



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Kathleen A. Theoharides
Secretary

Martin Suuberg
Commissioner

Technical Assistance Grant Program Grant Opportunity State Fiscal Year (SFY) 2022

Grant Opportunity Summary

Proposals Sought: Massachusetts Department of Environmental Protection (MassDEP) is pleased to offer this grant opportunity as part of MassDEP's **Technical Assistance Grant (TAG) Program** for persons interested in better understanding the assessment and cleanup work being conducted at contaminated properties in their communities. TAGs will be awarded to selected community and citizens' groups for the purpose of obtaining outside expert advice and technical assistance to understand and evaluate the planned implementation of site cleanup response actions and related activities, as well as to enhance public involvement in disposal site assessment and cleanup activities.

Overview and Goals: Public participation is an essential part of the Commonwealth's Waste Site Cleanup Program administered by MassDEP. However, the detailed technical information and regulatory references contained in the cleanup plans and reports are often difficult for the general public to understand, which creates a barrier to effective public involvement. To encourage public participation, MassDEP has established the TAG Program to assist citizens in obtaining and understanding technical information used to make cleanup decisions, and to promote citizen involvement in planning cleanup actions. TAG awards are for **reimbursement only** of allowable expenses, as described below.

TAG Applications are reviewed and evaluated through a competitive process, strictly on the information contained in the Application. The most competitive proposals selected for funding will be those applications that best address the TAG Program goals of assisting citizens in understanding and using the technical information that provides the

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

basis for cleanup decisions, and promoting more informed citizen involvement in planning response actions.

Technical Assistance Grants are authorized by Massachusetts General Law (M.G.L.) Chapter 21E, §14(c), and are implemented by MassDEP as set forth in the Massachusetts Contingency Plan (MCP) regulations at Subpart N (310 CMR 40.1450 et seq.).

General information about the assessment and cleanup of disposal sites in Massachusetts is available on-line at MassDEP's website at <https://www.mass.gov/guides/the-waste-site-cleanup-program>.

Eligible Applicants, Disposal Sites and Activities

Eligible Applicants: Groups of individuals who may be affected by oil and/or hazardous materials from an eligible disposal site can apply for TAGs. These groups must:

- Exist as a *legal entity*, with legal authority to receive, disburse, and be responsible for funds at the time the grant is awarded. The legal entity process is coordinated by the Massachusetts Secretary of State Corporations Office (<http://www.sec.state.ma.us/cor/coridx.htm>) and requires a group to establish a Board of Directors and by-laws; and
- Be an "*affected person*," meaning the group is comprised of individuals who may have been impacted by an eligible disposal site.

MassDEP contracts directly with the groups that submit applications and are subsequently awarded a TAG grant through this program. No group may use an external fiscal agent to apply for, receive, and/or disburse funds awarded through a TAG grant.

Types of eligible applicants include:

- Groups of individuals, such as community groups and neighborhood associations, including individuals whose properties may have been impacted by oil and/or hazardous materials from the eligible disposal site;
- A district or other body politic that owns or operates a public water supply which may have been impacted by oil and/or hazardous materials from the eligible disposal site; or
- A city, town or agency which may have been impacted by oil and/or hazardous materials from the eligible disposal site (see also *Appendix A: "Guidance for Municipal Applicants"*).

Ineligible Applicants: Groups that are not eligible to apply for TAGs are those entities or groups that:

- Have either contributed to the disposal site contamination or have been involved in the disposal site cleanup as either a liable or potentially liable party under M.G.L. c. 21E, §5, or as an Other person under M.G.L. c. 21E, §4;
- Have restricted meaningful participation and involvement by others who may be impacted by the disposal site;
- Do not exist as a *legal entity*, with legal authority to receive, disburse, and be responsible for funds at the time the grant is awarded.
- Do not represent individuals who may have been affected by the disposal site; or
- Are municipal entities that:
 - own or operate the disposal site and therefore are categorized as a responsible party or potentially responsible party; or
 - are conducting or funding any type of response actions at the disposal site, acting as an “other person” conducting response actions.

