GENERAL, ADMINISTRATIVE, AND MISCELLANEOUS

1-45. Intergovernmental Review Provisions of Executive Order 12372 and 40 C.F.R. Part 29

1. **AUTHORITY.** To execute all responsibilities of 40 C.F.R. Part 29 ("Intergovernmental Review of U.S. Environmental Protection Agency Programs and Activities," 48 FR 29288, June 24, 1983). This authority applies to all EPA financial assistance programs (grants and cooperative agreements), direct development activities, and federally required state plans that are subject to the provisions of Executive Order 12372 ("Intergovernmental Review of Federal Programs," 47 FR 30959, July 16, 1982, as amended by 48 FR 15587, April 11, 1983) and that are identified in Federal Register notices entitled "Programs and Activities Eligible for Intergovernmental Review Under 40 C.F.R. Part 29 and subject to Section 204 of the Demonstration Cities and Metropolitan Development Act" (48 FR 29304, June 24, 1983) and "Implementation of Executive Order 12372, 'Intergovernmental Review of Federal Programs' (48 FR 29096, June 24, 1983), but not including construction grants.

2. **TO WHOM DELEGATED.** Branch chiefs, or equivalent, Office of Regional Counsel.

3. **LIMITATIONS.** These authorities are limited to those programs for which the delegatees have previously been delegated authority to approve grants, cooperative agreements, direct development activities, and state plans.

4. **REDELEGATION AUTHORITY.**

   a. This authority may not be redelegated further.

   b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. **ADDITIONAL REFERENCES.** This authority shall be exercised in accordance with the provisions the Office of Management and Budget Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, at 2 C.F.R. Parts 200, and EPA's supplementing regulations at 2 C.F.R. Part 1500; the Grants Administration Manual; and other applicable assistance and program regulations and Agency guidance.

Kenneth C. Schefski
Regional Counsel

11/8/2019
Date