



Jeffrey A. Meyers  
Commissioner

Lisa M. Morris  
Director

STATE OF NEW HAMPSHIRE

FIS 19 285 16

DEPARTMENT OF HEALTH AND HUMAN SERVICES

DIVISION OF PUBLIC HEALTH SERVICES

29 HAZEN DRIVE, CONCORD, NH 03301  
603-271-4501 1-800-852-3345 Ext. 4501  
Fax: 603-271-4827 TDD Access: 1-800-735-2964  
www.dhhs.nh.gov

APPROVED BY FISCAL COMMITTEE

October 14, 2019

NOV 08 2019

The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court, and

His Excellency, Governor Christopher T. Sununu  
and the Honorable Council  
State House  
Concord, New Hampshire 03301

**REQUESTED ACTION**

Pursuant to RSA 14:30-a, VI, authorize the Department of Health and Human Services, Division of Public Health Services, to accept and expend federal funds in the amount of \$240,000 from the Environmental Protection Agency to fund the Radon Program effective upon date of approval by the Fiscal Committee and Governor and Council, through June 30, 2021, and further authorize the funds to be allocated as follows. Grant funds awarded for periods after SFY. 2021 will be included in future operating budgets. 100% Federal Funds.

**05-95-90-901510-5391 HEALTH AND SOCIAL SERVICES, DEPT OF HEALTH AND HUMAN SERVICES, HHS: DIVISION OF PUBLIC HEALTH, BUREAU OF PUBLIC HEALTH PROTECTION, RADIOLOGICAL HEALTH - ASSESSMENT**

**SFY 2020**

Class/Object	Class Title	Current Modified Budget	Increase (Decrease) Amount	Revised Modified Budget
000-406763	Federal Funds	\$5,556	\$120,000	\$125,556
001-484923	Transfers from Other Agency	\$122,161	\$0	\$122,161
009-403119	Agency Income	\$1,636,601	\$0	1,636,601
<b>Total Revenue</b>		<b>\$1,764,318</b>	<b>\$120,000</b>	<b>\$1,884,318</b>
010-500100	Personal Services Perm Class	\$812,309	\$0	\$812,309
018-500106	Overtime	\$24,254	\$0	\$24,254
020-500200	Current Expenses	\$23,641	\$8,245	\$31,886
021-500211	Food Institutions	\$2,250	\$0	\$2,250
022-500255	Rents- Leases Other than State	\$1,005	\$175	\$1,180
024-500225	Maintenance Other than Bldg	\$5,500	\$2,800	\$8,300
026-500251	Organizational Dues	\$985	\$200	\$1,185
030-500302	Equipment	\$195,913	\$7,500	\$203,413
039-500188	Telecommunications	\$333	\$750	\$1,083
041-500801	Audit	\$80	\$120	\$200
050-500109	Personal Service Temp	\$102,383	\$0	\$102,383

057-500531	Books Periodicals Subscript	\$511	\$0	\$511
059-500117	Temp Full Time	\$71,916	\$0	\$71,916
060-500601	Benefits	\$473,905	\$0	\$473,905
066-500543	Employee Training	\$10,000	\$932	\$10,932
070-500700	In-State Travel	\$10,576	\$50	\$10,626
080-500710	Out Of State Travel	\$8,757	\$4,000	\$12,757
102-500731	Contracts for Program Services	\$20,000	\$95,228	\$115,228
<b>Total Expenses</b>		<b>\$1,764,318</b>	<b>\$120,000</b>	<b>\$1,884,318</b>

