

	U.S. ENVIRONMENTAL PROTECTION AGENCY Grant Agreement		GRANT NUMBER (FAIN): 98T80701 MODIFICATION NUMBER: 0 PROGRAM CODE: 48		DATE OF AWARD 08/22/2023	
			TYPE OF ACTION New		MAILING DATE 08/25/2023	
			PAYMENT METHOD: ASAP		ACH# 90043	
			RECIPIENT TYPE: State		Send Payment Request to: Contact EPA RTPFC at: rtpfc-grants@epa.gov	
RECIPIENT: NV Department of Conservation and Natural Resources 901 South Stewart St., Suite 4001 Carson City, NV 89701 EIN: 88-6000022		PAYEE: NV Department of Conservation and Natural Resources 901 S. Stewart Street, Ste. 4001 Carson City, NV 89701-5249				
PROJECT MANAGER Andrea Seifert 901 S. Stewart Street, Ste. 4001 Carson City, NV 89701-5249 Email: aseifert@ndep.nv.gov Phone: 775-687-9526		EPA PROJECT OFFICER Stephanie Hung 75 Hawthorne Street, WTR-4-1 San Francisco, CA 94105 Email: Hung.Stephanie@epa.gov Phone: 415-972-3701		EPA GRANT SPECIALIST Norma Douglass Grants Branch, MSD-6 75 Hawthorne Street San Francisco, CA 94105 Email: Douglass.Norma@epa.gov Phone: 415-947-4136		
PROJECT TITLE AND DESCRIPTION BIL - Assistance for Small and Disadvantaged Communities See Attachment 1 for project description.						
BUDGET PERIOD 10/01/2023 - 10/31/2028		PROJECT PERIOD 10/01/2023 - 10/31/2028		TOTAL BUDGET PERIOD COST \$18,914,000.00	TOTAL PROJECT PERIOD COST \$18,914,000.00	
NOTICE OF AWARD						
Based on your Application dated 06/14/2023 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$18,914,000.00. EPA agrees to cost-share 100.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$18,914,000.00. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.						
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)			AWARD APPROVAL OFFICE			
ORGANIZATION / ADDRESS U.S. EPA, Region 9 , U.S. EPA, Region 9 Grants Branch, MSD-6 75 Hawthorne Street San Francisco, CA 94105			ORGANIZATION / ADDRESS U.S. EPA, Region 9, Water Division, WTR-1 R9 - Region 9 75 Hawthorne Street San Francisco, CA 94105			
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY						
Digital signature applied by EPA Award Official for Carolyn Truong - Grants Management Officer Angela Mendiola - Award Official Delegate					DATE 08/22/2023	

EPA Funding Information

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$0	\$18,914,000	\$18,914,000
EPA In-Kind Amount	\$0	\$0	\$0
Unexpended Prior Year Balance	\$0	\$0	\$0
Other Federal Funds	\$0	\$0	\$0
Recipient Contribution	\$0	\$0	\$0
State Contribution	\$0	\$0	\$0
Local Contribution	\$0	\$0	\$0
Other Contribution	\$0	\$0	\$0
Allowable Project Cost	\$0	\$18,914,000	\$18,914,000

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.442 - Water Infrastructure Improvements for the Nation Small and Underserved Communities Emerging Contaminants Grant Program	Safe Drinking Water Act: Sec. 1459A & Infrastructure Investment and Jobs Act (IIJA) (PL 117-58)	2 CFR 200, 2 CFR 1500 and 40 CFR 33

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
-	2309W41027	23	E4SD	09L4	000BL8X87	4101	-	-	\$9,457,000
-	2309W41027	22	E4SD	09L4	000BL8X87	4101	-	-	\$9,457,000
									\$18,914,000

