From: Rochlin, Kevin
Sent: Tuesday, January 28, 2014 4:57 PM
To: Slater, Mike
Subject: FW: FMC Cooperative Agreement Component
Attachments: 5700-54_sec EMF grnt.pdf; FMC 2014 workplan EPA Jan 6 Comments.doc; sf_424_a_sec emf.pdf; Signed Form 4700.pdf; Signed SF 424 for FMC EMF.pdf; Signed SF 424B for EMF.pdf

Mike,

Here is the submittal from Kelly on FMC.

We are still figuring out what to do about the car.

K

From:

Kevin Rochlin | **Superfund Remedial Project Manager**
U.S. Environmental Protection Agency | **Region 10**
Office of Environmental Cleanup
1200 6th Avenue, Suite 900, ELC-111 | **Seattle, WA 98101**
(206) 553-2106
(206) 553-0124 (fax)
rochlin.kevin@epa.gov

From: Kelly Wright [mailto:kwright@sbtribes.com]
Sent: Wednesday, January 15, 2014 3:15 PM
To: Rochlin, Kevin
Cc: Solis, Ricardo; Virginia Monsisco
Subject: FMC Cooperative Agreement Component

Kevin, please find attached our application for the FMC component for the old EMF Cooperative Agreement. Let me know if you need any additional documentation.
Thanks
Kelly

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.

2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.

3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.

5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).

6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107), which prohibits discrimination of the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

Signed SF 424B for EMF.pdf

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. 276a to 276a-7), the Copeland Act (40 U.S.C. 276c and 18 U.S.C. 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-333), regarding labor standards for federally-assisted construction subagreement.

10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 or more.

11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in flood plains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. 1271 et seq.) Related to protecting components or potential components of the national wild and scenic rivers system.

13. Will assist the awarding agency in assuring compliance will Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).

14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) Pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.

16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4801 et seq.) Which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.

17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."

18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
Nathan Small	Chairman, Fort Hall Business Council
APPLICANT ORGANIZATION	DATE SUBMITTED
Shoshone-Bannock Tribes	1/14/14

Signed SF 424B for EMF.pdf

OMB Number: 4040-0004
Expiration Date: 03/31/2012

Application for Federal Assistance SF-424

* 1. Type of Submission:	* 2. Type of Application:	* If Revision, select appropriate letter(s):
☐ Preapplication	☒ New	
☒ Application	☐ Continuation	* Other (Specify)
☐ Changed/Corrected Application	☐ Revision	

* 3. Date Received:	4. Applicant Identifier:

5a. Federal Entity Identifier:	* 5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:	7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name: SHOSHONE-BANNOCK TRIBES

* b. Employer/Taxpayer Identification Number (EIN/TIN):	* c. Organizational DUNS:
82-0197554	793-139-684

d. Address:

* Street1:	P.O. BOX 306, PIMA DR
Street2:	
* City:	FORT HALL
County:	BINGHAM
* State:	ID
Province:	
* Country:	USA: UNITED STATES
* Zip / Postal Code:	83203

e. Organizational Unit:

Department Name:	Division Name:
LAND USE DEPARTMENT	ENVIRONMENTAL WASTE MANAGEMENT PROGRAM

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:	MR	* First Name:	KELLY
Middle Name:	C		
* Last Name:	WRIGHT		
Suffix:			

Title: PROGRAM MANAGER, ENVIRONMENTAL WASTE MANAGEMENT PROGRAM

Organizational Affiliation:

* Telephone Number:	208 236-1049	Fax Number:	n/a

* Email: kwright@SBTribes.com

Signed SF 424 for FMC EME.pdf

Application for Federal Assistance SF-424

9. Type of Applicant 1: Select Applicant Type:

INDIAN/NATIVE AMERICAN TRIBALLY DESIGNATED ORGANIZATION

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

U.S. ENVIRONMENTAL PROTECTION AGENCY

11. Catalog of Federal Domestic Assistance Number:

66-802

CFDA Title:

SUPERFUND STATE POLITICAL SUBDIVISION AND INDIAN TRIBE SITE SPECIFIC COOPERATIVE AGREEMENT

*** 12. Funding Opportunity Number:**

* Title:

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

FORT HALL, ID - BINGHAM BANNOCK, POWER, CARIBOU COUNTIES

*** 15. Descriptive Title of Applicant's Project:**

The Shoshone-Bannock Tribes' Environmental Waste Management Program will provide oversight during the RD/RA activities scheduled at the FMC Operable Unit. This is OU is one of three OUs associated with the Eastern Michuad Flats Superfund Site.

Attach supporting documents as specified in agency instructions.

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant ID-02 * b. Program/Project ID-02

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:

* a. Start Date: 12/01/2013 * b. End Date: 11/30/2014

18. Estimated Funding ($):

* a. Federal 68,114.00
* b. Applicant
* c. State
* d. Local
* e. Other
* f. Program Income
* g. TOTAL 68,114.00

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

☐ a. This application was made available to the State under the Executive Order 12372 Process for review on .

☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.

☒ c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.) Applicant Federal Debt Delinquency Explanation**

☐ Yes ☒ No

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

☑ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: MR. * First Name: NATHAN

Middle Name:

* Last Name: SMALL

Suffix:

* Title: CHAIRMAN, FORT HALL BUSINESS COUNCIL

* Telephone Number: 208 478-3805 Fax Number: 208 237-9736

* Email: nsmall@SBTribes.com

* Signature of Authorized Representative: Nathan Small * Date Signed: 1/14/14

FORM

Approved By OMB: No. 2030-0020 Expires 04-30-2012

Preaward Compliance Review Report for
All Applicants and Recipients Requesting EPA Financial Assistance
Note: Read instructions on other side before completing form.

I. Applicant/Recipient (Name, Address, State, Zip Code).

Shoshone-Bannock Tribes, P.O. Box 306, Fort Hall, ID 83203-0306

DUNS No.

II. Is the applicant currently receiving EPA assistance?

Yes

III. List all civil rights lawsuits and administrative complaints pending against the applicant/recipient that allege discrimination based on race, color, national origin, sex, age, or disability. (Do not include employment complaints not covered by 40 C.F.R. Parts 5 and 7. See instructions on reverse side.)

N/A

IV. List all civil rights lawsuits and administrative complaints decided against the applicant/recipient within the last year that allege discrimination based on race, color, national origin, sex, age, or disability and enclose a copy of all decisions. Please describe all corrective action taken. (Do not include employment complaints not covered by 40 C.F.R. Parts 5 and 7. See instructions on reverse side.)

N/A

V. List all civil rights compliance reviews of the applicant/recipient conducted by any agency within the last two years and enclose a copy of the review and any decisions, orders, or agreements based on the review. Please describe any corrective action taken. (40 C.F.R. § 7.80(c)(3))

N/A

VI. Is the applicant requesting EPA assistance for new construction? If no, proceed to VII; if yes, answer (a) and/or (b) below.

Yes ✓ No

a. If the grant is for new construction, will all new facilities or alterations to existing facilities be designed and constructed to be readily accessible to and usable by persons with disabilities? If yes, proceed to VII; if no, proceed to VI(b). Yes No

b. If the grant is for new construction and the new facilities or alterations to existing facilities will not be readily accessible to and usable by persons with disabilities, explain how a regulatory exception (40 C.F.R. § 7.70) applies. Yes No

VII.* Does the applicant/recipient provide initial and continuing notice that it does not discriminate on the basis of race, color, national origin, sex, age, or disability in its programs or activities? (40 C.F.R. § 5.140 and § 7.95) Yes No

a. Do the methods of notice accommodate those with impaired vision or hearing? Yes No

b. Is the notice posted in a prominent place in the applicant's offices or facilities or, for education programs and activities, in appropriate periodicals and other written communications? Yes No

c. Does the notice identify a designated civil rights coordinator? Yes No

VIII.* Does the applicant/recipient maintain demographic data on the race, color, national origin, sex, age, or handicap of the population it serves? (40 C.F.R. § 7.85(a))

Information provided by US Census Bureau; limited info through Enrollment

IX.* Does the applicant/recipient have a policy/procedure for providing access to services for persons with limited English proficiency? (40 C.F.R. Part 7, E.O. 13166)

Pertaining to Native language speakers

X.* If the applicant/recipient is an education program or activity, or has 15 or more employees, has it designated an employee to coordinate its compliance with 40 C.F.R. Parts 5 and 7? Provide the name, title, position, mailing address, e-mail address, fax number, and telephone number of the designated coordinator.

Applicant program employs less than 15 employees

XI* If the applicant/recipient is an education program or activity, or has 15 or more employees, has it adopted grievance procedures that assure the prompt and fair resolution of complaints that allege a violation of 40 C.F.R. Parts 5 and 7? Provide a legal citation or Internet address for, or a copy of, the procedures.

Applicant program employs less than 15 employees.

For the Applicant/Recipient

I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law. I assure that I will fully comply with all applicable civil rights statutes and EPA regulations.

A. Signature of Authorized Official	B. Title of Authorized Official	C. Date
Nathan Small	Nathan Small, Tribal Chairman, Fort	01-14-14

For the U.S. Environmental Protection Agency

I have reviewed the information provided by the applicant/recipient and hereby certify that the applicant/recipient has submitted all preaward compliance information required by 40 C.F.R. Parts 5 and 7; that based on the information submitted, this application satisfies the preaward provisions of 40 C.F.R. Parts 5 and 7; and that the applicant has given assurance that it will fully comply with all applicable civil rights statutes and EPA regulations.

A. Signature of Authorized EPA Official	B. Title of Authorized EPA Official	C. Date
See ** note on reverse side.		

EPA Form 4700-4 (Rev. 04/2009). Previous editions are obsolete.