Eligible Disposal Sites: TAGs are most effective at disposal sites that are actively being evaluated for future cleanup activities because these sites provide opportunities for involvement and participation in the process of making cleanup decisions. Eligible disposal sites include sites that are:

- Classified as Tier I and Tier II under the MCP (this does not include disposal sites classified as Tier ID by MassDEP);
- A Massachusetts disposal site on the U.S. Environmental Protection Agency’s Superfund National Priorities List; or
- Deemed by MassDEP to be “Adequately Regulated” under the MCP (310 CMR 40.0110 et seq.) or by another MassDEP program or another government agency.

Sites that have been designated *Public Involvement Plan (PIP) sites* under the MCP are eligible for TAGs. PIP sites are often well-suited for a TAG because PIP status usually indicates an interested and knowledgeable group of citizens is already involved in the disposal site assessment and cleanup process. However, a disposal site does not need PIP status to be considered an eligible disposal site for applicants who are seeking funding through the TAG program.

Ineligible Disposal Sites: Disposal sites that are not actively involved in the assessment and cleanup process are not eligible. These are disposal sites at which:

- A valid Permanent Solution Statement has been submitted to MassDEP prior to the effective date of TAG grant contract period; or*
- A Waiver Completion Statement has been submitted to MassDEP by the part(ies) conducting the response actions.

Additional information related to specific disposal sites (including but not limited to the current status of assessment and cleanup activities) that applicants may find useful in completing the TAGs application may be found on the EEA Data Portal to Search for Waste Site & Reportable Releases, which is available via MassDEP's website at <https://eeaonline.eea.state.ma.us/Portal#!/search/wastesite>.

Eligible Activities: In general: TAGs funding may be used to provide citizens with:

- Access to outside expert advice and technical assistance related to assessing and cleaning up an eligible disposal site;
- Access to and use of information that has been developed for an eligible disposal site; and
- Information about issues of public concern related to eligible disposal sites.

Examples of eligible activities include, but are not limited to:

- Interpreting technical information and sampling data that have been prepared (or will be prepared) by the person conducting the disposal site response action;
- Observing site assessment, sampling, or response action activities;¹
- Analyzing split samples (i.e., analyzing duplicates of samples collected by the party conducting disposal site response actions);
- Conducting surveys to gather existing health information through interviews or questionnaires from individuals who may be affected by the disposal site;
- Obtaining legal advice; restricted, however, to legal advice regarding the public's involvement in response actions;
- Conducting public education activities focusing on the eligible disposal site and the affected community; and/or
- Providing a reasonable share of funding for voluntary mediation concerning disposal site response actions.

Grant funds may be used to hire a technical consultant with appropriate skills to administer the grant, or for other technical, educational and outreach needs. However, to ensure that the limited grant funds are used primarily for providing expert advice and technical assistance about assessment and cleanup activities at the eligible disposal site, administrative costs (administrative time and materials, such as the purchase of pens and paper, telephone bills, postage, etc.) cannot exceed twenty percent (20%) of the total award.

¹ If grant activities require the presence of a TAG-funded consultant or representative of the grantee at the site, grantees must obtain advance approval for this consultant/representative to be present on the site from the property owner and the party conducting cleanup actions. Any Grant-funded activities must comply with any existing health and safety plans for the site. If environmental samples will be analyzed, the same analytic procedures used by the party conducting cleanup actions must be used. Finally, any grantee representatives, while on the disposal site, cannot interfere with the efficient, expeditious, and safe conduct of ongoing response activities.

Ineligible Activities: TAGs may not be used to:

- Develop new environmental or medical data;
- Conduct or arrange any cleanup actions at the disposal site;
- Promote organizational development or membership building, except for activities that are incidental to carrying out eligible activities;
- Conduct partisan political activity or any activity to support or defeat of an initiative petition or a candidate for public office; and/or
- Initiate (or defend) litigation or any other adversarial legal proceedings.