Budget Summary Page

Table A - Object Class Category (Non-Construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$0
2. Fringe Benefits	\$0
3. Travel	\$0
4. Equipment	\$0
5. Supplies	\$0
6. Contractual	\$14,125,656
7. Construction	\$0
8. Other	\$4,788,344
9. Total Direct Charges	\$18,914,000
10. Indirect Costs: 0.00 % Base :See Terms and Conditions	\$0
11. Total (Share: Recipient <u>0.00</u> % Federal <u>100.00</u> %)	\$18,914,000
12. Total Approved Assistance Amount	\$18,914,000
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$18,914,000
15. Total EPA Amount Awarded To Date	\$18,914,000

Attachment 1 - Project Description

This agreement provides funding under the Infrastructure Investment and Jobs Act (IIJA) to the State of Nevada to implement resources and priorities to help address Per- and polyfluoroalkyl substances (PFAS) and emerging contaminant challenges; target resources to communities most in need of assistance to ensure that no community is left behind with unsafe, inadequate water; and advance the priorities of equity and environmental justice. Nevada will implement projects such as PFAS sampling, monitoring, and analysis, source water protection plans and tools, building laboratory capacity for PFAS and other emerging contaminant (i.e. manganese, mycobacterium, Legionella) analysis, training for new and existing staff, research on PFAS and other emerging contaminants, and public communication and engagement with the use of this award funding.

This assistance agreement provides full federal funding in the amount of \$18,914,000.00. The activities include projects and activities to address emerging contaminants in small or disadvantaged communities, including but not limited to research and testing; planning and design to address emerging contaminants; treatment of emerging contaminants; source water activities related to emerging contaminants; storage; water system restructuring; providing households access to drinking water services; technical assistance; outreach and education; and workforce or training support to public water systems in addressing emerging contaminants. This agreement is to an eligible state or territory to implement a program to provide assistance to address emerging contaminants in drinking water to small or disadvantaged communities. Funds are to carry out projects and activities needed for public water systems to comply with the Safe Drinking Water Act, programs to provide household water quality testing, activities for a state to respond to a drinking water contaminants, and activities that benefit the impacted communities.

The anticipated deliverables include sampling and testing at all eligible public water systems for PFAS and other emerging contaminants, contracting or subawarding funds to contractors and/or public water systems to carryout treatment projects, training for water systems operators on PFAS and Manganese sampling, developing preliminary engineering reports for systems with high emerging contaminant levels, purchasing necessary equipment and training new and existing laboratory staff on PFAS analysis, and developing public-facing web-based tools.

The expected outcomes include identifying and quantifying the extent of PFAS-contaminated drinking water across the State of Nevada, reducing health risk to PFAS in drinking water by implementing source water protection measures, expanding PFAS analytical capabilities which is critical for evaluating PFAS contamination in drinking water, increasing public knowledge of emerging contaminant-related activities, and reducing exposure to PFAS through projects that includes treatment. Exposure to other emerging contaminants, such as manganese, Legionella, Helicobacter pylori, Mycobacterium abscessus and Mycobacterium avium, may also be better identified through research projects and treatment activities funded by this award.

The intended beneficiaries include residents served by small or disadvantaged public water systems.

Direct Beneficiaries of this program include all state residents and occupants, both permanent and temporary. A portion of the award will be subawarded to public water systems to implement projects for addressing PFAS and other emerging contaminants that are impacting their system.

Administrative Conditions

General Terms and Conditions

The recipient agrees to comply with the current EPA general terms and conditions available at:

<https://www.epa.gov/grants/epa-general-terms-and-conditions-effective-october-1-2022-or-later>.

These terms and conditions are in addition to the assurances and certifications made as a part of the award and the terms, conditions, or restrictions cited throughout the award.

The EPA repository for the general terms and conditions by year can be found at: <https://www.epa.gov/grants/grant-terms-and-conditions#general>.

A. Federal Financial Reporting (FFR)

For awards with cumulative project and budget periods greater than 12 months, the recipient will submit an annual FFR (SF 425) covering the period from "project/budget period start date" to **September 30** of each calendar year to the EPA Finance Center in Research Triangle Park, NC. The annual FFR will be submitted electronically to rtpfc-grants@epa.gov no later than **December 30** of the same calendar year. Find additional information at <https://www.epa.gov/financial/grants>. (NOTE: The grantee must submit the Final FFR to rtpfc-grants@epa.gov within 120 days after the end of the project period.)