Signed Form 4700.pdf

BUDGET INFORMATION - Non-Construction Programs

OMB Approval No. 0348-0044

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1.Superfund State Polit	66.802	$	$	$ 68114.00	$	$ 68114
2.						0
3.						0
4.						0
5. Totals		$ 0	$ 0	$ 68114	$ 0	$ 68114

SECTION B - BUDGET CATEGORIES

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total
	(1) EMF/FMC	(2)	(3)	(4)	(5)
a. Personnel	$ 19724.48	$	$	$	$ 19724.48
b. Fringe Benefits	5310.66				5310.66
c. Travel	4200.				4200
d. Equipment	1100.				1100
e. Supplies	1991.76				1991.76
f. Contractual	28350.00				28350
g. Construction					0
h. Other	600.				600
i. Total Direct Charges *(sum of 6a-6h)*	61276.9	0	0	0	61276.9
j. Indirect Charges	6837.10				6837.1
k. TOTALS *(sum of 6i and 6j)*	$ 68114	$ 0	$ 0	$ 0	$ 68114
7. Program Income	$	$	$	$	$ 0

Authorized for Local Reproduction

Standard Form 424A (Rev. 7-97)
Prescribed by OMB Circular A-102

Previous Edition Usable

sf_424_a_sec emf.pdf

SECTION C - NON-FEDERAL RESOURCES

(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS
8.	$	$	$	$ 0
9.				0
10.				0
11.				0
12. TOTAL *(sum of lines 8-11)*	$ 0	$ 0	$ 0	$ 0

SECTION D - FORECASTED CASH NEEDS

	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	$ 0	$	$	$	$
14. Non-Federal	0				
15. TOTAL *(sum of lines 13 and 14)*	$ 0	$ 0	$ 0	$ 0	$ 0

SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT

(a) Grant Program	FUTURE FUNDING PERIODS (Years)			
	(b) First	(c) Second	(d) Third	(e) Fourth
16.	$	$	$	$
17.				
18.				
19.				
20. TOTAL *(sum of lines 16-19)*	$ 0	$ 0	$ 0	$ 0

SECTION F - OTHER BUDGET INFORMATION

21. Direct Charges:	22. Indirect Charges:
23. Remarks:	

sf_424_a_sec emf.pdf

sf_424_a_sec emf.pdf

INSTRUCTIONS FOR THE SF-424A

Public reporting burden for this collection of information is estimated to average 180 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0044), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

General Instructions

This form is designed so that application can be made for funds from one or more grant programs. In preparing the budget, adhere to any existing Federal grantor agency guidelines which prescribe how and whether budgeted amounts should be separately shown for different functions or activities within the program. For some programs, grantor agencies may require budgets to be separately shown by function or activity. For other programs, grantor agencies may require a breakdown by function or activity. Sections A, B, C, and D should include budget estimates for the whole project except when applying for assistance which requires Federal authorization in annual or other funding period increments. In the latter case, Sections A, B, C, and D should provide the budget for the first budget period (usually a year) and Section E should present the need for Federal assistance in the subsequent budget periods. All applications should contain a breakdown by the object class categories shown in Lines a-k of Section B.

Section A. Budget Summary Lines 1-4 Columns (a) and (b)

For applications pertaining to a *single* Federal grant program (Federal Domestic Assistance Catalog number) and *not requiring* a functional or activity breakdown, enter on Line 1 under Column (a) the Catalog program title and the Catalog number in Column (b).

For applications pertaining to a *single* program *requiring* budget amounts by multiple functions or activities, enter the name of each activity or function on each line in Column (a), and enter the Catalog number in Column (b). For applications pertaining to multiple programs where none of the programs require a breakdown by function or activity, enter the Catalog program title on each line in *Column* (a) and the respective Catalog number on each line in Column (b).

For applications pertaining to *multiple* programs where one or more programs *require* a breakdown by function or activity, prepare a separate sheet for each program requiring the breakdown. Additional sheets should be used when one form does not provide adequate space for all breakdown of data required. However, when more than one sheet is used, the first page should provide the summary totals by programs.

Lines 1-4, Columns (c) through (g)

For new applications, leave Column (c) and (d) blank. For each line entry in Columns (a) and (b), enter in Columns (e), (f), and (g) the appropriate amounts of funds needed to support the project for the first funding period (usually a year).

For continuing grant program applications, submit these forms before the end of each funding period as required by the grantor agency. Enter in Columns (c) and (d) the estimated amounts of funds which will remain unobligated at the end of the grant funding period only if the Federal grantor agency instructions provide for this. Otherwise, leave these columns blank. Enter in columns (e) and (f) the amounts of funds needed for the upcoming period. The amount(s) in Column (g) should be the sum of amounts in Columns (e) and (f).

