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September 13, 2022
MassDEP's Official Answers to Questions
Technical Assistance Grant Opportunity

On July 12, 2022 the Massachusetts Department of Environmental Protection (MassDEP) issued a Technical Assistance Grant Opportunity (TAG Opportunity) for parties interested in enhancing their participation in assessment and cleanup activities at disposal sites in their communities (<https://www.mass.gov/service-details/technical-assistance-grants-waste-site-cleanup>).

MassDEP awards Technical Assistance Grants (TAGs) to selected community and citizens' groups to allow those groups to obtain expert assistance, increase public participation and provide public education about disposal site assessment and cleanup activities. MassDEP accepted Questions regarding the TAG Opportunity through the Grant Procurement Calendar deadline of August 30, 2022, and the following Questions were received by that deadline. MassDEP's Official Answers to these Questions are provided below. Please note that, where multiple applicants essentially asked the same question, MassDEP has combined the content of these duplicate questions in order to provide a single, consistent, and uniform response.

- 1. Our group intends to apply for a TAG to fund our outreach and educational efforts in relation to a specific disposal dump in our town, but we are unsure if it would be eligible for the grant. According to the MassGIS, it is not classified under the Massachusetts Contingency Plan (MCP) and it is not a superfund site. How do we find information on a site's status to determine if it is considered adequately regulated under the MCP?**

MassDEP Response: Information pertaining to disposal sites are maintained in an online "sites database" that is available to the public, and can be accessed at the following link:

[Look Up Site Information on the EEA Data Portal](#)

As noted at p. 3 of the TAG Opportunity, and in accordance with 310 CMR 40.1452(5), to be eligible for a TAG a disposal site must be: (1) a tier classified disposal site, per 310 CMR 40.0500; (2) a disposal site on the USEPA National Priorities List (NPL); or (3) a disposal site that has been designated as "adequately regulated," per 310 CMR 40.0110.

If a disposal site is designated as adequately regulated in accordance with 310 CMR 40.0110, that is, if response actions at the disposal site are deemed adequately regulated by MassDEP under another program or by another government agency, then the “adequately regulated” designation will be noted in the “Compliance Status” section of the sites database.

- 2. The TAG Opportunity references communication and public involvement related to a specific Tier I or Tier II site or sites (that is, a “Tier Classified” site) as it progresses through cleanup as an eligible activity to receive a TAG. In our Public Water District, we have PFAS contamination detected in our public drinking water wells. The Town has several Tier Classified sites which have PFAS contamination, several of which are upgradient of the supply wells and may be contributing to the contamination. Would a proposal that focuses on public communication and involvement on the progress of constructing a PFAS removal plant (public drinking water - municipal) be viewed as a favorable proposal that meets the intent of the grant invitation?**

MassDEP Response: As described in the TAG Opportunity at p. 4 (Eligible Activities, including Examples), and in 310 CMR 40.1450 et al., a primary goal of TAGs is to encourage public participation through outreach and education. However, eligibility is limited to disposal sites that are tier classified or otherwise eligible in accordance with 310 CMR 40.1452(5).

Based on the information provided, it appears that the District believes that Tier Classified site(s) *may be contributing* to the PFAS contamination that is present in all public drinking water wells. For the proposed public communication and involvement related to the removal plant construction to be eligible for a TAG, it would be necessary for the grant applicant to show that one or more of the Tier Classified disposal site is a source of the contamination in the public wells.

- 3. I work as a regional coordinator for several health departments in Massachusetts. I was wondering if there is the possibility of a regional approach for this TAG or if each application must be tied to one specific site.**

MassDEP Response: A single organization may be awarded one TAG to fund eligible technical assistance activities at more than one eligible disposal site (see 310 CMR 40.10452(3)). Whether a single TAG award may be used to fund technical assistance activities “regionally,” however, would depend on whether the applicant meets several eligibility criteria.

In particular, the applicant organization must be an “eligible applicant.” A detailed description of both Eligible and Ineligible Applicants can be found at pp. 2-3 of the TAG Opportunity. In accordance with 310 CMR 40.1453(1), the groups of persons who may be

“affected” by oil and/or hazardous materials from an eligible disposal site are considered eligible applicants include groups of individuals, municipalities, and public water districts. To be an Eligible Applicant, the applicant organization must also exist as a legal entity, with legal authority to receive, disburse, and be responsible for funds at the time the grant is awarded, in accordance with 310 CMR 40.1453(2); see also p. 2 of the TAG Opportunity.

Consistent with this language, if your work as a regional coordinator representing several health departments is with an organization that meets the Eligible Applicant criteria described above, then that group would be eligible to apply for a TAG to fund technical assistance activities that are associated with multiple disposal sites in its represented communities. However, a group of municipalities may not jointly apply for a TAG, since TAGs can only be awarded to a single organization.

Please refer to the TAG webpage for additional eligibility criteria: <https://www.mass.gov/service-details/technical-assistance-grants-waste-site-cleanup>

- 4. Should we be very specific about the "extent of contamination" at a MCP site based on reports submitted for that particular RTN? In other words, should we note that one monitoring well has 11,000 ug/ml of TCE in groundwater while another has 500 ug/ml? Or is it acceptable to state that the site has TCE groundwater contamination?**

Do affected communities include customers of businesses?

MassDEP’s Response: The TAG Opportunity provides a description of the criteria upon which the applications will be evaluated, including “Severity and Complexity of the Disposal Site” (see page 7). Grant selection is made based upon the review of information provided in the TAG application package, so it is recommended that relevant details supporting the evaluation criteria be included in the application. While it is not necessary to identify every data point, providing a range of concentrations detected in environmental media, a description of the site’s location and setting (e.g., residential/commercial/industrial), and identifying specific community concerns is helpful, and may make the applicant’s proposal more competitive during grant application evaluation review.

“Affected persons” who are Eligible Applicants in 310 CMR 40.1453(1)(a) include “individuals or groups of individuals who have been affected by oil and/or hazardous materials from any eligible disposal site.” This could include customers of local businesses, if that group of customers also meets the additional applicant eligibility requirements set forth in 310 CMR 40.1453, including that this group is recognized as a legal entity by the Secretary of State. See also, MassDEP Response to Question 3 above regarding Eligible Applicant requirements.

In addition, applicants are advised that, like all public grant funding, TAGs may only be used for the public purposes as stated in the TAG Opportunity, and not primarily for the private financial benefit of certain individuals or businesses.