B. Procurement

The recipient will ensure all procurement transactions will be conducted in a manner providing full and open competition consistent with 2 CFR Part 200.319. In accordance with 2 CFR Part 200.324, the grantee and subgrantee(s) must perform a cost or price analysis in connection with applicable procurement actions, including contract modifications.

State recipients must follow procurement procedures as outlined in 2 CFR Part 200.317.

C. MBE/WBE Reporting, 40 CFR, Part 33, Subpart E (EPA Form 5700-52A)

The recipient agrees to submit a "MBE/WBE Utilization Under Federal Grants and Cooperative Agreements" report (EPA Form 5700-52A) annually for the duration of the project period. The current EPA Form 5700-52A with instructions is located at <https://www.epa.gov/grants/epa-grantee-forms>

This provision represents an approved exception from the MBE/WBE reporting requirements as described in 40 CFR Section 33.502.

Reporting is required for assistance agreements where funds are budgeted for procuring construction, equipment, services and supplies (including funds budgeted for direct procurement by the recipient or procurement under subawards or loans in the "Other" category) with a cumulative total that exceed the **Simplified Acquisition Threshold (SAT) currently set at \$250,000** (the dollar threshold will be automatically revised whenever the SAT is adjusted; See 2 CFR Section 200.1), including amendments and/or modifications. All procurement actions are reportable when reporting is required, not just the portion which exceeds the SAT.

Recipients with expended and/or budgeted funds for procurement are required to report annually whether the planned procurements take place during the reporting period or not. If no budgeted procurements take place during the reporting period, the recipient should check the box in section 5B when completing the form.

When completing the annual report, recipients are instructed to check the box titled "annual" in section 1B of the form. For

the final report, recipients are instructed to check the box indicated for the “last report” of the project in section 1B of the form. For section 2B, the Region 9 EPA DBA Coordinator is Alexandra Perez, email: GrantsRegion9@epa.gov, phone: 415-972-3826.

The annual reports are due by October 30th of each calendar year and the final report is due within 120 days after the end of the project period, whichever comes first. The recipient will submit the MBE/WBE report(s) and/or questions to GrantsRegion9@epa.gov and the EPA Grants Specialist identified on page 1 of the award document.

D. Indirect Costs

The Cost Principles under 2 CFR Part 200, Subpart E apply to this award. Since there are no indirect costs included in the assistance budget, they are not allowable under this Assistance Agreement.

Programmatic Conditions

a.] PERFORMANCE REPORTING AND FINAL PERFORMANCE REPORT

Work Plan: The recipient agrees to perform the activities identified and specified in the approved work plan, which is made part of this Assistance Agreement. The recipient shall provide or make available to the EPA Project Officer copies of the work plans associated with grants and contracts that it may enter into with other agencies and organizations related to activities conducted under this grant. The recipient agrees to notify EPA of modifications or challenges as they arise through the development and progress of the projects and related activities in order to modify workplans or budgets as appropriate to meet the obligations of the project receiving funding. The recipient must submit modifications for EPA approval prior to continued project progress, and related activities. Recipient will meet with EPA regional programmatic and technical point of contact routinely, during the length of the performance period, to review workplan progress and expenditures, challenges to progress of project progress, and public outreach to the communities and stakeholders that are beneficiaries of the grant project and/or activities. EPA’s Program and Project Officer will provide recipient(s) with additional instructions and information pertaining to reporting no more than 30 days after receipt of award. Remedies for delinquency on report may result in actions as described in 2 CFR 200.339 such as (a) temporarily withhold cash payments pending correction of the deficiency by the non-Federal entity or more severe enforcement action by the Federal awarding agency or pass-through entity or (b) wholly or partly suspend or terminate the Federal award.