For supplemental grants and changes to existing grants, do not use Columns (c) and (d). Enter in Column (e) the amount of the increase or decrease of Federal funds and enter in Column (f) the amount of the increase or decrease of non-Federal funds. In Column (g) enter the new total budgeted amount (Federal and non-Federal) which includes the total previous authorized budgeted amounts plus or minus, as appropriate, the amounts shown in Columns (e) and (f). The amount(s) in Column (g) should not equal the sum of amounts in Columns (e) and (f).

Line 5 - Show the totals for all columns used.

Section B Budget Categories

In the column headings (1) through (4), enter the titles of the same programs, functions, and activities shown on Lines 1-4, Column (a), Section A. When additional sheets are prepared for Section A, provide similar column headings on each sheet. For each program, function or activity, fill in the total requirements for funds (both Federal and non-Federal) by object class categories.

Line 6a-i - Show the totals of Lines 6a to 6h in each column.

Line 6j - Show the amount of indirect cost.

Line 6k - Enter the total of amounts on Lines 6i and 6j. For all applications for new grants and continuation grants the total amount in column (5), Line 6k, should be the same as the total amount shown in Section A, Column (g), Line 5. For supplemental grants and changes to grants, the total amount of the increase or decrease as shown in Columns (1)-(4), Line 6k should be the same as the sum of the amounts in Section A, Columns (e) and (f) on Line 5.

Line 7 - Enter the estimated amount of income, if any, expected to be generated from this project. Do not add or subtract this amount from the total project amount, Show under the program

sf_424_a_sec emf.pdf

narrative statement the nature and source of income. The estimated amount of program income may be considered by the Federal grantor agency in determining the total amount of the grant.

Section C. Non-Federal Resources

Lines 8-11 Enter amounts of non-Federal resources that will be used on the grant. If in-kind contributions are included, provide a brief explanation on a separate sheet.

Column (a) - Enter the program titles identical to Column (a), Section A. A breakdown by function or activity is not necessary.

Column (b) - Enter the contribution to be made by the applicant.

Column (c) - Enter the amount of the State's cash and in-kind contribution if the applicant is not a State or State agency. Applicants which are a State or State agencies should leave this column blank.

Column (d) - Enter the amount of cash and in-kind contributions to be made from all other sources.

Column (e) - Enter totals of Columns (b), (c), and (d).

Line 12 - Enter the total for each of Columns (b)-(e). The amount in Column (e) should be equal to the amount on Line 5, Column (f), Section A.

Section D. Forecasted Cash Needs

Line 13 - Enter the amount of cash needed by quarter from the grantor agency during the first year.

Line 14 - Enter the amount of cash from all other sources needed by quarter during the first year.

Line 15 - Enter the totals of amounts on Lines 13 and 14.

Section E. Budget Estimates of Federal Funds Needed for Balance of the Project

Lines 16-19 - Enter in Column (a) the same grant program titles shown in Column (a), Section A. A breakdown by function or activity is not necessary. For new applications and continuation grant applications, enter in the proper columns amounts of Federal funds which will be needed to complete the program or project over the succeeding funding periods (usually in years). This section need not be completed for revisions (amendments, changes, or supplements) to funds for the current year of existing grants.

If more than four lines are needed to list the program titles, submit additional schedules as necessary.

Line 20 - Enter the total for each of the Columns (b)-(e). When additional schedules are prepared for this Section, annotate accordingly and show the overall totals on this line.

Section F. Other Budget Information

Line 21 - Use this space to explain amounts for individual direct object class cost categories that may appear to be out of the ordinary or to explain the details as required by the Federal grantor agency.

Line 22 - Enter the type of indirect rate (provisional, predetermined, final or fixed) that will be in effect during the funding period, the estimated amount of the base to which the rate is applied, and the total indirect expense.

Line 23 - Provide any other explanations or comments deemed necessary.

EPA Comments Jan 6, 2014

2014 FMC Operable Unit
Cooperative Agreement Work Plan

Summary of the Project

In accordance with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended, Section 104, the Shoshone Bannock Tribes are submitting their 2014 Cooperative Agreement Work Plan. As part of this work plan, the Tribes are putting forth an abstract of activities we are intending to undertake this fiscal year. These activities include but not limited to: providing oversight for investigations; studies; and cleanup of the FMC Operable Unit.

Activities described in the work plan will be conducted in accordance with Section 104, of CERCLA, as amended; and will be executed by the Shoshone Bannock Tribes Environmental Waste Management Program.

This narrative and scope of work includes tasks, deliverables and budget that have been defined for this program. The task specific scope of work identifies the anticipated activity and projected due dates for calendar year 2014 (January 1, 2014 through December 31, 2014).