**SFY 2021**

Class/Object	Class Title	Current Modified Budget	Increase (Decrease) Amount	Revised Modified Budget
000-406763	Federal Funds	\$3,536	\$120,000	\$123,536
001-484923	Transfers from Other Agency	\$133,852		\$133,852
009-403119	Agency Income	\$1,366,467	\$0	\$1,366,467
<b>Total Revenue</b>		<b>\$1,503,855</b>	<b>\$120,000</b>	<b>\$1,623,855</b>
010-500100	Personal Services Perm Class	\$824,722	\$0	\$824,722
018-500106	Overtime	\$15,000	\$0	\$15,000
020-500200	Current Expenses	\$15,000	\$8,500	\$23,500
021-500211	Food Institutions	\$1,600	\$0	\$1,600
022-500255	Rents- Leases Other than State	\$800	\$200	\$1,000
024-500225	Maintenance Other than Bldg	\$5,500	\$2,800	\$8,300
026-500251	Organizational Dues	\$750	\$200	\$950
030-500302	Equipment	\$93,660	\$500	\$94,160
039-500188	Telecommunications	\$300	\$750	\$1,050
041-500801	Audit	\$36	\$120	\$156
050-500109	Personal Service Temp	\$21,700	\$0	\$21,700
057-500531	Books Periodicals Subscript	\$500	\$0	\$500
059-500117	Temp Full Time	\$71,916	\$0	\$71,916
060-500601	Benefits	\$422,871	\$0	\$422,871
066-500543	Employee Training	\$4,000	\$932	\$4,932
070-500700	In-State Travel	\$8,500	\$50	\$8,550
080-500710	Out Of State Travel	\$7,000	\$4,000	\$11,000
102-500731	Contracts for Program Services	\$10,000	\$101,948	\$111,948
<b>Total Expenses</b>		<b>\$1,503,855</b>	<b>\$120,000</b>	<b>\$1,623,855</b>

**EXPLANATION**

Recently the Environmental Protection Agency (EPA) awarded funds to the State of New Hampshire Department of Health and Human Services, Division of Public Health Services to implement and oversee a state radon program. The Radon Program is responsible for outreach and education, radon consultation services to New Hampshire residents, statewide radon surveillance, testing for radon in schools, and administration of the EPA State Indoor Radon Grant (SIRG). The Radon

Program is funded through a combination of federal funding (60%) and other Radiological Health Assessment funds (40%). This request is to accept the EPA federal funds into the budget, as the other funds are already budgeted.

The EPA, Centers for Disease Control and Prevention, World Health Organization, American Medical Association, American Lung Association and the National Academy of Sciences all agree that radon induced lung cancer is a serious national Health Problem. The overall goal of the Radon Program is to reduce lung cancer caused by radon by providing outreach and education on the health risks, testing, and mitigation of radon in the homes and schools of New Hampshire residents.

Funds are budgeted as follows:

Class 20 - Current Expenses will be used for routine expenses incurred in the day-to-day support of program operations that includes office supplies, copying, printing, graphic services design, outreach and education.

Class 022 – Rents-Leases Other than State - to lease a multi-function printer/copier/scanner/fax machine.

Class 024 – Maintenance Other than Buildings – will be used for calibration and repairs to radon monitors.

Class 026 – Organizational Dues – will be used to pay membership to the American Association of Radon Scientists and Technologists (AARST). The benefit of this membership includes access to the latest research on radon, discounts for AARST publications, membership to the AARST Listserv, and collaboration with radon professionals on a national and international level.

Class 30 - Equipment – will be used to purchase continuous radon monitors for school testing for staff use as well as radon test kits for distribution to New Hampshire residents.

Class 39 - Telecommunications – will be used for telecommunications and teleconferencing.

Class 041 - Audit Set Aside per state requirements.

Class 66 - Employee Training – will be used to register staff for professional development training courses through State of New Hampshire Bureau of Education and Training.

Class 70 - In-State Travel Reimbursement - will be used to support programmatic activities that include school testing, meetings, and outreach and education activities.

Class 80 - Out of State Travel Reimbursement – will be used to pay for travel for the Program Manager to attend regional and national training, including regional EPA meetings and the yearly AARST Symposium to be held in Denver, Colorado.

