

# Commonwealth of Massachusetts Executive Office of Energy & Environmental Affairs

## Department of Environmental Protection

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Charles D. Baker Governor

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May 13, 2021

## **Grant Opportunity**

## **MassDEP Interim PFAS6 Response Program:**

Grants to Reimburse Public Water Suppliers for Interim Measures Required to Address PFAS6

Exceedance

#### **GRANT OPPORTUNITY SUMMARY:**

Applications sought: In 2020, MassDEP promulgated new regulations to establish a per- and polyfluoroalkyl substances (PFAS) drinking water Maximum Contaminant Level (MCL) of 20 ng/L, or parts per trillion (ppt) for a sum of six PFAS contaminants ("PFAS6"): perfluorooctanesulfonic acid (PFOS), perfluorooctanoic acid (PFOA), perfluorohexane sulfonic acid (PFHxS), perfluorononanoic acid (PFNA), perfluoroheptanoic acid (PFHpA), and perfluorodecanoic acid (PFDA). The Commonwealth of Massachusetts has appropriated \$2 million to the Massachusetts Department of Environmental Protection (MassDEP) to help impacted public water systems to offset the cost of emergency response measures implemented to address PFAS6 contamination in drinking water. This grant program provides funds (including reimbursement for costs and expenses already incurred) to impacted systems for interim public health measures implemented in response to the discovery of PFAS6 contamination in the drinking water supply.

Overview and goals: Public water systems with PFAS6 concentrations exceeding MassDEP's drinking water Maximum Contaminant Level (MCL) are required to immediately eliminate or minimize the threat to public health by turning off a contaminated water source, connecting to a neighboring water supply, or taking other steps to ensure that clean drinking water is available to all system users. These systems may not currently have an interim solution to remedy their elevated PFAS6 levels prior to implementing a long-term treatment plan. MassDEP is establishing this grant program to provide financial assistance to these public water systems and their customers during the interim period between the confirmation of an exceedance of the PFAS6 MCL in the water supply and the implementation of a long-term treatment solution. MassDEP will provide grants to reimburse public water systems that are taking action to address their elevated PFAS6 levels, but do not currently have interim alternatives immediately

available to enable them to provide water to customers at acceptable PFAS6 levels. Public Water Suppliers will be given the flexibility to determine the interim solution that best suits their customers' needs.

**Grant purpose:** The goal of this program is to provide grant funds, including reimbursement of previously incurred costs, associated with a Public Water System's (PWS) immediate response to PFAS6 contamination in its drinking water supply.

**Eligible Applicants:** Community and Non-Transient Non-Community (NTNC) MassDEP registered PWSs, as defined in 310 CMR 22.02, under public or private ownership, with PFAS6 levels exceeding the PFAS6 MCL as defined in 310 CMR 22.00. **Transient Non-Community Systems (TNCs) are NOT eligible for this program.** 

## **Examples of eligible costs:**

- Purchase and distribution or reimbursement of bottled water and/or alternative source of clean drinking water, whether purchased directly by the PWS, or as a reimbursement to the PWS for customers who previously made these expenditures in response to the PFAS6 exceedance;
- Procuring, installing, and maintaining water vending units;
- Engineering and construction costs associated with:
  - shutting down one or more wells;
  - reconfiguring the drinking water system to enable blending with a water supply with less (or no) PFAS6 contamination, such that the resulting concentration of PFAS6 does not exceed the MCL;
  - establishing an interconnection to an alternate water supply; and/or
  - installing temporary treatment
- Purchasing water from adjacent PWS via an interconnection;
- Purchase and distribution of Point of Use (POU) or Point of Entry Treatment (POET) units or water filtration pitchers through a program that has received prior approval from MassDEP's Drinking Water Program; and/or
- Any other immediate action undertaken to provide safe drinking water to PFAS6 impacted users, where PFAS6 levels exceed the MCL.