EASTERN MICHAUD FLATS

Background:

The Eastern Michaud Flats Superfund Site covers approximately 2,530 acres northwest of Pocatello, Idaho. It includes two adjacent phosphate ore processing facilities. The former FMC Corporation operated a facility from the early 1940's until December 2001. The J.R. Simplot Company Don Plant is still an active facility. EPA issued a Record of Decision (ROD) for the site in 1998. A Supplemental Remedial Investigation and Feasibility Study (RI/FS) was issued in 2010 for the FMC portion of the site, while groundwater remediation at the Simplot site is ongoing.

This site consists of three operable units: FMC OU, Simplot OU and Off-Plant property. A 1998 ROD was completed to address the EMF site. Current efforts are ongoing to design and implement these remedies and conduct supplemental investigations as needed..

In 2006 and again in June 2010, EPA issued a Unilateral Administrative Order requiring FMC to conduct removal actions to abate an imminent and substantial endangerment to the public health or welfare or the environment that may be presented by the actual or threatened release of hazardous substances at or from the RCRA pond area of this site. Phosphorus within the RCRA Units has been reacting and generating phosphine at concentrations which could pose a significant human health risk if the gas escapes to ambient air.

As for the September 2012 Interim Record of Decision Amendment, FMC will begin work through a Unilateral Administrative Order from EPA issued in 2013.

The FMC OU is the former FMC elemental phosphorus manufacturing plant, consisting of approximately 1,450 acres in southeastern Idaho, northwest of Pocatello, most of which is on the Fort Hall Indian Reservation. This land has been zoned and used for industrial purposes since the 1940s.

FMC began processing phosphate ore and manufacturing elemental phosphorus at its plant in 1949 and continued until the plant ceased operations in December 2001, and was demolished. Plant processes included the use of surface impoundments as waste ponds for ignitable-reactive elemental phosphorus and other metals-containing and gamma-emitting wastes. Many of these impoundments are RCRA regulated units. Those that are not RCRA regulated units are part of the FMC OU. FMC also used Waste Material (predominately gamma-emitting slag) as fill to grade its property and expand its operations area.

Ignitable-reactive elemental phosphorus and other hazardous substances containing wastes, including high concentrations of arsenic, along with gamma radiation are in FMC OU soils and groundwater.

The decision by EPA on the interim remedial action to be implemented at the FMC OU is embodied in an Interim Record of Decision ("Interim ROD Amendment"), executed on September 27, 2012, on which the Tribes did not concur, and on which the State concurred. The Interim ROD Amendment includes a responsiveness summary to public comments, including all formal Tribal comments. Notice of the final plan was published in accordance with Section 117(b) of CERCLA, 42 U.S.C. § 9617(b).

The FMC OU will include finalization of the Interim Record of Decision Amendment including remedial design. The Tribes plan to submit written concerns on the FMC OU Proposed Plan response to comment to ensure the administrative record accurately reflects Tribal comments and concerns.

The Tribes will be providing oversight during this entire process. Tribes are using the projected details provided by FMC for the Remedial Design Work Plan. As the activities are completed the annual Cooperative Agreement will be amended. Elements of the projected work are as follows:

1. Remedial Action

I. <u>Design and Construction Elements</u>

- Placement of evapotranspiration caps
- Placement of soil caps
- Excavation of soil from Parcel 3
- Cleaning underground concrete piping
- Installation of the groundwater extraction system

- Installation of engineering controls
- Integration of existing RCRA pond caps with new caps

II. <u>Monitoring Elements</u>

- Implementation and monitoring of institutional controls
- Implementation of a long-term groundwater monitoring plan
- Implementation of a gas monitoring program
- Implementation of a FMC OU-wide storm water runoff monitoring plan

III. <u>Operation and Maintenance Elements</u>

- Implementation of an operation and maintenance plan.

2. Construction Quality Assurance/Quality Control Plan must:

(i) Identify, and describe the responsibilities of, the organizations and personnel implementing the quality assurance/quality control ("QA/QC");
(ii) Describe verification activities, such as inspections, sampling, testing, monitoring, and production controls, under the QA/QC;
(iii) Describe industry standards and technical specifications used in implementing the QA/QC;
(iv) Describe procedures for tracking construction deficiencies from identification through corrective action;
(v) Describe procedures for documenting all QA/QC activities; and

<u>3. Emergency Response Plan ("ERP")</u> must include:

(i) Name of the person or entity responsible for responding in the event of an emergency incident;
(ii) Plan and date(s) for meeting(s) with all appropriate authorities under the circumstances, including emergency response personnel and hospitals if relevant;
(iii) Spill Prevention, Control, and Countermeasures (SPCC) Plan;
(iv) Notification activities in the event of a release of hazardous substances requiring reporting under Section 103 of CERCLA, 42 U.S.C. § 9603, or Section 304 of the Emergency Planning and Community Right-to-know Act ("EPCRA"), 42 U.S.C. § 11004; and
(v) Description of all necessary actions to ensure compliance with Emergency Response in the event of an occurrence during the performance of the Work that causes or threatens a release of Waste Material from the FMC OU or Site that constitutes an emergency or may present an immediate threat to public health or welfare or the environment.