Application Deadline

Applications are due by **5:00 P.M. on Friday, July 16, 2021**. Additional information on how to submit the application is provided below.

Grant Contract Information

Available Funding: MassDEP anticipates that the grant award to any individual applicant in this funding round will be up to a maximum of \$15,000. The total potential funding available for all grant proposals through this program is up to \$150,000, subject to the funding availability in the FY22 program budget. MassDEP reserves the right not to award any grants through this program and/or not to award the total funding currently available. Only one TAGS grant will be provided for any specific eligible disposal site through this program.

The grant award will be finalized only after all required grant contract forms have been fully executed. Grantees will be reimbursed for eligible project expenses incurred after the grant has been awarded. Grantees must provide documentation supporting all requests for reimbursement and must also provide documentation indicating that all eligible project expenses were incurred on or before June 30, 2022.

Future rounds of TAG funding: Depending upon the responsiveness to the current TAG funding opportunity, MassDEP anticipates that it may offer the TAGs program on an annual basis, contingent upon the availability of funding. However, MassDEP reserves the right not to initiate future rounds of TAG grant funding and the right to modify and change any conditions of the TAG grant program terms and requirements as may be required by MassDEP to fulfill and achieve the goals and purpose of future rounds of funding for the TAG program.

Total Anticipated Duration of Grant Contract: The contract duration will be from the date of the full execution of the required grant contract forms through June 30, 2022. Extension of the contract is at the sole discretion of MassDEP and will be based upon

review of both project and site-specific circumstances. Any contract extension (if agreed to by MassDEP) will not result in any increase in TAG funding, change the previously agreed upon scope of services, or result any other alteration of the terms of the original TAG award to the grantee.

If recommended for a grant, applicants must certify in writing to MassDEP (email is sufficient) that they will complete the grant contracting process within 60 days of being notified of the grant award, or funding may be jeopardized.

Matching Funds: Matching funds are not required for a project to be eligible for TAG funding and will not be awarded any additional points or preference under the evaluation criteria. Any other source of funding obtained by an applicant for expert advice or technical assistance shall not be subtracted from any specified grant maximum provided through the TAGs award, with the exception that the total amount of funding received by the grantee from all sources (including the TAG award) shall not exceed 100% of the total cost of the proposed project. Any applicant that has confirmed matching funds from other sources must disclose this information in the application, and provide any letter(s) and/or other documents from the individual/entity providing the matching funds, if available, by the application deadline (commitment letters/other matching support documentation will not be counted as part of the 12 page application limit). Please note that some grant funding has restrictions on receiving funding from multiple sources. To avoid jeopardizing any existing funding, you are advised to confirm whether any such restrictions apply.

Self-Evaluation Report: At the conclusion of the Grant Agreement contract term, and *with the submission of the final request for payment*, each grantee must submit a self-evaluation report to MassDEP describing measures of success that have been met, including, but not limited to:

- Details describing how the funds were spent;
- Highlights and challenges of the project (e.g., reports reviewed, samples analyzed); and
- Outreach events and activities provided (e.g., meetings held, work products produced).

A portion of the grant funds may be withheld until MassDEP receives the required report.

Pre-TAG Opportunity Issuance Informational Meeting: On Wednesday, April 28, 2021, MassDEP held an informational meeting to provide an overview to interested parties of the grant program and application process in advance of the issuance and public posting of the TAG Grant Opportunity. A recording of this informational meeting and accompanying power point presentation is available at <https://www.mass.gov/service-details/technical-assistance-grants-waste-site-cleanup>.

Question and Answer Period: Applicants should submit questions on or before **5 P.M. on Friday, June 11, 2021** via email to Nancy.Fitzpatrick@mass.gov. Please use “TAG Program Question” in the subject line. A complete question and answer document will be posted on the MassDEP website on or before **Friday, June 25, 2021**. See also *Estimated Grant Procurement Calendar below*.