## **Examples of ineligible costs:**

- Administrative and mailing costs associated with community notification of the PFAS6 exceedance;
- Laboratory and sampling costs for new PFAS6 identification in drinking water. NOTE: applicants should take advantage of MassDEP's current no-cost laboratory analysis program;
- Expenses relating to ongoing maintenance and treatment at drinking water facilities (whether or not related to PFAS6 treatment);
- Legal expenses associated with determining liability or addressing other legal matters;
- Planning, design, or construction of new drinking water treatment facilities;
- Pilot studies or other investigations that will lead to permanent resolution of the PFAS6 contamination problem; and/or

• Attorney fees, engineering fees, or other administrative expenses related to the PWS response to PFAS6 exceedance.

Grant Program term: approximately 1 year, May 2021-June 30, 2022.

## **Application Deadlines:**

MassDEP currently anticipates offering three grant application period Rounds. The estimated Grant Application deadlines for each Round will be by 5 p.m. on

Thursday, July 8, 2021 (Round 1)
Thursday, October 14, 2021 (Round 2)
Friday, January 28, 2022 (Round 3)

In its discretion, MassDEP reserves the right to alter or revise these application dates, and/or eliminate funding Rounds based upon funding availability and/or other factors.

Program structure: A total of \$2 million is currently available through state funds. MassDEP will issue Round One Requests for Applications at the initiation of the Grant Program (i.e., in May 2021), with an application deadline of July 8, 2021. Round 2 will then commence on August 18, 2021, with an application deadline of October 14, 2021. Round 3 will then commence on December 1, 2021, with an application deadline of January 28, 2022. All Rounds will be subject to the availability of funding, and there is no guarantee that all Rounds will be initiated and/or that funds will be awarded on a proportional basis for each Round. Applications will be received, reviewed, selected, and awarded following each application deadline. This schedule is necessary in order to address the emergency nature of interim PWS public health measures to address discovery of PFAS6 in a drinking water supply, as it is anticipated that regulatory requirements for testing will reveal additional PFAS6 contamination over the coming year.

In April 2022, if any funds remain that were not awarded in the three application Rounds, the remaining funds will be distributed to grantees who did not receive their full request for interim funds in the previous Rounds, in accordance with the attached Funding Distribution Formula (see Attachment B).

**Estimated number of awards**: per distribution, \$666,000: 5+ awards. In its discretion, MassDEP reserves the right to alter the proportional amount of funding for each Round, based upon applications received and/or public health risks identified that need immediate interim funding to address PFAS6 contamination.

Total Grant award: \$2 million

**Estimated Maximum award**: per system size (number of users)

Large (>50,000) \$200,000 Medium (>3300 – 49,999) \$150,000 Small (>500 -3299) \$10,000 Very Small (up to 500) \$1,500

#### **Evaluation criteria:**

This is a grant program based upon presentation of eligible costs by Eligible Applicants to address PFAS6 contamination on an interim basis. Eligible applicants will receive funding in accordance with these application requirements:

- PFAS6 exceedance per MGL 310 CMR 22.00
- Status as a Community and Non-Transient Non-Community (NTNC) MassDEP registered Public Water Systems as defined in 310 CMR 22.02, under public or private ownership
- No awards received through previous Rounds of this Interim PFAS6 Response Program
- Eligible expenses are proposed or submitted for reimbursement

In its discretion, the Grant Review Team may consider any and all relevant information that is or may become available through MassDEP's Statewide Sampling Program or its Drinking Water Program activities, up to and including the date of MassDEP's Grant Review Team's final review meeting for each Round of applications, with respect to all applications submitted for funding through this Grant Program.

Funding availability: The total amount of funding currently available for all grant/reimbursement requests through this Program is \$2 million. Applicants should note that MassDEP reserves the right not to award the total funding currently available for this program and also reserves the right to award lesser individual grant/reimbursement amounts, based on availability of funds for that application period (i.e., Round). MassDEP also reserves the right to increase individual awards if all applicants have received the maximum awards and funds remain to be distributed at the end of the third application period (Round). Contingent upon the availability of funding, MassDEP may in its discretion offer one or more additional rounds of grant/reimbursement opportunities in the future for this program. Applicants must only propose project scopes that can be completed by June 30, 2022. Currently, MassDEP anticipates that a maximum of \$666,000 in funding will be awarded in each application Round; however, MassDEP reserves the right to change the proportional funding for one or more Rounds, based upon the quality and quantity of applications received.