<u>4. Field Sampling Plan and Remedial Design Quality Assurance Project Plan</u>. The FSP supplements the QAPP and addresses all sample collection activities. The FSP must be written so that a field sampling team unfamiliar with the project would be able to gather the samples and field information required. Respondent shall develop the FSP

consistent with *Guidance for Conducting Remedial Investigations and Feasibility Studies*, EPA/540/G-89/004 (---1988), and in accordance with Section XI (Quality Assurance, Sampling, and Data Analysis);

5. O&M Plan. The O&M Plan must include:

(i) Description of and schedule for each operation task and maintenance task;
(ii) Description of and schedule for periodic inspections of equipment and components;
(iii) Description of O&M requirements;
(iv) Description of instrumentation and monitoring;
(v) Sample checklists and periodic reports;
(vi) Description and analysis of potential operating problems, including common and/or anticipated remedies;
(vii) Description of routine monitoring and laboratory testing;
(viii) Description of required data collection, laboratory tests and their interpretation;
(ix) Schedule of monitoring frequency and procedures;
(x) Description of verification sampling procedures, if Performance Standards are exceeded during routine monitoring;
(xi) Description of alternative operations and maintenance in case of systems failure, including:

(1) Alternative procedures to prevent the release or threatened release of Waste Material which may endanger public health and the environment or exceed Performance Standards;
(2) Analysis of vulnerability and additional resource requirements should a failure occur; and,
(3) Notification and reporting requirements should O&M systems fail or be in danger of imminent failure;

(xii) Description of corrective action to be implemented in the event that Performance Standards are exceeded, and a schedule for implementing these corrective actions;
(xiii) Description of monitoring equipment and monitoring components, including identifying information, maintenance requirements and schedule, and replacement requirements and schedule; and
(xiv) Description of records and reports that will be generated during O&M, such as daily operating logs, laboratory records, records of operating costs, reports regarding emergencies, personnel and maintenance records; and provisions for preparation and submission of monthly and annual O&M summary reports to EPA.

6. Performance Standards Verification Plan ("PSVP"). The PSVP must include the following elements:

(i) A description of each of the Performance Standards required by the Interim ROD Amendment;
(ii) A description of plans to ensure that each Performance Standard will be met; and
(iii) A description of activities to be performed to determine whether performance standards have been met.

7.0 Transportation and Off-Site Disposal Plan ("TODP"). The TODP must include:

(i) Proposed locations and routes for off-site shipment of waste material;
(ii) Identification of communities affected by shipment of waste material; and
(iii) Description of plans to minimize impacts on affected communities.

8.0 Provisions for continuing groundwater monitoring, sampling, analysis and reporting. The Groundwater Monitoring Plan will include but not limited to schedule for completion of the Remedial Action Work Plan.

9.0 Performance Testing

Review the Performance Testing Work Plan ("PTWP") and observe the testing described in the Work Plan(s) which are as follows:

- **Groundwater Remedy Water Treatment Testing**
  This will be generating a report that will include an evaluation of each technology's effectiveness, implementability, and actual results as compared with predicted results. The report shall provide recommendations for implementation of technologies and design criteria for those technologies recommended.

- **Gamma Cap Thickness Effectiveness Test**

The purposes of the Gamma Cap Thickness Effectiveness Test will be to:

a. Determine whether the one foot of native soil cap or "gamma" cap meets the external gamma radiation Performance Standard (and remedial action objective) in the Interim ROD Amendment, or whether more material is required,
b. Develop construction QA/QC methods to demonstrate achievement of the Performance Standard.
c. Prepare a Performance Test ("PT") Evaluation Report.

- **Preliminary (30%) RD.** This plan will at a minimum include:
  a. Design analysis, including assumptions and parameters, design restrictions, design calculations, process performance criteria, appropriate unit processes for the treatment train, and expected removal or treatment efficiencies for both the process and waste (concentration and volume);

b. Preliminary drawings and specifications;
c. Preliminary description of access requirements and proposed easements;
d. Preliminary O&M Plan and O&M Manual;
e. A description of how the Remedial Action will be implemented in a manner that minimizes environmental impacts consistent with EPA's *Principles for Greener Cleanups*, OSWER (Aug. 2009) and Region 10's Clean and Green Policy (Aug. 2009); and
f. Preliminary RA Schedule.

- **Intermediate (60%) RD -** If Respondent determines during RD planning that a 60% Intermediate RD is necessary, we will need to review and comment on the Intermediate (60%) RD.