Class 102 - Contracts for Program Services - to contract with a vendor for the development of educational flyers, pamphlets and factsheets.

In response to the anticipated two-part question, "Can these funds be used to offset General Funds?" and "What is the compelling reason for not offsetting General Funds?", the Division offers the following information: These funds may not be used to offset General Funds as they are specifically granted to the State for the purpose of providing the services described above.

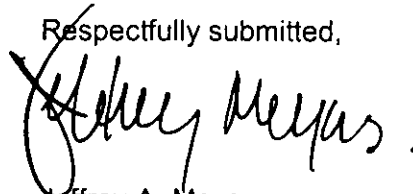
These funds will not change the program eligibility levels. No new program will be established with the acceptance of these funds.

Area served: State of New Hampshire

Source of funds: These funds are 100% Federal Funds from the Environmental Protection Agency to fund the New Hampshire Radon Program. Attached is the Notice of Grant Award. Notice of these funds were received on September 24, 2019. They were not added to the operating budget because these are new funds recently granted to the State and were not anticipated at the time the budget was developed.

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

Respectfully submitted,



Jeffrey A. Meyers  
Commissioner

	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Grant Agreement</b>	GRANT NUMBER (FAIN): 00162330	DATE OF AWARD 09/17/2019
		MODIFICATION NUMBER: 0	MAILING DATE 09/24/2019
		PROGRAM CODE: K1	ACH# 10136
		TYPE OF ACTION New	
RECIPIENT TYPE: State		PAYMENT METHOD: ASAP	
RECIPIENT: New Hampshire D.H.H.S. 129 Pleasant Street Concord, NH 03301-3852 EIN: 02-6000618		<b>Send Payment Request to:</b> U.S. EPA Las Vegas Finance Center 4220 South Maryland Parkway, Building C, Room 503 Las Vegas, NV 89119 LVFC-grants@epa.gov	
PROJECT MANAGER Owen David 129 Pleasant Street Concord, NH 03301-3852 E-Mail: owen.david.dhhs.nh.gov Phone: 603-271-4052		EPA PROJECT OFFICER Dan Burke 5 Post Office Square, Suite 100, 05-2 Boston, MA 02109-3912 E-Mail: Burke.Dan@epa.gov Phone: 617-918-1285	EPA GRANT SPECIALIST Brian Tocci Grants Management Branch, 05-5 E-Mail: Tocci.Brian@epa.gov Phone: 617-918-1979
<b>PROJECT TITLE AND DESCRIPTION</b> State Indoor Radon Program  The goal of this program is to provide radon risk reduction through activities that will result in increased radon testing, mitigation and radon resistant new construction. The recipient will implement a state program of radon related projects, in homes, schools, or other buildings, including 1) Public Information, outreach, education; 2) Programs to control radon in existing and new structures and, 3) Demonstration of radon mitigation methods and technologies.			
BUDGET PERIOD 07/01/2019 - 06/30/2020	PROJECT PERIOD 07/01/2019 - 06/30/2020	TOTAL BUDGET PERIOD COST \$200,000.00	TOTAL PROJECT PERIOD COST \$200,000.00
<b>NOTICE OF AWARD</b>			
Based on your Application dated 05/16/2019 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$120,000. EPA agrees to cost-share 60.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$120,000. 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 regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.			
<b>ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)</b>		<b>AWARD APPROVAL OFFICE</b>	
<b>ORGANIZATION / ADDRESS</b>		<b>ORGANIZATION / ADDRESS</b>	
EPA New England 5 Post Office Square, Suite 100 Boston, MA 02109-3912		U.S. EPA, Region 1  5 Post Office Square, Suite 100 Boston, MA 02109-3912	
<b>THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY</b>			
Digital signature applied by EPA Award Official Arthur Johnson - Director, Mission Support Division			DATE 09/17/2019