Performance Reports - Content: In accordance with 2 CFR 200.329, the recipient agrees to submit performance reports to the EPA’s Office of Water’s State Revolving Fund data system, with review from the EPA Project Officer, after the end of each reporting period that include brief information on each of the following areas: 1) A comparison of actual accomplishments to the outputs/outcomes established in the assistance agreement work plan for the period; 2) The reasons why established outputs/outcomes were not met; and 3) Additional pertinent information, including, when appropriate, analysis and explanation of cost overruns or high-unit costs. 4) Data and details on outreach, training, and technical assistance activities, as described in the project’s workplan, that occurred during the reporting period. This may include, but are not limited to: a. Amount, type, name, number of participants, and other pertinent details on outreach and training activities, including a list of communities that were contacted as part of the outreach; b. Difficulties with any outreach and training activities; c. Projected number of outreach and training activities for the next performance period; d. information on workforce development and training, including (1) on-the-job training; (2) Skills development; (4) advanced training or certification in the water utility sector relating to construction, utility operations treatment and distribution, green infrastructure, customer service, maintenance, and engineering.

Additionally, the recipient agrees to inform EPA as soon as problems, delays, or adverse conditions which will materially impair the ability to meet the outputs/outcomes specified in the assistance agreement work plan are known.

The report will reflect information pertaining to the state and its agency with oversight and the work performed to meet the objectives of the program and the grant activity during the period of performance. Reporting must provide a comprehensive review of the small or disadvantaged communities receiving assistance; the type of assistance provided / activities performed; and the breakdown of financial and direct grant assistance which subsidized the activities performed during the reporting cycle. The recipient will coordinate with the appropriate EPA regional office on reporting elements after the application has been approved for award. These performance reports shall cover work status, work progress, difficulties encountered, preliminary data results and a statement of activity anticipated during the subsequent reporting period, a discussion of expenditures along with a comparison of the percentage of the project completed to the project schedule and an explanation of significant discrepancies shall be included in the report. The report shall also include any changes of key personnel concerned with the project.

The following information is to be included as part of each performance report, as well as in the final report as a cumulative total of completed work. The information will also be the following:

- 1) Grant ID number.
- 2) Indicate the quarterly performance period [date] to [date].
- 3) PWS Number(s) (if applicable):
- 4) The report summary will describe the progress of the project and/or activity provided during the reporting period. It also identifies the following information:

Census tract/block of benefitting communities

Project start date/completion date

Awarded amount

Amount of awarded federal funds spent during the reported performance period

Total Project Cost

[If project includes more than the funded amount, breakdown project by funding amounts and identify types of funding, e.g. *state funding, other federal funding, private funding, etc.*]

List of emerging contaminants being addressed:

[INSERT List of Contaminants being addressed]

Community Type (indicate and describe the community, including census tract information):

Small

Disadvantaged

Both small and disadvantaged

Does the project address climate resiliency?

Yes, it meets the XXXXX Standards

Provide detailed information regarding the resiliency component of the project, including percentage of the grant directed to also address climate resiliency]

Project Type (multiple selections allowed):

Treatment

Include description of project

Transmission and Distribution

Include description of project

Source

Include description of project

Storage

Include description of project

Creation of New Systems

Include description of project

Consolidation

Include description of project

Household water quality testing, including for unregulated contaminants

Include description of project

Assistance to increase technical, managerial, and financial (TMF) capacity

Did the project or activities include information on the removal of emerging contaminants

Drinking water contamination response efforts

Include description of project

Other (includes space for a narrative description)

Public Health Impact Description (narrative)

Population served (either by Project or by the System)

Interim performance and final progress reports must prominently display the three Essential Elements for state work plans:
1) Strategic Plan Goal; (2) Strategic Plan Objective; and (3) Workplan Commitments plus time frame/schedule.