- **Final RD**

The Pre-final RD must include, at a minimum:

a. Complete set of construction drawings and specifications that are:
   - Certified by a Professional Engineer registered in the State;
   - Suitable for bid advertisement; and
   - Follow the Construction Specifications Institute's Master Format 2012;
b. Survey and engineering drawings showing existing FMC OU elements, conditions, borders, and easements;
c. Pre-Final (95%) versions of the same elements and deliverables as are required for the previously submitted (Preliminary and Intermediate, if developed) RD;
d. Specification for photographic documentation of the RA;
e. Description of Respondent's method for selecting the construction contractor(s);

- **<u>Remedial Action</u>.** The Remedial Action Work Plan shall include the following:

a. Schedule for completion of the Remedial Action;
b. Method for selection of the contractor;
c. Schedule for developing and submitting other required Remedial Action plans;
d. Final CERCLA Groundwater Monitoring Plan;
e. Methods for satisfying access requirements;
f. Methodology for implementing the Operation and Maintenance Plan;
g. Methodology for implementing the Emergency Response Plan,;
h. Tentative formulation of the Remedial Action team;
i. Construction Quality Assurance Plan (by the construction contractor);
j. Performance Standards Verification Plan; and
k. Procedures and plans for the decontamination of equipment and the disposal of contaminated materials.

- **Final CERCLA Groundwater Monitoring Plan** will provide for the following:

  a. EPA Systematic Approach for Evaluation of Capture Zones at Pump and Treat Systems (EPA 600/R-08/003, 2008) will be used to evaluate the effectiveness of the Pump and Treat System.
  b. Implementation of the Final CERCLA Groundwater Monitoring Plan will be coordinated with Respondent's RCRA and Calciner Pond remedy groundwater monitoring programs.
  c. Once installation of the groundwater extraction system has been completed and the annual average pumping rate has been achieved, an addenda to the plan will specify the appropriate monitoring locations at the FMC OU and Off-Plant OU to measure progress toward achieving the Performance Standards for the groundwater extraction and treatment system, including the types of statistical tools to be used to evaluate the groundwater data, and the system's effectiveness.

Based on earlier Government to Government Consultation, EPA committed to providing oversight during all on site work. Tribes will be providing oversight of work at the FMC site also.

Staff and contract employees will work on all tasks within the FMC OU of EMF site including conducting sampling, review documents, communicate issues with public and policy makers, schedule meetings, attend meetings and other tasks in compliance with this workplan.

Task 1: Remedial Design, Remedial Action and Other Documents.
Assist with components identified above for Remedial Design/ Remedial Actions. In this process, the Tribes will be reviewing, commenting and participating in oversight of the remedial design and construction activities.

Each quarter, the specific documents received and reviewed will be compiled into the Quarterly Report. The Quarterly Reports will also include the number of hours spent on each document to support future estimates made on workloads. This is the first time that the Tribes have been involved with this sort of process so our existing cost estimating may be incorrect (too low or high). Level of our effort depends upon the quality of the document received which has historically been lacking in detail so we have been required to spend more time in reviewing and commenting on these documents.

Task 2: Public Involvement – Communications.
Provide updates to public, policy makers, and membership on current progress, issues and respond to questions, concerns if any.

These numbers are based on expectations and level of effort for each task. Level of effort includes coordination with policy leaders on a regular basis and with departments and community meetings as requested.

Fort Hall Reservation is comprised of 5 Districts. Regularly scheduled monthly meetings have been established to allow tribal members an opportunity for updates regarding environmental and other issues impacting their resources. Attendance at these meetings requires an added level of effort and resources for staff and contract employees. This is a complex cleanup project that requires a lot of labor hours preparing for these meeting and responding to their concerns.

Information on meetings attended, information provided is provided to EPA in quarterly reporting. As part of this quarterly effort, the Tribes will also be including this information into the Quarterly report which will include the labor hours spent preparing and attending these meetings.

Task 3: UAO - All Ponds

Technical support that the Tribes are providing to EPA for implementation of the CERCLA UAO continues to be focused on refining the framework for monitoring of toxic gasses at the RCRA Ponds and gas extraction and treatment, as necessary to protect human health and the environment of our homelands. This coming year represents a particularly important phase of the project, as we are refining RCRA Ponds management strategies under the CERCLA UAO that will also be beneficial for long-term management of the RCRA Ponds.

RCRA ponds at the FMC OU are generating toxic gases that require monitoring, gas extraction and treatment. Tribes will continue to review, comment and participate in activities associated with this UAO. Labor hours are based on historical details from the past 7 years which the UAO's have been in effect and include monthly calls, weekly reporting and other notification processes. Level of effort requires participation in calls, review of data reports communication internally and coordination with policy leaders. Effort generally involves 8 to 12 hours per meeting.

Each quarter, the specific activities will be compiled into the Quarterly Report. The Quarterly Reports will also include the number of hours spent on these individual activities.

Task 4: Monitoring - Groundwater, Leachate Collection Water and Phosphine Monitoring:

Tribes have requested to be onsite during all remedial activities including but not limited to: reviewing, completing independent monitoring, and oversight.