Applicants should note that MassDEP currently anticipates that the following parameters will govern each Round of the PFAS6 interim grant awards:

- A maximum award per system size will apply, as noted above;
- If the total amount of requests for an application period exceeds \$666,000, each award in that Round will be reduced by a prorated amount based on the Funding Distribution Formula (see Attachment B,); and
- At the end of the Round 3 application period, any remaining funds will be distributed to grantees from any Round who did not previously receive the maximum grant requested in their application, using the same Funding Distribution Formula set forth in Attachment B.

At the sole discretion of MassDEP, during the course of the grant contract term and based upon review of both project and fact-specific circumstances, awarded contracts may be extended or otherwise amended to effectuate the goals of this Interim Grant program. However, any contract extension or amendment authorized by MassDEP will not necessarily change, or increase, the monetary value of the contract or the terms or grant performance.

- A. Match Requirement: There is no match requirement for the Interim PFAS6 Response Program.
- B. No Bidders' Conference: No bidders' conference will be held for this grant program. Applicants are encouraged to send questions to <a href="mailto:program.director-dwp@mass.gov">program.director-dwp@mass.gov</a> by the deadline for submission of questions for the Round, which will always be by 12 noon on the dates shown on the Estimated Grant Procurement Calendar for each Round- as stated below. All Questions and MassDEP's official Answers will be posted on this website (<a href="https://www.mass.gov/info-details/water-resources-grants-financial-assistance">https://www.mass.gov/info-details/water-resources-grants-financial-assistance</a>) by 5 p.m. on dates listed in the Estimated Grant Procurement Calendar for each Round.
- **C. Total Anticipated Duration of Grant(s):** The grant contract duration period for all Rounds of this program will be through June 30, 2022.
- D. Applicable Procurement Law: Grants-- MGL c. 7A, § 7; St. 1986 c. 206, § 17; 815 CMR 2.00
- E. **Application Completion and Submission Instructions:** For all grants and reimbursement requests, applicants must complete the attached application form. Once the Application Form is complete, the document can be submitted electronically in Microsoft Word; or, to reduce file size, the document may be converted and submitted as an Adobe PDF file.

## Applications must be submitted electronically, via email to:

Yvette DePeiza, Interim PFAS6 Response Program Grant Coordinator Massachusetts Department of Environmental Protection <a href="mailto:program.director-dwp@mass.gov">program.director-dwp@mass.gov</a> 617-292-5857

In the subject line of the email, please write the Applicant's name and "Interim PFAS6 Response Program" and specify the Round that is the subject of the application (e.g., "Round 1" or Round 2)."

All applications must be received electronically by MassDEP by 5:00 P.M. on the required deadline for the specified Round for the Interim PFAS6 Response Program. Applications received after the deadline will be rejected automatically. MassDEP reserves the right to reject any and all proposals or request additional information if needed.

## F. Additional Required Documentation:

Additional Forms: If selected for a grant/reimbursement award, the applicant will be required to submit the following forms to complete the contracting process. Forms with an asterisk \* need not be submitted, if they have been completed previously and are already on file with the Commonwealth:

- Commonwealth Standard Contract Form, filled out and signed by the applicant https://www.macomptroller.org/forms
- Commonwealth Terms and Conditions
   http://www.macomptroller.info/comptroller/docs/forms/contracts/CommonwealthT
   ermsAndConditions.pdf
   These Terms and Conditions are incorporated by reference into the Standard Contract Form, and do not need to be executed separately.
- Commonwealth W-9 tax information form filled out and signed by the applicant with DUNS number and Federal Tax ID \*
- <a href="http://www.macomptroller.info/comptroller/docs/forms/vendorcustomer/newmass-w9.pdf">http://www.macomptroller.info/comptroller/docs/forms/vendorcustomer/newmass-w9.pdf</a>
- Completed Contractor Authorized Signatory Listing Form https://www.macomptroller.org/forms
- Electronic Funds Transfer (EFT) form\* https://www.mass.gov/doc/electronic-funds-transfer-sign-up-form-0/download

Applicants are encouraged to review these forms prior to submission of an application.

Please note that applicants may be asked to complete these forms again if the application is accepted.

