FINANCIAL LITERACY AND REPORTING
AUGUST 15, 2018

Tribal Lands and Environment Forum
Spokane, Washington
August 13 – 16, 2018
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Topics To Be Covered

- Rules & Regulations
- Grant Paperwork
- Terms & Conditions
- Grant Amendments
- What Should Be in Your Files
- How to Get Reimbursed
- ACRES
- Monitoring & Compliance Reviews
- Top 10 Audit Findings
- Teamwork
- Takeaways
Rules & Regulations

- Federal Grant & Cooperative Agreement Act
- 2 CFR 200 & 1500 - Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
  - 2 CFR 200 – All Federal Awards
  - 2 CFR 1500 – All EPA Awards
40 CFR 35 also still applies to states and tribes, in addition to 2 CFR 200 & 1500.

40 CFR 35 has stayed the same.
Uniform Grant Regulation 2 CFR 200 & 1500

1. Uniform Administrative Requirements
   > Definitions – 2 CFR 200 Subpart A
   > General Provisions – 2 CFR 200 Subpart B
   > Pre-Award – 2 CFR 200 Subpart C
   > Post-Award – 2 CFR 200 Subpart D
2. Cost Principles – 2 CFR 200 Subpart E
3. Audit Requirements – 2 CFR 200 Subpart F
   > Now have a $750,000 threshold
4. EPA Specific – 2 CFR 1500 Subpart A-E
Change in Grant Regulations

1. Uniform Administrative Requirements
   a. Old: 40 CFR 30 & 31
   b. New: 2 CFR 200 Subpart A - D

2. Cost Principles
   b. New: 2 CFR 200 Subpart E

3. Audit Requirements
   a. Old: A-133 & $500,000 threshold
   b. New: 2 CFR 200 Subpart F & $750,000 threshold
This applies to CERCLA 128(a) grants and many other grants

Effective date of this policy is 11/1/2013

One Benefit is the Bundling of Assurances and Certifications

Should be submitted to EPA on a Fiscal Year basis

Grants Management Office reviews these forms
To ease the burden on tribal applicants, Grants Management Offices will allow a tribe to submit “bundled” assurances/certifications in lieu of submitting separate assurances for each award.

 Applies to the following three forms:

- SF-424B
- Certification Regarding Lobbying, Certification for Contracts, Grants, Loans and Cooperative Agreements
- EPA 4700-4, “Pre-Award Compliance Review Report for All Applicants Requesting Federal Financial Assistance”
SF-424 -- APPLICATION FOR FEDERAL ASSISTANCE
SF-424A -- BUDGET INFORMATION
SF-424B -- ASSURANCES
EPA FORM 6600-06 -- CERTIFICATION REGARDING LOBBYING
SF-LLL -- DISCLOSURE OF LOBBYING ACTIVITIES
EPA FORM 4700-4 -- PREAWARD COMPLIANCE REVIEW REPORT
PROJECT NARRATIVE STATEMENT (WORKPLAN)
EPA FORM 5700-54 -- KEY CONTACTS FORM
Indirect Costs (IDC) - Indirect costs are those costs incurred by an organization for common or joint objectives and that, cannot be readily identified with a particular final cost objective, project or program but are, nevertheless, necessary to the general operation of its activities.
Tribes are allowed to charge IDCs for their CERCLA 128(a) grants
Tribes are allowed to charge 5% IDCs for their CERCLA 104(k) grants
Charges for administration, security, facilities, electricity and personnel costs
Tribe has to submit a proposal for the previous years IDC to the Department of Interior, the cognizant agency
Subject to the 5% limitation include direct costs for:

- Complying with the following provisions of the Uniform Administrative Requirements for Cost Principles and Audit Requirements for Federal Awards at 2 CFR Parts 200 and 1500 other than those identified as programmatic.

- Record-keeping associated with equipment purchases required under 2 CFR § 200.313;
  - payment requests and handling payments under 2 CFR § 200.305;
Preparing revisions and changes in the budgets, scopes of work, program plans and other activities required under 2 CFR § 200.308;

Maintaining and operating financial management systems required under 2 CFR § 200.302;
- Preparing payment requests and handling payments under 2 CFR § 200.305;
Non-federal audits required under 2 CFR Part 200, Subpart F; and

Closeout under 2 CFR § 200.343 with the exception of preparing the recipient’s final performance report. Costs for preparing this report are programmatic and are not subject to the 5% limitation on direct administrative costs.
These are assessment or cleanup activities on a Brownfields site

- No more than $200,000 per site can be funded for assessments*
- No more than $200,000 per site can be funded for cleanups*
  - Phase I, Phase II, cleanup planning, cleanup activities

* Absent EPA approval
Tribes can request a 50% site-specific waiver for their CERCLA 128(a) grant.

An explanation of how this shift in funding will not negatively impact the core programmatic capacity (Four Elements) is required.

Tribe submits request to their regional EPA tribal coordinator.

HQ approval required.

Does not have to be submitted when you requesting funding for the next fiscal year.
Both tribal staff and contractors may complete assessment and cleanup activities.