(See [Grants Policy Issuance 11-03 State Grant Workplans and Progress Reports](#) for more information)

Performance Reports - Frequency: The recipient will submit **semi-annual** and **annual** performance reports. Semi-annual reports are to be submitted electronically to the EPA Project Officer due within 30 days after the reporting period ends (every six-month period). The semi-annual reporting periods are 10/01–03/31 and 04/01– 09/30. The annual reporting period is from 10/01 through 09/30 and the report is due within 90 days after the end of each reporting period. The semi-annual and annual reports must include progress towards the outcomes and outputs of the performance period.

The second semi-annual report in a given year may be combined with the annual report. The combined semi-annual and annual reports are due 30 days after the end of the reporting period.

The recipient must submit the final performance report no later than 120 calendar days after the end date of the period of performance, or the project's completion date and/or when all funding is expended.

Remedies for delinquency on report may result in actions as described in 2 CFR 200.339 such as (a) temporarily withhold cash payments pending correction of the deficiency by the non-Federal entity or more severe enforcement action by the Federal awarding agency or pass-through entity or (b) wholly or partly suspend or terminate the Federal award.

Subaward Performance Reporting: The recipient must report on its subaward activities and monitoring activities under 2 CFR 200.332(d). Examples of items that must be reported if the pass-through entity has the information available are:

1. Summaries of results of reviews of financial and programmatic reports.
2. Summaries of findings from site visits and/or desk reviews to ensure effective subrecipient performance.
3. Environmental results the subrecipient achieved.
4. Summaries of audit findings and related pass-through entity management decisions.
5. Actions the pass-through entity has taken to correct deficiencies such as those specified at 2 CFR 200.332(e), 2 CFR 200.208 and the 2 CFR Part 200.339 Remedies for Noncompliance.

b.] State Grant Cybersecurity

(a) The recipient agrees that when collecting and managing environmental data under this assistance agreement, it will protect the data by following all applicable State law cybersecurity requirements.

(b) (1) EPA must ensure that any connections between the recipient's network or information system and EPA networks used by the recipient to transfer data under this agreement, are secure.

For purposes of this Section, a connection is defined as a dedicated persistent interface between an Agency IT system and an external IT system for the purpose of transferring information. Transitory, user-controlled connections such as website browsing are excluded from this definition.

If the recipient's connections as defined above do not go through the Environmental Information Exchange Network or EPA's Central Data Exchange, the recipient agrees to contact the EPA Project Officer (PO) and work with the designated Regional/Headquarters Information Security Officer to ensure that the connections meet EPA security requirements, including entering into Interconnection Service Agreements as appropriate. This condition does not apply to manual entry of data by the recipient into systems operated and used by EPA's regulatory programs for the submission of reporting and/or compliance data.

(2) The recipient agrees that any subawards it makes under this agreement will require the subrecipient to comply with the

requirements in (b)(1) if the subrecipient's network or information system is connected to EPA networks to transfer data to the Agency using systems other than the Environmental Information Exchange Network or EPA's Central Data Exchange. The recipient will be in compliance with this condition: by including this requirement in subaward agreements; and during subrecipient monitoring deemed necessary by the recipient under 2 CFR 200.332(d), by inquiring whether the subrecipient has contacted the EPA Project Officer. Nothing in this condition requires the recipient to contact the EPA Project Officer on behalf of a subrecipient or to be involved in the negotiation of an Interconnection Service Agreement between the subrecipient and EPA.

c.] Signage Requirements

Investing in America Emblem: The recipient will ensure that a sign is placed at construction sites supported in whole or in part by this award displaying the official Investing in America emblem and must identify the project as a "project funded by President Biden's Bipartisan Infrastructure Law" or "project funded by President Biden's Inflation Reduction Act" as applicable. The sign must be placed at construction sites in an easily visible location that can be directly linked to the work taking place and must be maintained in good condition throughout the construction period. The recipient will ensure compliance with the guidelines and design specifications provided by EPA for using the official Investing in America emblem available at: <https://www.epa.gov/invest/investingamerica-signage>.