## ESTIMATED PROCUREMENT CALENDARS FOR GRANT/REIMBURSEMENT APPLICATIONS

## **ROUND 1**

Procurement Activity	Date	Time
Notice of Grant/Reimbursement Opportunity for Round 1 (posted on COMMBUYS And MassDEP website)	Thursday, May 13, 2021	
Grant/Reimbursement Opportunity Release Date (Posting Date) on MassDEP website ( <a href="https://www.mass.gov/info-details/water-resources-grants-financial-assistance">https://www.mass.gov/info-details/water-resources-grants-financial-assistance</a> )	Thursday, May 13, 2021	
Deadline for Submission of Questions to MassDEP (prior to deadline, via email, to): program.director-dwp@mass.gov	Thursday, May 27, 2021	12 noon
Official Answers for Q&A published on MassDEP website (estimated),(https://www.mass.gov/infodetails/water-resources-grants-financial-assistance)	Tuesday, June 8, 2021	5 P.M.
GRANT/REIMBURSMENT APPLICATION DEADLINE; ELECTRONIC SUBMISSION TO program.director-dwp@mass.gov	Thursday, July 8, 2021	5 P.M.
Notification of Grant/Reimbursement Award(s) (Estimated) (POSTED ON COMMBUYS AND MASSDEP WEBSITE, https://www.mass.gov/info- details/water-resources-grants-financial- assistance)	Thursday, July 29, 2021	
Estimated Contract Start Date	Thursday, August 19, 2021	

## **ROUND 2**

Procurement Activity	Date	Time
Notice of Grant/Reimbursement Opportunity for Round 2 (posted on	Wednesday, August 18, 2021	
COMMBUYS And MassDEP website)		
Grant/Reimbursement Opportunity Release Date (Posting Date) on MassDEP	Wednesday, August 18, 2021	
website (https://www.mass.gov/info-		
details/water-resources-grants-financial-		
assistance)		
Deadline for Submission of Questions to MassDEP (prior to deadline, via email, to):	Wednesday, September 1, 2021	12 noon
program.director-dwp@mass.gov		
Official Answers for Q&A published on	Tuesday, September 14, 2021	5 P.M.
MassDEP website (estimated),(https://www.mass.gov/info-		
details/water-resources-grants-financial-		
assistance)		
GRANT/REIMBURSMENT APPLICATION	Thursday, October 14, 2021	5 P.M.
DEADLINE; ELECTRONIC SUBMISSION TO		
program.director-dwp@mass.gov		
Notification of Grant/Reimbursement	Thursday, November 4, 2021	
Award(s) (Estimated) (POSTED ON		
COMMBUYS AND MASSDEP WEBSITE,		
https://www.mass.gov/info- details/water-resources-grants-financial-		
assistance)		
Estimated Contract Start Date	Tuesday, November 30, 2021	

## **ROUND 3**

Date	Time
Wednesday, December 1, 2021	
Wednesday, December 1, 2021	
Wednesday, December 15, 2021	12 noon
Wednesday, December 29, 2021	5 P.M.
Friday, January 28, 2022	5 P.M.
Thursday, February 17, 2022	
Thursday, March 10, 2022	
	Wednesday, December 1, 2021  Wednesday, December 15, 2021  Wednesday, December 29, 2021  Friday, January 28, 2022  Thursday, February 17, 2022

# Grant/Reimbursement Program Application Interim PFAS6 Response Program

Overview: The Commonwealth of Massachusetts has appropriated \$2 million to the Massachusetts Department of Environmental Protection (MassDEP) to help offset the cost of emergency response to MCL exceedances of "PFAS6" (the sum of six per- and polyfluoroalkyl substances) contamination in drinking water. This grant program provides funds (including reimbursement for costs and expenses already incurred) to impacted public water systems for measures taken to respond to a discovery of PFAS6 contamination in the drinking water supply. Only projects that meet the specific requirements of the PFAS6 program outlined in this Grant/Reimbursement Opportunity will be considered for funding.

Applicant Information (NOTE: Applicant must be authorized by the specified organization to submit this application).