Tribes want to ensure the remedial actions proposed and undertaken are protective of Tribal reservation resources including human health and the environment. At this point in time, we will only be discussing why the Tribes believe additional analytes are needed for the various media. Many different processes are being implemented or undertaken which will or may impact the knowledge on existing contamination levels. If EPA agrees

with the Tribal concerns, then FMC will be responsible for implementing this request. However, if FMC does not agree, the Tribes will be requesting additional resources to get these tasks completed which may include but not limited to: developing a QAPP, SAP and sampling. Tribes believe that the current analyses do not adequately address the existing contamination concentrations.

Analyses will include total metals and radionuclides including gross alpha, gross beta, uranium 238, radium 226, radium 228, Phase II drinking water metals, phase IV drinking water metals, nitrate, total ammonia, total phosphate, orthophosphate, fluoride, potassium, cyanide and sulfate.

As part of these efforts, the Tribes will need to purchase a vehicle and the costs will be shared across all projects equally. One month lease which was estimated to be $1,100 per month calculated from previous lease agreements will be needed.

Each quarter, the specific activities will be compiled into the Quarterly Report. The Quarterly Reports will also include the number of hours spent on these individual activities.

Task 5: Project Management.
Quarterly reporting (Reports will be submitted no later than the following dates: 4/31, 7/30, 11/31, 1/31/15.) Budget and resource management planning and coordination will also require some resources.

With the level of detail requested for the quarter reporting, the Tribes will need approximately 4 hours a month to properly track financial resources and that this includes the monthly drawdowns with correct numbers. Depending upon the amount of work performed during the quarter, detailed reports must include the number of hours associated with each action taken so it is likely that somewhere between 6 to 8 hours per quarterly report.

Estimates based on expectations for each task and compared to historical labor with comparable activities.

SBT Estimated Hours – East Michaud Flats - FMC OU		**Contractor Hours or $**
Task 1: Remedial Design/ Remedial Action	**232**	**108**
Sub-Task I. Remedial Action	48	20
Sub-Task II. Construction QA/QC	32	8
Sub-Task III. Emergency Response	24	8
Sub-Task-IV. Remedial Design QAPP & SAP	40	20
Sub-Task-V. Operation & Maintenance	40	16
Sub-Task VI. Performance Standard Verification	24	24
Sub-Task VII. Performance Testing	24	12
Task 2: Public Involvement/ Communications	**124**	**60**

Sub-Task I. Regular Quarterly District Meetings (5 Districts)	60	20
Sub-Task II. Monthly communication with Policy Makers	64	40
Task 3: UAO's	**208**	**116**
Sub-Task I. Gas Extraction	96	40
Sub-Task II. Long term monitoring	72	48
Sub-Task III. Other Events As Defined	40	28
Task 4: Monitoring Oversight	**80**	**40**
Task 5: Project Management	**80**	**0**
Sub-Task I. Monthly Drawdowns	48	
Sub-Task II. Quarterly Reporting	32	
Total Hours	**724**	**324**

SBT Estimated Costs – Eastern Michaud Flats - FMC OU	
Personnel	$19,724.48
Fringe Benefits	$5,310.66
Travel	$4,200.00
Supplies	$1,991.76
Contractual - Contractor (324 hours at $87.50/hour)	$28,350.00
Indirect Charges	$6,837.10
Other Expenses	$600.00
Equipment	$1,100.00
Total	**$68,114.00**

5700-54_sec EMF grnt.pdf

Form Approved OMB No:2030-0020 Approval Expires 04/2012

KEY CONTACTS FORM

Authorized Representative: *Original awards and amendments will be sent to this individual for review and acceptance, unless otherwise indicated.*

Name: Nathan Small
Title: Chairman, Fort Hall Business Council
Complete Address: P.O. Box 306, Pima Dr.
Fort Hall, ID 83203
Phone Number: 208 478-3805

Payee: *Individual authorized to accept payments.*

Name: Shoshone-Bannock Tribes
Title: Steve Hagler, Finance Director
Mail Address: P.O. Box 306, Pima Dr.
Fort Hall, ID 83203
Phone Number: 208 478-3843

Administrative Contact: *Individual from Sponsored Program Office to contact concerning administrative matters (i.e., indirect cost rate computation, rebudgeting requests etc.)*

Name: Dawn D. Williams
Title: Contracting/Grants Officer
Mailing Address: P.O. Box 306, Pima Dr.
Fort Hall, ID 83203
Phone Number: 208 478-3821
FAX Number: 208 478-3719
E-Mail Address: dwilliams@SBTribes.com

Principal Investigator: *Individual responsible for the technical completion of the proposed work.*

Name: Kelly C. Wright
Title: Program Manager, Environmental Waste Management Program
Mailing Address: P.O. Box 306, Pima Dr.
Fort Hall, ID 83203
Phone Number: 208 236-1049
FAX Number: None
E-Mail Address: kwright@SBTribes.com
Web URL: