OMB Number: 4040-0004
Expiration Date: 12/31/2022

Application for Federal Assistance SF-424

* 1. Type of Submission:
- [ ] Preapplication
- [x] Application
- [ ] Changed/Corrected Application

* 2. Type of Application:
- [ ] New
- [ ] Continuation
- [x] Revision

* If Revision, select appropriate letter(s):

* Other (Specify): EC: Rebudget, Increase Duration

* 3. Date Received: Completed by Grants.gov upon submission.

4. Applicant Identifier:

5a. Federal Entity Identifier:

5b. Federal Award Identifier: XA-96388301-1

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name: Virginia Department of Environmental Quality

* b. Employer/Taxpayer Identification Number (EIN/TIN): 54-1661753

* c. Organizational DUNS: 8097437680000

d. Address:

* Street1: 1111 East Main Street, Suite 1400
Street2:
* City: Richmond
County/Parish:
* State: VA: Virginia
Province:
* Country: USA: UNITED STATES
* Zip / Postal Code: 23219-3531

e. Organizational Unit:

Department Name: Air Monitoring

Division Name: Air Quality

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

Prefix: Mr.
* First Name: Charles
Middle Name: L.
* Last Name: Turner
Suffix:

Title: Manager, Office of Air Quality Monitoring

Organizational Affiliation: Virginia Department of Environmental Quality

* Telephone Number: 804-517-2394
Fax Number: 804-527-5106

* Email: charles.turner@deq.virginia.gov

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

A: State Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

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

Environmental Protection Agency

11. Catalog of Federal Domestic Assistance Number:

66.034

CFDA Title:

Surveys, Studies, Research, Investigations, Demonstrations, and Special Purpose Activities Relating to the Clean Air Act

*** 12. Funding Opportunity Number:**

EPA-OAR-OAQPS-20-05

* Title:

Community-Scale Air Toxics Ambient Monitoring

13. Competition Identification Number:

NONE

Title:

None

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

Add Attachment | Delete Attachment | View Attachment

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

VADEQ - Community-Scale Air Toxics Ambient Monitoring Amendment 2 Request

Attach supporting documents as specified in agency instructions.

Add Attachments | Delete Attachments | View Attachments

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant VA-003 * b. Program/Project VA-003

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

Add Attachment | Delete Attachment | View Attachment

17. Proposed Project:

* a. Start Date: 10/01/2020 * b. End Date: 09/30/2024

18. Estimated Funding ($):

* a. Federal	0.00
* b. Applicant	0.00
* c. State	0.00
* d. Local	0.00
* e. Other	0.00
* f. Program Income	0.00
* g. TOTAL	0.00

*** 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 05/15/2020.

☐ 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 in attachment.)**

☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment | Delete Attachment | View Attachment

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: Ms. * First Name: Valerie

Middle Name:

* Last Name: Thomson

Suffix:

* Title: Director of Administration

* Telephone Number: 804-698-4157 Fax Number: 804-698-4178

* Email: valerie.thomson@deq.virginia.gov

* Signature of Authorized Representative: Valerie Thomson Completed by Grants.gov upon submission. * Date Signed: 01/28/22 Completed by Grants.gov upon submission.

BUDGET INFORMATION - Non-Construction Programs

OMB Number: 4040-0006
Expiration Date: 02/28/2022

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. VADEQ - CSATAM FFY21-23 XA-96388301-1	66.034	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 526,603.00
2. VADEQ - CSATAM FFY21-24 Amendment 2 Request	66.034	0.00	0.00	0.00	0.00	0.00
3.						
4.						
5. Totals		$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 526,603.00

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SECTION B - BUDGET CATEGORIES