## EPA Funding Information

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$	\$ 120,000	\$ 120,000
EPA In-Kind Amount	\$	\$	\$ 0
Unexpended Prior Year Balance	\$	\$	\$ 0
Other Federal Funds	\$	\$	\$ 0
Recipient Contribution	\$	\$ 80,000	\$ 80,000
State Contribution	\$	\$	\$ 0
Local Contribution	\$	\$	\$ 0
Other Contribution	\$	\$	\$ 0
Allowable Project Cost	\$ 0	\$ 200,000	\$ 200,000

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.032 - State Indoor Radon Program	Indoor Radon Abatement Act: Sec. 306 Consolidated Appropriations Act of 2006	2 CFR 200 2 CFR 1500 40 CFR 33 and 40 CFR 35 Subpart A

### Fiscal

Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
	190101G074	19	E1	01V4	000A05	4164			120,000
									120,000

## Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$76,249
2. Fringe Benefits	\$34,768
3. Travel	\$5,954
4. Equipment	\$0
5. Supplies	\$29,169
6. Contractual	\$40,049
7. Construction	\$0
8. Other	\$13,811
9. Total Direct Charges	\$200,000
10. Indirect Costs: % Base	\$0
11. Total (Share: Recipient 40.00 % Federal 60.00 %.)	\$200,000
12. Total Approved Assistance Amount	\$120,000
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$120,000
15. Total EPA Amount Awarded To Date	\$120,000

## 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-1-2018>

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  
<http://www.epa.gov/grants/grant-terms-and-conditions>.

### A. Correspondence Condition

The terms and conditions of this agreement require the submittal of reports, specific requests for approval, or notifications to EPA. Unless otherwise noted, all such correspondence should be sent to the following email addresses:

- Federal Financial Reports (SF-425): [LVFC-grants@epa.gov](mailto:LVFC-grants@epa.gov)
- MBE/WBE reports (EPA Form 5700-52A): **Grants Specialist on Page 1 of Award Document AND Larry Wells, Disadvantaged Business Utilization Program Manager: [rl\\_mbewbereport@epa.gov](mailto:rl_mbewbereport@epa.gov)**
- All other forms/certifications/assurances, Indirect Cost Rate Agreements, Requests for Extensions of the Budget and Project Period, Amendment Requests, Requests for other Prior Approvals, updates to recipient information (including email addresses, changes in contact information or changes in authorized representatives) and other notifications: **Grants Specialist and Project Officer on Page 1 of Award Document**
- Quality Assurance documents, workplan revisions, equipment lists, programmatic reports and deliverables: **Project Officer on Page 1 of Award Document**

### B. Extension of Project/Budget Period Expiration Date

EPA has not exercised the waiver option to allow automatic one-time extensions for non-research grants under 2 CFR 200.308 (d)(2). Therefore, if a no-cost time extension is necessary to extend the period of availability of funds the recipient must submit a written request to the EPA prior to the budget/project period expiration dates. **The written request must include:** a justification describing the need for additional time, an estimated date of completion, and a revised schedule for project completion including updated milestone target dates for the approved workplan activities. In addition, if there are overdue reports required by the general, administrative, and/or programmatic terms and conditions of this assistance agreement, the recipient must ensure that they are submitted along with or prior to submitting the no-cost time extension request.

### C. Disadvantaged Business Enterprise (DBEs)

#### **GENERAL COMPLIANCE, 40 CFR, Part 33**

The recipient agrees to comply with the requirements of EPA's Disadvantaged Business Enterprise (DBE) Program for procurement activities under assistance agreements, contained in 40 CFR, Part 33.

#### **REPORTING PROVISION**

Based on EPA's review of the planned budget, this award does not meet the condition below and is not subject to the reporting requirements of the Disadvantaged Business Enterprise (DBE) Program.

However, if during the performance of the award the total of all funds expended for direct procurement by the



recipient and procurement under subawards or loans in the "Other" category exceeds \$250,000, annual reports will be required in accordance with the reporting paragraph below and you are required to notify the Regional or Headquarters point of contact defined in the correspondence condition, if applicable, for additional instructions.