Tribe may use contractors to help them with the four elements (non site-specific costs), however, the purpose of this funding is build tribal capacity.
Terms & Conditions

- These are found in your grant.
- General (administrative) terms and conditions are found on the web – link is provided in your grant.
- Programmatic terms and conditions are detailed in your grant.
- Please go over these with your Project Officer.
- These get revised every time a grant gets amended.
Grant Amendments

- **No Cost Extension** is for a period of performance change or work plan modification.
- > 10% of budget moved from one line item to another must be formally amended.
- <10% of budget moved, can be discussed with PO and documented.
What Should Be in Your Files

- Official Grant Project File
  - Part 1 – Application
  - Part 2 – Correspondence (During Application)
  - Part 3 – Assistance Agreement
  - Part 4 – Correspondence (During Grant Period)
  - Part 5 – Financial Information
  - Part 6 – Monitoring & Technical/Quarterly Reports
Required to keep records 3 years after the grant has closed - 2 CFR 200.333, Retention requirements for records
How Does the Tribe Get Reimbursed?

Automated Standard Application for Payments (ASAP) and electronic funds transfer (EFT). Must use the ASAP system.
Recipient organizations should request only those funds required to meet immediate disbursement requirements and must disburse funds as soon as possible to minimize federal cash on-hand in accordance with Title 2: Grants and Agreements, Part 200-Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Section 200.305.
Tribal Response Program lead receives the invoice

Contractor invoices should reference the tasks and state if the work is site-specific or for the 4 elements or public record.

Program lead refers back to the work plan budget and keeps track.

Program lead should be charging their hours by task.

Work with your financial accounting staff.
Unliquidated obligations (ULOs) are the portion of an obligation or liability that has not been outlaid, expended or liquidated. Since EPA has many long term grant and other programs, the unliquidated portion of obligations represent a significant portion of EPA’s overall financial position. EPA must regularly review these ULOs and promptly deobligate funds that agency officials determine are no longer needed.

EPA must review ULOs according to 31 U.S.C. 1554(c)
Tribes should be aware that EPA and its Congressional appropriations committees place significant emphasis on the utilization of prior years’ funding.

Existing balances as reflected in EPA’s Financial Data Warehouse as of January 1, 2019 may result in an allocation amount below a recipient’s request for funding or, if appropriate, deobligation and reallocation by EPA Regions as provided for in 40 CFR 35.118 and 40 CFR 35.518.

This program continues to face budget cuts.
The Assessment, Cleanup and Redevelopment Exchange System (ACRES) is an online database for Brownfields Grantees to electronically submit data directly to EPA.

Many tribes use the Brownfields Inventory Tool (BIT) system developed by KSU TAB to manage their program data and automatically have their site-specific info entered into ACRES.
Online Training is available
Your EPA Project Officer uses it to review/approve grantee accomplishments
You or your qualified environmental professional can enter the data
ACRES is the Brownfields Program system of record

Programmatic data are primarily used to:

› Analyze data across CAs to demonstrate and improve the success of the Brownfields Program
› Respond to Congressional inquiries
› Track and report Program goals and accomplishments
› Create communication and outreach materials

Programmatic Capability Score Next Time

Brownfields Program Analysis – Sept 2010

Brownfields At A Glance – July 2010
When Do I Submit Data in ACRES?

Data should be updated in ACRES as soon as there is new activity to report.
Submit site eligibility determination form to your PO, once signed, Tribe should go into ACRES and get an ID for the site.

Date initiated for the project is the date that the eligibility determination is signed.

Contact Kelly Gorini at gorini.kelly@epa.gov or Joe Macula at macula.joseph@epa.gov for questions.
What Data Do You Report to ACRES?

- Geographic information about your sites
- Assessment activities and funding
- Contaminants found and media affected
- State program enrollment
- Cleanup activities and funding
- Redevelopment activities and funding
- Leveraging information
- Property history and ownership information
Baseline Monitoring
  › Administrative Baseline – EPA grants office
  › Programmatic Baseline – EPA project officer

Advanced Monitoring – desk review, in person
  › Administrative – EPA
  › Programmatic - EPA project officer

IG Review (Program & Grantee)
10 Most Common Audit Findings

1. Untimely report submissions
2. Lack of documentation
3. Inadequate monitoring of sub-recipients
4. Inadequate time/effort reports
5. Inadequate reports (Federal Financial Reports)
6. Co-mingling of funds
7. Excess cash on hand
8. Unallowable costs
9. Inappropriate changes
10. Conflicts of interest
Teamwork

- **EPA Team**
  - Project Officer
  - Grant Specialist (will be identified in C.A.)
  - Financial Specialist (Sharen Rheinhardt)

- **Grantee Team**
  - Project Manager
  - Authorized Representative
  - Financial/Accounting personnel

- EPA and grantee teams must work together for successful project implementation
Takeaway Message

- Work as a team with us
- Documentation is key
- Know your program
- Make sure your files are ready for review at all times
Questions