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY (1) VADEQ - CSATAM FFY21-23 XA-96388301-1	(2) VADEQ - CSATAM FFY21-24 Amendment 2 Request	(3)	(4)	Total (5)
a. Personnel	$ 29,421.00	$ 806.00	$	$	$ 30,227.00
b. Fringe Benefits	14,019.00	37.00			14,056.00
c. Travel	14,200.00	1,400.00			15,600.00
d. Equipment	206,800.00	-45,800.00			161,000.00
e. Supplies	86,484.00	-21,977.00			64,507.00
f. Contractual	145,144.00	52,504.00			197,648.00
g. Construction	0.00	0.00			0.00
h. Other	22,150.00	12,800.00			34,950.00
i. Total Direct Charges (sum of 6a-6h)	518,218.00	-230.00			$ 517,988.00
j. Indirect Charges	8,385.00	230.00			$ 8,615.00
k. TOTALS (sum of 6i and 6j)	$ 526,603.00	$ 0.00	$	$	$ 526,603.00
7. Program Income	$ 0.00	$ 0.00	$	$	$ 0.00

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Prescribed by OMB (Circular A -102) Page 1A

SECTION C - NON-FEDERAL RESOURCES

	(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e)TOTALS
8.	VADEQ - CSATAM FFY21-23 XA-96388301-1	$ 0.00	$ 0.00	$ 0.00	$ 0.00
9.	VADEQ - CSATAM FFY21-24 Amendment 2 Request	0.00	0.00	0.00	0.00
10.					
11.					
12. TOTAL (sum of lines 8-11)		$ 0.00	$ 0.00	$ 0.00	$ 0.00

SECTION D - FORECASTED CASH NEEDS

	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00
14. Non-Federal	$				
15. TOTAL (sum of lines 13 and 14)	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00

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.	N/A	$	$	$	$
17.					
18.					
19.					
20. TOTAL (sum of lines 16 - 19)		$	$	$	$

SECTION F - OTHER BUDGET INFORMATION

21. Direct Charges: $517,988

22. Indirect Charges: Fixed rate; Base = $30,227 ; IC = $8,615

23. Remarks: Indirect costs are calculated by applying a federally approved rate of 28.5% to a base of Personnel costs only.

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COMMONWEALTH OF VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY

Characterization and Risk Assessment of Air Toxics Metals in Southeast Virginia

WORK PLAN

OFFICE OF AIR QUALITY MONITORING
January 13, 2022

ED_006637_00000505-00007

I. PROJECT TITLE:

Characterization and Risk Assessment of Air Toxics Metals in Southeast Virginia

II. CATEGORY:

Community Scale Air Toxics Monitoring Project

III. APPLICANT INFORMATION

Organization: Virginia Department of Environmental Quality
Contact: Charles L. Turner
Manager, Office of Air Quality Monitoring
4949-C Cox Road, Glen Allen, VA 23060
Phone: (804) 517-2394
Email: charles.turner@deq.virginia.gov

Namita Verma
Data Quality Team Lead
4949-C Cox Road, Glen Allen, VA 23060
Phone: (804) 678-8289
Email: Namita.verma@deq.virginia.gov

IV. PROJECT SUMMARY/FUNDING

Virginia Department of Environmental Quality (DEQ) Office of Air Quality Monitoring (OAQM) has proposed a Community Scale Air Toxics Monitoring project for the Southeastern (Tidewater) Area of the Commonwealth of Virginia. This project is intended to characterize the ambient concentrations of air toxics metals and perform corresponding air quality and health risk assessments for two Tidewater communities: the Lambert's Point Community (LP) and East End community (EE) located in Norfolk and Newport News, respectively. Residents of these communities have long expressed concern about ambient coal dust and air quality [1]. Coal dust is known to contain metals, some of which may be present in toxic amounts. This project is designed to develop a local air quality characterization in these communities and perform an air quality and a health risk assessment for air toxics metals. The results of this characterization and the air quality and health assessments will inform future DEQ Strategic Plan objectives to improve air quality and community engagement in underserved communities.

This study will comprise five distinct phases:

(1) Planning and siting of the samplers,
(2) Collection and chemical analysis of ambient air metals samples,
(3) Data validation and results summaries,
(4) Health risk assessments, and
(5) A final report incorporating recommendations for further actions and study.

To properly implement and execute this project VA DEQ will need the following support from EPA:

- Provide necessary funding to establish and operate the network consistent with the grant application
- Advise on technical and quality assurance issues.
- Monitor the project's progress and performance to verify the results
- Review and comment on project reports prepared during the execution of this project.

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EPA approved a funding level of $526,603 to implement this project. The funding is broken down as follows:

1.	Construction and Set-up costs		$47,689.00
2.	Equipment		$161,000.00
3.	Supplies and Materials		$64,507.38
4.	Contractual		$149,959.28
5.	Other Expenditures		$34,950.00
6.	Travel		$15,600.00
7.	Personnel		$52,897.35
	Total		$526,603.00

DEQ has committed to using the intern program in the Tidewater region to supply the routine filter changing labor for this project.

V. PROJECT PERIOD

The project is projected to take 4.0 years to complete. The activities are outlined in the table below.

Task	Year 1				Year 2				Year 3				Year 4			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Evaluate sampler network																
Retrofit samplers																
Research and select sensors																
Purchase sensors																
Site samplers and sensors																
Purchase T640X monitors																
Site T640X monitors																
Sample collection																
Analysis of samples																
Monitor air using T640X																
Data validation and summary																
Health risk assessments																
Final reports preparation																

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The starting date of the project will be based on the award date of the grant. DEQ was awarded the initial funding in October of 2020.

VI. WORKPLAN

a. Statement of Work/Objectives

The primary objectives of this study are as follows:

(i) Collect data on PM10, and ambient air toxics metals in the LP and EE communities with a network of FRM/FEM PM10 and TSP samplers along with air quality sensors;
(ii) Characterize the spatial distribution of PM10 and air toxics metals in the LP and EE communities;
(iii) Evaluate the health risks posed by the toxic metals in ambient air;
(iv) Build the communities' capability to use the sensor network data and FEM-based data for ongoing community issues.

The sampling network at each location in this study will consist of up to five sampling sites. The existing air monitoring site at the NOAA facility on Front Street could serve as the upwind site for the Lambert's Point monitors. The other sampling sites will be placed within the communities at locations that will "encircle" the source locations: Dominion Terminal Associates/Kinder Morgan loading piers for EE community and Norfolk Southern Coal loading operation for LP community.

DEQ will evaluate each monitoring site to determine if the site will remain within the network after the study is complete. By establishing a community sensor network, DEQ expects to continue engagement opportunities with these communities, and to provide them with opportunities to shape how DEQ might be able to use information from low cost sensors and further engage with other communities.

b. TARGET POLLUTANTS

The target pollutants for this study are Arsenic, Beryllium, Cadmium, Chromium, Lead, Manganese, and Nickel. The Division of Consolidated Laboratory Services, the Virginia State Lab, will use method IO-3 and employ Inductively Coupled Plasma Mass Spectrometry (ICP-MS). The Laboratory maintains a complete set of SOPs for the performance on the metals analysis, the QA procedures and the data handling. The SOPs will be maintained at the laboratory and DEQ will have access to them.

c. WORK PRODUCTS

Outputs	Outcomes	Performance Measures
Database of air toxics metals data useful for both the communities and future EPA modeling efforts	Toxic metals results provided to the AQS database	QA results from the sampler operations and data capture
Quarterly progress reports for the stakeholders	Possible FRM sampler siting, and continuous PM10 monitor siting (T640X)	Routine QA from laboratory operations
Health risk assessment evaluations	Increased and improved community awareness	Measure for increased community awareness: Google Analytics—retention, average session length, percent of user generated content, number of posts reported as inappropriate, DEQ response rate

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Final data report, to include spatial concentration variation of metals in the two study areas	Increased community understanding of the health risks	100% of progress reports completed on time
Final project report, to include an analysis of possible relationships between the FEM/FRM metals data and sensor data	The continuous PM10 results will be posted on the DEQ website for public viewing	Minimally Semi-annual meetings with the LP and EE communities throughout the project.