The recipient also agrees to request prior approval from EPA for procurements that may activate DBE Program reporting requirements.

This provision represents an approved deviation from the MBE/WBE reporting requirements as described in 40 CFR, Part 33, Section 33.502; however, the other requirements outlined in 40 CFR Part 33 remain in effect, including the Good Faith Efforts requirements as described in 40 CFR Part 33 Subpart C and Fair Share Objectives negotiation as described in 40 CFR Part 33 Subpart D and explained below.

**MBE/WBE REPORTING, 40 CFR, Part 33, Subpart E**

When required, MBE/WBE reports must be submitted annually. The recipient agrees to complete and submit a "MBE/WBE Utilization Under Federal Grants and Cooperative Agreements" report (EPA Form 5700-52A) on an annual basis. The current EPA Form 5700-52A can be found at the EPA Grantee Forms Page at <https://www.epa.gov/grants/epa-grantee-forms>.

MBE/WBE reporting is required annually for assistance agreements where there are funds 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 threshold amount of \$250,000, including amendments and/or modifications. The recipient must make reporting a requirement of all sub-awards/loans. All procurement actions are reportable, not just that portion which exceeds \$250,000.

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 titled "annual" and the box indicated for the "last report" of the project in section 1B of the form. Annual reports are due by October 30<sup>th</sup> of each year. Final reports are due by October 30<sup>th</sup> or 90 days after the end of the project period, whichever comes first.

The reporting requirement is based on total procurements. 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.

**FAIR SHARE OBJECTIVES, 40 CFR, Part 33, Subpart D**

A recipient must negotiate with the appropriate EPA award official, or his/her designee, fair share objectives for MBE and WBE participation in procurement under the financial assistance agreements.

In accordance with 40 CFR, Section 33.411 some recipients may be exempt from the fair share objectives requirements as described in 40 CFR, Part 33, Subpart D. Recipients should work with their DBE coordinator, if they think their organization may qualify for an exemption.

**Accepting the Fair Share Objectives/Goals of Another Recipient**

The dollar amount of this assistance agreement, or the total dollar amount of all of the recipient's financial assistance agreements in the current federal fiscal year from EPA is \$250,000, or more. The recipient accepts the applicable MBE/WBE fair share objectives/goals negotiated with EPA by the New Hampshire Department of Environmental Services as follows:

New Hampshire	MBE	WBE
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Combined Goals	2.25%	8.31%
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By signing this financial assistance agreement, the recipient is accepting the fair share objectives/goals stated above and attests to the fact that it is purchasing the same or similar construction, supplies, services and equipment, in the same or similar relevant geographic buying market as the New Hampshire Department of Environmental Services.

**Negotiating Fair Share Objectives/Goals, 40 CFR, Section 33.404**

The recipient has the option to negotiate its own MBE/WBE fair share objectives/goals. If the recipient wishes to negotiate its own MBE/WBE fair share objectives/goals, the recipient agrees to submit proposed MBE/WBE objectives/goals based on an availability analysis, or disparity study, of qualified MBEs and WBEs in their relevant geographic buying market for construction, services, supplies and equipment.

The submission of proposed fair share goals with the supporting analysis or disparity study means that the recipient is **not** accepting the fair share objectives/goals of another recipient. The recipient agrees to submit proposed fair share objectives/goals, together with the supporting availability analysis or disparity study, to the Regional MBE/WBE Coordinator within 120 days of its acceptance of the financial assistance award. EPA will respond to the proposed fair share objective/goals within 30 days of receiving the submission. If proposed fair share objective/goals are not received within the 120 day time frame, the recipient may not expend its EPA funds for procurements until the proposed fair share objective/goals are submitted.