Procuring Signs: State agencies and agencies of political subdivisions of states must comply with 2 CFR 200.323, Procurement of recovered materials when procuring signage for projects funded by EPA assistance agreement. EPA encourages other recipients to use recycled or recovered materials when procuring signs. Signage costs are considered an allowable cost under this assistance agreement provided that the costs associated with signage are reasonable. Additionally, to increase public awareness of projects serving communities where English is not the predominant language, recipients are encouraged to translate the language on signs (excluding the official Investing in America emblem or EPA logo or seal) into the appropriate non-English language(s). The costs of such translation are allowable, provided the costs are reasonable.

d.] Public or Media Events

The Recipient agrees to notify the EPA Project Officer listed in this award document of public or media events publicizing the accomplishment of significant events related to construction projects as a result of this agreement, and provide the opportunity for attendance and participation by federal representatives with at least ten (10) working days' notice.

e.] Geospatial Data Standards

All geospatial data created must be consistent with Federal Geographic Data Committee (FGDC) endorsed standards. Information on these standards may be found at <https://www.fgdc.gov/>.

f.] Competency of Organizations Generating Environmental Measurement Data

In accordance with Agency Policy Directive Number FEM-2012-02, Policy to Assure the Competency of Organizations Generating Environmental Measurement Data under Agency-Funded Assistance Agreements, the Recipient agrees, by entering into this agreement, that it has demonstrated competency prior to award, or alternatively, where a pre-award demonstration of competency is not practicable, Recipient agrees to demonstrate competency prior to carrying out any activities under the award involving the generation or use of environmental data. Recipient shall maintain competency for the duration of the project period of this agreement and this will be documented during the annual reporting process. A copy of the Policy is available online at <https://www.epa.gov/sites/production/files/2015-03/documents/competency-policy-aaia-new.pdf> or a copy may also be requested by contacting the EPA Project Officer for this award.

g.] Quality Assurance

Authority: Quality Assurance applies to all assistance agreements involving environmental information as defined in [2 C.F.R. § 1500.12](#) Quality Assurance.

The recipient shall ensure that subawards involving environmental information issued under this agreement include appropriate quality requirements for the work. The recipient shall ensure sub-award recipients develop and implement a Quality Assurance (QA) planning document in accordance with this term and condition; and/or ensure sub-award recipients implement all applicable approved QA planning documents.

Quality Assurance Project Plan (QAPP)

Prior to beginning environmental information operations, the recipient must:

- i. Submit a previously EPA-approved QAPP proposed to ensure the collected, produced, evaluated, or used environmental information is of known and documented quality for the intended use(s).
- ii. The EPA Quality Assurance Manager or designee (hereafter referred to as QAM) will notify the recipient and EPA Project Officer (PO) in writing if the previously EPA-approved QAPP is acceptable for this agreement.

For Reference:

- [EPA QA/G-5: Guidance for Quality Assurance Project Plans](#), Appendix C provides a QAPP Checklist.
- [EPA's Quality Program](#) website has a [list of QA managers](#), and [Non-EPA Organizations Quality Specifications](#).
- The Office of Grants and Debarment [Implementation of Quality Assurance Requirements for Organizations Receiving EPA Financial Assistance](#).

h.] REAL PROPERTY

Note that under SDWA § 1459A(g) [42 U.S.C. 300j-19a(g)], this funding cannot be used to purchase land, easements, rights-of way, or relocations (prohibited by statute). In accordance with 2 CFR 200.311, land improvements under this agreement will vest upon acquisition in the recipient. Said improvements must be for the originally authorized purpose as long as needed for that purpose and through project completion, during which time the recipient must not dispose of or encumber its title or other interests in accordance with 2 CFR 200.311.

i.] Use of Logos

If the EPA logo is appearing along with logos from other participating entities on websites, outreach materials, or reports, it must **not** be prominently displayed to imply that any of the recipient or subrecipient's activities are being conducted by the EPA. Instead, the EPA logo should be accompanied with a statement indicating that the [Insert Recipient or subrecipient NAME] received financial support from the EPA under an Assistance Agreement. More information is available at: <https://www.epa.gov/stylebook/using-epa-seal-and-logo#policy>

*****END OF DOCUMENT*****