

11 *AMC*

New Hampshire
Department of Agriculture,
Markets & Food

Lorraine S. Merrill, Commissioner

February 26, 2014

Her Excellency, Governor Margaret Wood Hassan
and the Honorable Council
State House
Concord, New Hampshire 03301

Dear Governor Hassan and Honorable Council:

REQUESTED ACTION

The New Hampshire Department of Agriculture, Markets & Food, Division of Pesticide Control (DAMF) respectfully requests authorization to accept and expend grant funds from the United States Environmental Protection Agency in the amount of \$50,000 for the period of Governor and Council approval through September 30, 2014. 100% Federal Funds.

Funds to be budgeted into account as follows:

02-18-18-183000-53140000 EPA – NH Childcare IPM Initiative

OBJECT				
<u>CLASS</u>	<u>ACCOUNT</u>	<u>FY2014</u>	<u>FY 2015</u>	<u>TOTAL</u>
020-500200	Supplies (consumable)	\$12,130.00	\$9,095.00	\$21,225.00
040-500800	Indirect costs	4,130.00	3,095.00	7,225.00
041-500801	Audit Fund Set aside	28.00	22.00	50.00
070-500700	In-State Travel	3,700.00	2,800.00	6,500.00
102-500731	Contract for Prog. Serv.	8,600.00	6,400.00	15,000.00
	Total	\$28,588.00	\$21,412.00	\$50,000.00
<u>Revenue</u>				
000-407751	Federal Funds	\$28,588.00	\$21,412.00	\$50,000.00

EXPLANATION

The New Hampshire Department of Agriculture, Markets & Food, Division of Pesticide Control (DAMF) has been awarded a grant from the United States Environmental Protection Agency to develop an integrated pest management curriculum for child care facility managers. The project was solicited through the Pesticide Environmental Stewardship Program process and submitted for review by EPA, as part of a New Hampshire state application. EPA approved the NH State proposal.

The funds from this grant will be utilized as follows:

Object Class – 020 – Supplies (consumable) \$21,225.00. Funds budgeted for printing educational material.

Object Class – 040 – Indirect Cost \$7,225.00. Funds budgeted at the maximum allowed by EPA for indirect costs.

Object Class – 041 – Audit Set Aside \$50.00. Funds budgeted covering the required rate.

Object Class – 070 – In-State Travel \$6,500.00. Funds for conducting visits to child care facilities and workshops.

Object Class – 102 – Contract for Program Services \$15,000.00. Funds budgeted for conducting workshops.

In the event that these Federal funds become no longer available, General Funds will not be requested to support this program.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "L. Merrill", written in a cursive style.

Lorraine S. Merrill
Commissioner

	U.S. ENVIRONMENTAL PROTECTION AGENCY Assistance Amendment	GRANT NUMBER (FAIN): 96119501 MODIFICATION NUMBER: 4 PROGRAM CODE: PE	DATE OF AWARD 12/30/2013
		TYPE OF ACTION No Cost Amendment	MAILING DATE 12/30/2013
		PAYMENT METHOD: ASAP	ACH# 10219
		RECIPIENT TYPE: State	
RECIPIENT: New Hampshire D.O.A.M. & F. P.O. Box 2042 Concord, NH 03302-2042 EIN: 02-6000618		PAYEE: New Hampshire D.O.A.M. & F. P.O. Box 2042 Concord, NH 03302-2042	
PROJECT MANAGER David J. Rousseau P.O. Box 2042 Concord, NH 03302-2042 E-Mail: david.rousseau@agr.nh.gov Phone: 603-271-3640		EPA PROJECT OFFICER Andrea Szylvian 5 Post Office Square, Suite 100, OES05-4 Boston, MA 02109-3912 E-Mail: Szylvian.Andrea@epamail.epa.gov Phone: 617-918-1198	
EPA GRANT SPECIALIST Brian Tocci Grants Management Office, OARM16-2 E-Mail: Tocci.Brian@epamail.epa.gov Phone: 617-918-1979			
PROJECT TITLE AND EXPLANATION OF CHANGES The New Hampshire Childcare Facilities Integrated Pest Management Initiative Amendment #4 approves a No-Cost Time Extension until 9/30/2014 for the Integrated Pest Management Initiative grant to New Hampshire Department of Agriculture, Markets, and Food. Administrative Terms and Conditions #12 (Unliquidated Obligations) and #15 (Award Acceptance) have been updated. Administrative Term and Condition #16 (Civil Rights Obligations) has been added. All other Terms and Conditions remain unchanged, and in full force and effect.			
BUDGET PERIOD 02/01/2010 - 09/30/2014	PROJECT PERIOD 02/01/2010 - 09/30/2014	TOTAL BUDGET PERIOD COST \$50,000.00	TOTAL PROJECT PERIOD COST \$50,000.00
NOTICE OF AWARD			
Based on your Application dated 12/06/2013 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$0. EPA agrees to cost-share <u>100.00%</u> of all approved budget period costs incurred, up to and not exceeding total federal funding of \$50,000. 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 statutory provisions. The applicable regulatory provisions are 40 CFR Chapter 1, Subchapter B, and all terms and conditions of this agreement and any attachments.			
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)		AWARD APPROVAL OFFICE	
ORGANIZATION / ADDRESS EPA New England 5 Post Office Square, Suite 100 Boston, MA 02109-3912		ORGANIZATION / ADDRESS U.S. EPA, Region 1 5 Post Office Square, Suite 100 Boston, MA 02109-3912	
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY			
Digital signature applied by EPA Award Official Brian Tocci - Grants Specialist			DATE 12/30/2013

Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$19,800
2. Fringe Benefits	\$0
3. Travel	\$4,000
4. Equipment	\$0
5. Supplies	\$6,000
6. Contractual	\$5,000
7. Construction	\$9,000
8. Other	\$4,000
9. Total Direct Charges	\$47,800
10. Indirect Costs: % Base	\$2,200
11. Total (Share: Recipient <u>0.00</u> % Federal <u>100.00</u> %.)	\$50,000
12. Total Approved Assistance Amount	\$50,000
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$0
15. Total EPA Amount Awarded To Date	\$50,000

Administrative Conditions

All Administrative Terms and Conditions remain unchanged, and in full force and effect, except for the following: Term and Condition #12 has been updated. Term and Conditions #15 has been updated. Term and Condition #16 has been added.

12. UNLIQUIDATED OBLIGATIONS PART 31 - FEDERAL FINANCIAL REPORTING

Pursuant to 40 CFR 31.41(b) and 31.50(b), EPA recipients shall submit an annual Federal Financial Report (SF-425) to EPA no later than 90 calendar days following the end of the reporting year.

At the end of the project, the recipient must submit a final Federal Financial Report to EPA no later than 90 calendar days after the end of the project period. The form is available on the internet at <http://www.epa.gov/ocfo/finservices/forms.htm> . All FFRs must be submitted to:

U.S. EPA Las Vegas Finance Center
4220 South Maryland Parkway, Building C, Suite 503
Las Vegas, NV 89119
Tel: (702) 798-2406
Fax: (702) 798-2423
LVFC-grants@epa.gov

The LVFC will make adjustments, as necessary, to obligated funds after reviewing and accepting a final Federal Financial Report. Recipients will be notified and instructed by EPA if they must complete any additional forms for the closeout of the assistance agreement.

EPA may take enforcement actions in accordance with 40 CFR 31.43 if the recipient does not comply with this term and condition.

15. AWARD ACCEPTANCE LANGUAGE

Based on your Application dated 12/6/2013 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards **\$0.00**. EPA agrees to cost share **100%** of all approved budget period costs incurred, up to and not exceeding total federal funding of **\$50,000**. 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 statutory provisions. The applicable regulatory provisions are 40 CFR Chapter 1, Subchapter B, and all terms and conditions of this agreement and any attachments.

16. CIVIL RIGHTS OBLIGATIONS

GENERAL

This term and condition incorporates by reference the signed assurance provided by the recipient's authorized representative on: 1) EPA Form 4700-4, "Preward Compliance Review Report for All Applicants and Recipients Requesting EPA Financial Assistance"; and 2) Standard Form 424B or Standard Form 424D, as applicable. These assurances and this term and condition obligate the recipient to comply fully with applicable civil rights statutes and implementing EPA regulations.

STATUTORY REQUIREMENTS

In carrying out this agreement, the recipient must comply with:

- Title VI of the Civil Rights Act of 1964, which prohibits discrimination based on race, color, and national origin, including limited English proficiency (LEP), by entities receiving Federal financial assistance.
- Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination against persons with disabilities by entities receiving Federal financial assistance; and
- The Age Discrimination Act of 1975, which prohibits age discrimination by entities receiving Federal financial assistance.

If the recipient is conducting an education program under this agreement, it must also comply with:

- Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in education programs and activities operated by entities receiving Federal financial assistance.

If this agreement is funded with financial assistance under the Clean Water Act (CWA), the recipient must also comply with:

- Section 13 of the Federal Water Pollution Control Act Amendments of 1972, which prohibits discrimination on the basis of sex in CWA-funded programs or activities.

REGULATORY REQUIREMENTS

The recipient agrees to comply with all applicable EPA civil rights regulations, including:

- For Title IX obligations, 40 C.F.R. Part 5; and
- For Title VI, Section 504, Age Discrimination Act, and Section 13 obligations, 40 C.F.R. Part 7.
- As noted on the EPA Form 4700-4 signed by the recipient's authorized representative, these regulations establish specific requirements including maintaining compliance information, establishing grievance procedures, designating a Civil Rights Coordinator, and providing notices of non-discrimination.

TITLE VI – LEP, Public Participation and Affirmative Compliance Obligation

- As a recipient of EPA financial assistance, you are required by Title VI of the Civil Rights Act to provide meaningful access to LEP individuals. In implementing that requirement, the recipient agrees to use as a guide the Office of Civil Rights (OCR) document entitled "*Guidance to Environmental Protection Agency Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons.*" The guidance can be found at

http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2004_register&docid=fr25jn04-79.pdf

- If the recipient is administering permitting programs under this agreement, the recipient agrees to use as a guide OCR's Title VI Public Involvement Guidance for EPA Assistance Recipients Administering Environmental Permitting Programs. The Guidance can be found at <http://edocket.access.gpo.gov/2006/pdf/06-2691.pdf>.
- In accepting this assistance agreement, the recipient acknowledges it has an affirmative obligation to implement effective Title VI compliance programs and ensure that its actions do not involve discriminatory treatment and do not have discriminatory effects even when facially neutral. The recipient must be prepared to demonstrate to EPA that such compliance programs exist and are being implemented or to otherwise demonstrate how it is meeting its Title VI obligations.

Programmatic Conditions

All Programmatic Terms and Conditions remain unchanged, and in full force and effect.