [tcots.epa.gov](http://tcots.epa.gov).

## XI. APPENDIX C: SUMMARY OF KEY WORK PLAN ELEMENTS

### SUMMARY STATEMENT

#### SCOPE OF WORK

##### A. Goals and Priorities

##### B. Program Implementation and Activities

- i. Identify using either EPA 3Ts or another protocol that is no less stringent
- ii. Communication
- iii. Training
- iv. Testing
- v. Taking Action
- vi. Assistance to tribal schools and child care facilities on a national or regional basis

##### C. Roles and Responsibilities

##### D. Timeline and Milestones

##### E. WIIN Programmatic Priorities and EPA's Strategic Plan Linkage

*The activities described in this workplan support the WIIN Programmatic Priorities and EPA's FY 2018-22 Strategic Plan, Goal 1, "A Cleaner, Healthier Environment: Deliver a cleaner, safer, and healthier environment for all Americans and future generations by carrying out the agency's core mission," Objective 1.2, "Provide for Clean and Safe Water: Ensure waters are clean through improved water infrastructure and, in partnership with states and tribes, sustainably manage programs to support drinking water, aquatic ecosystems, and recreational, economic, and subsistence activities." Applicants must explain in their Work Plan how their project will further this objective.*

##### F. Outputs and Outcomes

- i. *Outputs: An environmental activity or effort, and/or associated work products that are produced or provided over a specific period of time. Outputs may be quantitative or qualitative but must be measurable during an assistance agreement funding period.*
- ii. *Outcomes: The result, effect, or consequence that will occur from carrying out an environmental program or activity that is related to an environmental or programmatic*

*goal or objective. Outcomes may be environmental, behavioral, health-related, or programmatic in nature, must be quantitative, and may not necessarily be achievable within an assistance agreement funding period. EPA encourages recipients to identify outcomes wherever possible because they lead to environmental and/or public health improvement more clearly than outputs.*

**G. Budget Narrative**

**XII. APPENDIX D: ESTIMATED TIMELINE FOR 2020 GRANT PROGRAM**

The steps below outline the procedure and schedule for states to participate in the 2020 Lead Testing in School and Child Care Program Tribal Drinking Water Grant Program.

<b>November - December, 2019</b>	EPA initiates second tribal consultation to solicit feedback on the proposed use of Associated Program Support Costs (APSC) authority to open funding to organizations that provide technical assistance to tribes
<b>July 2020</b>	EPA will send letters to tribal consortia to request notice of intent to participate. EPA will make the Implementation Document available to eligible recipients on EPA’s website
<b>August 2020</b>	Deadline for eligible applications to submit their notice of intent to participate
<b>September 2020</b>	Draft workplan due to EPA
<b>October 2020</b>	Deadline for applications to submit their final application package to <a href="http://www.grants.gov">www.grants.gov</a>
<b>January 2021</b>	Grant award finalized and agreement sent to grantee

**Subject to change. Updated information will be provided to eligible applications as needed.**