Applicable Procurement Law: Grants-- MGL c. 7A, § 7; St. 1986 c. 206, § 17; 815 CMR 2.00.

Instructions for Application Submittal

Evaluation Criteria: Applicants must submit an application that includes all the required supporting materials, agree to the program conditions, and meet the eligibility requirements, in order to be considered for a grant award. A MassDEP review committee will evaluate all eligible proposed projects based upon the requirements set forth at 310 CMR 40.1456(4) and the criteria listed below. The review committee reserves the right to reject any and all proposals.

Evaluation Criteria Components: The review committee will evaluate and score the grant applications from Eligible Applicants, as previously defined in this Grant Opportunity, based on the following criteria:

- a) *Severity and Complexity of the Disposal Site relative to its potential impact on health, safety, public welfare, and the environment.* (Maximum 20 points)
 - What is the current MCP status of the disposal site? (e.g., Tier I, Tier II, Adequately Regulated, National Priorities List disposal site, Temporary Solution).
 - What is the location of the disposal site, what are the contaminants present and the environmental media affected (e.g., soil, groundwater, indoor air), what is the extent of contamination, and primary exposure concerns (known or potential impacts to human health and the environment)?
 - What type of response actions are ongoing? (e.g., Phase investigations, Immediate Response Actions, Release Abatement Measures, etc.)
- b) *Connection to Waste Site Cleanup Program Goals: Relationship of proposed project to the impacts of the disposal site on health, safety, public welfare, and the environment.* (Maximum 15 points)
 - Does the proposed project clearly identify disposal site impacts to health, safety, and public welfare of affected individuals and/or the community, and the environment?
 - Does the proposed project describe specific activities intended to evaluate technical reports and data used as the basis for risk assessment and cleanup decisions at the disposal site?

- c) Promote Public Awareness: *Potential of proposed project to foster increased public awareness and understanding of disposal site response actions and issues and increased public participation in response actions at the disposal site.* (Maximum 15 points)
- Does the proposed project include activities and strategies intended to increase public awareness and understanding of response actions at the disposal site?
 - Does the proposed project provide for a variety of opportunities for the community to interactively discuss the issues and impacts of the disposal site and influence cleanup decisions?
- d) Outreach Capability: *Applicant's demonstrated capacity to communicate with and involve individuals affected by the disposal site.* (Maximum 10 points)
- Are the communities and affected individuals who will be helped by the proposed project identified?
 - Has the applicant provided specific examples of other projects or experiences that demonstrate the ability to communicate with and involve those impacted by the disposal site?
- e) Implementation Potential: *Applicant's demonstrated capacity to implement the proposed project.* (Maximum 10 points)
- Has the applicant provided information that demonstrates prior experience and success as an organized group implementing a similar project to achieve a common goal?
 - Does the proposed project description, budget, and schedule provided demonstrate that the applicant is capable of effectively managing the proposed project?
- f) Project Budget and Timeline: *Overall quality of applicant's proposal, including feasibility of meeting identified goals, feasibility of completing project within work schedule and budget, and appropriateness of proposed types of consultants to be employed.* (Maximum 10 points)
- Does the timeline for the proposed project appear feasible for completion by June 30, 2022?
 - Does the proposal provide detailed and credible cost estimates for securing expert technical advice and necessary data relevant to disposal site assessment and cleanup under the Massachusetts Contingency Plan?
- g) Benefits an Economic Target Area: *Relevance of the disposal site for local economic development efforts, as determined by the disposal site's location in an area designated as an "Economic Target Area," pursuant to MGL c. 23A, §§ 3A-3F.* (Maximum 10 points)
- Is the disposal site located in an "Economic Target Area"?
 - Does the proposed project describe how it will benefit the area?

h) *Benefits to Environmental Justice Communities*: MassDEP is particularly interested in projects which benefit Environmental Justice Communities, and the review committee will consider awarding additional points for projects that are focused upon these Communities. * (Maximum 10 points)

- Is the eligible disposal site in an Environmental Justice Community?
- Does the proposal outline specifically how environmental justice communities or organizations would benefit and be involved in the proposed project?
- How does the proposed project promote collaboration and inclusive information sharing among affected communities, including maximizing knowledge of disposal sites in Environmental Justice Communities.