**SIX GOOD FAITH EFFORTS, 40 CFR, Part 33, Subpart C**

Pursuant to 40 CFR, Section 33.301, the recipient agrees to make the following good faith efforts whenever procuring construction, equipment, services and supplies under an EPA financial assistance agreement, and to require that sub-recipients, loan recipients, and prime contractors also comply. Records documenting compliance with the six good faith efforts shall be retained:

- (a) Ensure DBEs are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. For Indian Tribal, State and Local and Government recipients, this will include placing DBEs on solicitation lists and soliciting them whenever they are potential sources.
- (b) Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.
- (c) Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs. For Indian Tribal, State and local Government recipients, this will include dividing total requirements when economically feasible into smaller tasks or quantities to permit maximum participation by DBEs in the competitive process.
- (d) Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.
- (e) Use the services and assistance of the SBA and the Minority Business Development Agency of the Department of Commerce.
- (f) If the prime contractor awards subcontracts, require the prime contractor to take the steps in paragraphs (a) through (e) of this section.

**CONTRACT ADMINISTRATION PROVISIONS, 40 CFR, Section 33.302**

The recipient agrees to comply with the contract administration provisions of 40 CFR, Section 33.302.

**BIDDERS LIST, 40 CFR, Section 33.501(b) and (c)**

Recipients of a Continuing Environmental Program Grant or other annual reporting grant, agree to create and maintain a bidders list. Recipients of an EPA financial assistance agreement to capitalize a revolving loan fund also agree to require entities receiving identified loans to create and maintain a bidders list if the recipient of the loan is subject to, or chooses to follow, competitive bidding requirements. Please see 40 CFR, Section 33.501 (b) and (c) for specific requirements and exemptions.

**D. Pre-Award Costs**

In accordance with 2 CFR 1500.8, the grantee may charge otherwise allowable pre-award costs (both Federal and non-Federal matching shares) incurred from 7/1/2019 to the actual award date provided that such costs were contained in the approved application and all costs are incurred within the approved budget period.

**Programmatic Conditions**

**A. PERFORMANCE REPORTING AND FINAL PERFORMANCE REPORT**

**WORK PLAN PERFORMANCE MEASURES AND FINAL PROGRESS REPORTS**

The Federal Office of Management and Budget (OMB) has required EPA to develop a standardized template that all States will use to develop and submit their State grant agreements. This new template includes clear linkages to EPA's Strategic Plan and long-term and annual goals, as well as consistent requirements for regular performance reporting. This requirement applies to all federal funds appropriated to EPA on October 1, 2006 or later. The State and Tribal Indoor Radon Grant (SIRG) program has been included as part of this requirement. (For general information on the OMB requirement and EPA's response, go to <http://www.epa.gov/ocfopage/npmguidance/template.htm>)

1. The recipient agrees that the EPA Performance Measures Template will be submitted as an attachment to SIRG grant workplans.
2. The recipient agrees to submit the EPA Performance Measures Template with all semi-annual progress reports and a final EPA Performance Measures Template with a final report within 90 days following the end of the project period.

**PERFORMANCE REPORTING FOR FY 2019 HOUSE REPORT 115-765**

The recipient shall submit to the EPA Project Officer, a report characterizing activities that will be conducted during the grant project period, utilizing the designated reporting template. (The reporting template will be made available at <https://www.epa.gov/radon/state-indoor-radon-grant-sirg-program>). In accordance with 2 CFR Part 200.328, the recipient agrees to provide the information in the reporting template and submit it with their annual progress report, but no later than September 30, 2020. Instituting this reporting requirement is an important step in addressing the SIRG recommendations contained in the House Report 115-765, referenced by the FY 2019 EPA-SIRG appropriation. In accordance with 2 CFR 200.328(2)(d)(1), the recipient agrees to notify EPA of problems, delays, or adverse conditions which materially impairs their ability to satisfy this specific requirement.