Applicant Name:				
PWS ID number:				
Type of system (COM/NTNC; pub	lic or private)			_
System size:seasonal populations)	actual numbei	of users during the m	aximum period o	of use ( i.e.,
Affected Community:				
Name of person completing form	:	Title:		
Address:				
Phone:		mail:		
Amount of funding requested:				
\$ Total _	\$	Reimbursement	\$	_New Expense

#### **Application instructions:**

Print and complete this form. Attach the following information/documentation in support of this Application:

- Documentation of PFAS6 exceedance, including PFAS6 sampling results;
- Documentation detailing eligible reimbursement costs and/or projected expenses; and
- Narrative (maximum one page) describing the PWS's need and strategy for responding to the immediate need for action.

# ATTACHMENT B Grant/Reimbursement Funding Distribution Formula

#### **Interim PFAS6 Response Program**

**Summary**: Three Rounds of Grant/Reimbursement funding are provided for the Interim PFAS6 Response Program, with a total funding limit of \$2 million. The maximum total amount to be distributed in any one Round is \$666,000. If total applications in any Round exceed \$666,000, awards to each applicant for that Round will be reduced by a calculation based on actual system users affected, utilizing the Funding Distribution Formula set forth below. Steps 1-3 of the Example below illustrates how the Funding Distribution Formula will be implemented to ensure that a maximum of \$666,000 in grant funding is achieved for each Grant Round.

If there are any funds remaining after Round 3 is completed, Step 4 of the Example below describes how these funds will be reallocated based upon the Funding Distribution Formula and/or upon consideration of other equitable circumstances to achieve the public health goals of the Program.

For further information, see the Funding Availability section of the posted Grant/Reimbursement Opportunity.

**Note:** The Department's goal is to create a simple and transparent process that aims to fairly distribute the funds to all eligible applicants over the next year. The uncertainty over which systems will step forward at a given time to request grant relief, makes the distribution calculation somewhat complex. Reasonable assumptions and rounding of numbers have been used to create this distribution strategy.

## **Basis for Funding Distribution Formula: for all Grant Rounds:**

Maximum Grant/Reimbursement award: per system size (number of users)

Large (>50,000) \$200,000 Medium (>3300 - 49,999) \$150,000 Small (>500 -3299) \$10,000 Very Small (up to 500) \$1,500

**Assumptions for Funding Distribution Formula calculation**: The maximum award per system size is based upon the following: (1) for medium, small, and very small systems, the system has the maximum number of users for the size; (2) for large system users, the user population number = 65,000; and (3) the system unit cost = \$3 per user.

## **Example of application of the Funding Distribution Formula:**

- 1. In Round 1, one system of each size (for a total of 4 applications) requests the maximum award for its category, and each system is awarded funds by MassDEP. The total awards add up to \$361,500. Each applicant receives their requested award up to the maximum, and \$304,500 is held in reserve for final distribution under the Funding Distribution Formula after the completion of Round 3.
- 2. In Round 2, two systems of each size request the maximum award for their category, for a total of 8 award requests. The total awards requested for Round 2 add up to \$723,000, exceeding

the \$666,000 maximum by \$57,000. Using the Funding Distribution Formula, the actual number of users for each of the eight systems is used as the basis to recalculate each award at a system unit cost of \$3 per user. If the amount still exceeds the \$666,000 in available funds after applying the Funding Distribution Formula, the per-person award is recalculated again (at a reduced system unit cost per user) to stay within the \$666,000 maximum funding limit, in the following way: the recalculated amount that is still in excess of \$666,000, after adjustment to actual user numbers, is divided by the total number of users for all successful applicants. This yields a per-person discount that is equitably applied to the per-person calculation for each award amount.

- 3. The Round 3 applications result in requests that exceed available funds by \$100,000. Using the same process as outlined for Round 2 above, the awards are recalculated on a per-user unit cost basis to arrive at the required maximum total award amount of \$666,000 for Round 3.
- 4. After the completion of Round 3, the \$304,500 in funds remaining from Round 1 is distributed to those applicants for Rounds 2 and 3 to achieve the following equitable redistribution of funds under the following circumstances: (1) where a recalculation resulted in an award based upon a unit cost of less than \$3 per user; (2) to bring the Round 2 and 3 awards up to fully or partially meet the original requested award amounts; and/or (3) in its discretion, MassDEP may direct all or a portion(s) of the remaining funds to those cases with extraordinary public health needs, based upon MassDEP review of both the facts and project-specific circumstances.