*** *MassDEP Statement of Commitment to diversity, inclusion, and environmental justice***: MassDEP is committed to advancing equity, diversity, and environmental justice through all its key agency activities, which include programs, policies, and regulations the department carries out in furtherance of its environmental protections mission. MassDEP seeks to promote and reflect these values through its public investments, and strongly encourages grant applicants to meaningfully prioritize equity, diversity, and environmental justice in developing proposals and applications for MassDEP funding. In addition, it should be noted that individual MassDEP grant programs may also include criteria and evaluation parameters in these areas, specific to those particular programs. Environmental Justice community data is available at: http://maps.massgis.state.ma.us/map_ol/ej.php

MassDEP consideration of other available information as part of application review and evaluation: In addition to considering information submitted with this application, the MassDEP review committee may refer to other information available about the disposal sites(s) that is/are identified by the grant applications. In its discretion, the review committee may consult with MassDEP staff, and consider any and all relevant information available in MassDEP disposal site files and databases.

Application Completion and Submittal Instructions: All Grant applicants must complete the Technical Assistance Grant Program Application form. Once completed, the application must be submitted, along with all required and completed supporting documents, electronically in Microsoft Word.

Application Materials: All application materials are available for download at: <https://www.mass.gov/service-details/technical-assistance-grants-waste-site-cleanup>

Page Limit: Grant Application must not exceed twelve (12) single-sided pages in length. This page limit does not include By-laws (if applicable) or separate documentation supporting a committed match of funding for the proposed project.

Applications must be electronically sent by the deadline via email TAG Point of Contact (TAG POC):

Nancy.Fitzpatrick@mass.gov

In the subject line of the email, please include “TAG” and applicant’s name.

All applications, including all additional Required Documentation, must be received electronically by 5:00 P.M. on Friday, July 16, 2021. 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.

Once the evaluation is complete, the Grant Funding List will be published in the Environmental Monitor (<http://www.mass.gov/envir/mepa>), on COMMBUYS, the Commonwealth’s public procurement site, and on MassDEP’s website (<https://www.mass.gov/topics/cleanup-of-sites-spills>).

Additional Required Documentation:

Scope of Services Agreement: If selected to receive a Grant award, the applicant will be required to enter into an agreement with MassDEP describing the scope of services to be undertaken. See *Appendix B* for a template of this scope of services agreement.

In addition, the applicant will be required to submit the following forms to complete the contracting process. Applicants are encouraged to review these forms prior to submission of an application.

- Commonwealth Standard Contract Form, filled out and signed by the applicant
<http://www.macomptroller.info/comptroller/docs/forms/contracts/StandardContractForm-.docx>
- Commonwealth Terms and Conditions
<http://www.macomptroller.info/comptroller/docs/forms/contracts/CommonwealthTermsAndConditions.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
<http://www.macomptroller.info/comptroller/docs/forms/vendorcustomer/newmass-w9.pdf>
- Completed Contractor Authorized Signatory Listing Form
<https://www.macomptroller.org/forms>
- Electronic Funds Transfer (EFT) form
<https://www.mass.gov/doc/electronic-funds-transfer-form/download>

Estimated Grant Procurement Calendar for TAG Grant Application and Award:

Grant Procurement Activity	Date	Time
Pre-TAGS Grant Release Informational meeting	Thursday, April 29, 2021	7 P.M.
Notice of Grant Opportunity (posted on COMMBUYS and MassDEP website)	Wednesday, May 19, 2021	
TAGs Grant Opportunity and Grant Application Release Date (Posting Date) on MassDEP website https://www.mass.gov/service-details/technical-assistance-grants-waste-site-cleanup	Wednesday, May 19, 2021	
Deadline for submission of written questions via email to MassDEP TAG POC: Nancy.Fitzpatrick@mass.gov	Friday, June 11, 2021	5 P.M.
Official answers for Q&A published on MassDEP webpage	Friday, June 25 2021	
GRANT APPLICATION DEADLINE	Friday, July 16, 2021	5 P.M.
Announcement of Grant Awards (posted on COMMBUYS and MassDEP webpage)	Friday, August 20, 2021	
Estimated contract start date	Friday, October 1, 2021	

Appendix A

Guidance for Municipal Applicants

Municipal boards and agencies may apply for TAGs, although in some instances they may not be eligible for TAG funding. Examples of ineligibility conditions include disposal sites where the municipality is:

- The property owner or operator, in any capacity. In this case, the municipality is considered to be a responsible party or potentially responsible party.
- Conducting or funding any type of response action at a disposal site that it does not own, where it is acting as an “other person.” For example, when a municipality is conducting preliminary assessment activities through a Brownfield grant or loan program.

Municipalities may:

- Participate in a project that a citizens group applies for, receives, and manages a TAG grant.
- Apply for a TAG covering one or more sites in their community. The application should explain in such cases how a board or agency would work with a community group that has focused on the site or with groups established for each of several sites (sites that may affect two or more neighborhoods). In this case, the municipality would be the grantee and manage the TAG with the assistance of the community group(s).

NOTE: Municipalities considering applying for a TAG covering *more than one site* should be aware that the TAG regulations allow only one grant to be made to an entity (a municipality, citizen group, or public water district) through the TAG program. In addition, only one grant can be awarded for a particular site. So, although both a town board and a citizen group may offer separate TAG applications, only one TAG award could be funded for the site in question.

In addition, municipal entities are expected to perform certain levels of communication, assistance, and education on an ongoing basis as part of their official responsibilities to the public. The application from a municipal entity (e.g., board or commission) should explain how the TAG project would provide for technical assistance and outreach activities that *extend beyond* what the board/commission could or would *normally provide to the public*. The following are examples of outreach that go beyond standard municipal activities:

- Holding general information meetings specific to the disposal site in addition to regularly scheduled board/commission meetings;
- Providing cable television coverage, that has shown past success, as a way of reaching the community regarding the site; and/or
- Allowing the technical consultant to be available to the community as well as the board/commission.

The municipal TAG proposal should also discuss:

- The level of community interest in the site and whether the community has requested additional information that the board/commission does not have the ability to provide due to data gaps;
- Whether the board/commission requires additional technical expertise to better understand planned and/or ongoing site cleanup activities; and/or
- The current role of the board/commission in the site cleanup activity and how the TAG will enable the board/commission to enhance the community's understanding of site information and increase the availability of site information.

Appendix B

BWSC Technical Assistance Grant (TAG) Scope of Services

Grantee Name:

Grantee Contact:

Disposal site:

RTN(s):

The Grantee commits to hiring a Licensed Site Professional (LSP) or other technical expert to review the hazardous waste site remediation activities and reports related to _____. The technical expert will provide written comment, advice and analysis to the group to help them better understand the disposal site cleanup actions and process. The Grantee will provide for distribution of written materials developed by the technical expert along with public meetings for interested community members to engage in discussion with the technical expert.

The Grantee expects to conduct the following types of activities to enhance understanding of the waste site cleanup and to promote involvement in waste site cleanup decisions:

-
-
-
-

A total of _____ has been requested for this Technical Assistance Grant (TAG). The project will be completed on or before the contract expires on June 30, 2022. There are no provisions to extend the contract or to request additional funds from MassDEP to supplement the project. Also, there are no restrictions on the Grantee's ability to apply for future Technical Assistance Grant funding to continue this project or to propose a new project in the event that additional grant funding becomes available and MassDEP decides to offer future TAG funding opportunities.

The attached budget and timeline represent the Grantee's best estimate of expenses, meetings and work products that are necessary to successfully complete their project.