**TRAVEL TO SUPPORT GRANT OBJECTIVES**

The recipient agrees that Travel to attend the National Radon meeting, CRCPD E-25 meetings, New England Radon Committee meetings, and all other travel specified in the approved workplan is necessary to fully implement the agreed upon goals and objectives of the grant agreement.

## **B. Cybersecurity Condition**

### **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 200.331(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. Public List**

The IRAA Section 306(h)(3) requires that state grant recipients shall "...maintain, and make available to the public, a list of firms and individuals within the State that have received a passing rating under the Environmental Protection Agency proficiency rating program referred to in Section 305(a)(2) of this title." When EPA discontinued the Radon Proficiency Program, two organizations were identified to certify radon service providers -- the National Radon Proficiency Program (NRPP; formally affiliated with the National Environmental Health Association) and the National Radon Safety Board (NRSB). As specified in the "State and Tribal Indoor Radon Grants Program Guidance and Handbook (January 2005; page 11)," in the absence of an existing state-run process established under a state's regulatory requirements for credentialing of radon service providers (e.g., state license), the required public list shall only be satisfied by referring consumers to the two currently-recognized, national radon proficiency programs, NRPP and NRSB. This information is available at:

- National Radon Proficiency Program (NRPP) (Website: <http://aarst-nrpp.com/wp/>)
- National Radon Safety Board (NRSB) (Website: <http://www.nrsb.org/>)

## **D. Guidelines**

[https://www.epa.gov/sites/production/files/2014-08/documents/guidance\\_and\\_handbook.pdf](https://www.epa.gov/sites/production/files/2014-08/documents/guidance_and_handbook.pdf)

**E. Limitations:** IRAA, Section 306(i)(3) "Limitations" prohibits recipients from expending more than 25 percent of grant funds received in a Federal fiscal year on general overhead and program administration. The recipient agrees to track its expenditures to determine compliance with the statutory budget limitation.

IRAA Section 306(i)(2) "Limitations" prohibits recipients from expending more than 50 percent of grant funds received in a Federal fiscal year for the purchase of measurement equipment or devices and demonstration projects in the aggregate. The recipient agrees to track its expenditures to determine compliance with the statutory budget limitation.

## **F. QUALITY ASSURANCE**

1. The recipient will develop Quality Assurance Project Plans (QAPP), or equivalent documents defined by the QMP, for all applicable projects and tasks involving environmental data in accordance with the most current National requirement documents <http://www.epa.gov/quality/> and Regional requirement documents <https://www.epa.gov/quality/region-1-quality-systems-documents>. Other EPA guidance documents provided at these sites may be helpful in meeting the requirements. The term "environmental data" refers to any measurement or information that describe environmental processes, conditions, or location; ecological or health effects and consequences; or the performance of environmental technology. For EPA, environmental data include information collected directly from measurements, produced from models, and compiled from other sources such as data bases or the literature. The QAPP must be approved by EPA prior to any data gathering work or use, except under circumstances requiring immediate action to protect human health and the environment or operations conducted under police powers. Unless an alternate schedule was previously agreed upon, no later than 30 days prior to the scheduled commencement of data collection and/or data generation activities, the recipient will submit a QAPP to the following:

**-EPA Project Officer (see page 1 of assistance agreement for name and address) and  
-Regional Quality Assurance Manager (EQA)  
U.S. Environmental Protection Agency  
11 Technology Drive  
North Chelmsford, MA 01863**

2. For organizations having an EPA-approved Quality Management Plan (QMP), the recipient will submit an annual update letter to EPA documenting progress over the year and any changes to the QMP. Annual update letters will be sent every year for four years until the expiration of the QMP (five years from initial EPA approval). Annual QA update letters will be sent to the EPA Project Officer and the RQAM on the anniversary of the approval of the QMP by the RQAM; or on another mutually agreeable schedule. In addition, for multi-year projects, the grantee shall confirm that the QAPP is current and accurate.

## **G. 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 [www.fgdc.gov](http://www.fgdc.gov).