The Table above details the work products to be delivered as part of this project. They are shown as Outputs on the table.

d. Personnel

The VADEQ Personnel involved in the execution of this project are:

Position	Primary	Backup
Regional Operator	Jason Hodges	John Brandt
OAQM Microscopist	Carolyn Stevens	Rudley Young
OAQM monitoring specialists	Brian King	Jeffrey McKnight
OAQM Data personnel	Namita Verma	Carolyn Stevens
OAQM Weighing Lab Support	Rudley Young	Kaila Cavanaugh
OAQM Procurement Support	Kaila Cavanaugh	
OAQM Management Support	Charles Turner	

VII. DETAILED PROJECT BUDGET

a. Budget **$526,603.00**

The followings are details of the funding request for the proposed projects:

Construction and Set-up Costs

2 Trailer Repair and Preparation ($2500 ea. to support the T640's)	$5000.00
16 Power installations (Where necessary @ $2200.00 ea.)	$35,200.00
Miscellaneous (fencing, ground preparation, etc.)	$7,489.00
Total	**$47,689.00**

Equipment

4 TSP samplers ($6500 ea.)	$26,000.00
2 T640X PM10/PM2.5 continuous samplers ($37,000 ea.)	$74,000.00
2 8872 data loggers ($8400 each)	$16,800.00
Sensor budget (approx. 12 at no more than $2850 ea.)	$34,200.00
Microscopic Upgrade	$10,000.00
Total	**$161,000.00**

Supply

14 back up digital timers ($800 ea.)	$11,200.00
6 Router/Modems ($950)	$5,700.00
Calibration/Audit supplies (T640)	$2,772.70
4 Flow Check Verification Hardware ($1635 ea.)	$6,540.00
Field Temperature and measurement Hardware	$950.00
Filters ($1880 per box)	$31,728.62

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PM10/TSP motors ($140 ea.)	$1,140.00
Cabling, brushes, electrical supplies	$2,300.06
Assorted supplies - Gloves, tools lawn products, etc.	$2,176.00
Total	**$64,507.38**

Contractual

Electrical Operating Costs Total	$4,200.00
Sample Analysis Costs	$107,216.41
DCLS Lab Support help	21,200.00
VDH Health Assessment Support	17,342.87
Total	**$149,959.28**

Other Expenditures

Public Meetings (1 meeting/6 month)	$8,000.00
Printed materials for meetings	$8,000.00
Publication and distribution of quarterly information	$600.00
Property rental for monitor siting	$4,500.00
Local approvals and zoning compliance reviews	$500.00
Site improvements	$3,200.00
Utility Connections	$4,500.00
Monthly Cell Charges	$4,600.00
Postage/courier	$1,050.00
Total	**$34,950.00**

Travel – All travel in-state

Siting and Installation (6 visits – AQM to LP, SE)	$1,200.00
Travel to public meetings (Location to be determined)	$1,800.00
Maintenance and repair travel (estimated 3 visits)	$600.00
Travel to pick up and install filters (TRO to LP and SE)	$12,000.00
Total	**$15,600.00**

Personnel	Salary	Fringe*	Indirect	Total
Regional Operator	3,232.00	1,494.80	921.12	5,647.92
OAQM Monitoring Specialists	6,584.00	3,074.73	1,876.44	11,535.17
OAQM Microscopist	3,131.20	1,456.01	892.39	5,479.60
OAQM Data personnel	4,851.60	2,255.99	1,382.71	8,490.30
OAQM Weighing Lab Support	2797.60	1,293.89	797.32	4,888.81
OAQM Management Support	7,590.93	3,530.71	2,163.42	13,285.05
OAQM Procurement Support	2,039.19	950.14	581.17	3,570.50
			Total	**$52,897.35**

b. Expenditure Schedule of Awarded Grant Funds

Funds supporting this Project as delineated in the above budget will be expended throughout the life of the project. OAQM will submit project reports on a semi-annual basis documenting the project expenditures on an ongoing basis. The proposed expenditure schedule, consistent with Table 2 below, will proceed as follows:

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Milestones	Project Activities	Expenditures
Year 1 Q2	Meetings with both Communities, Sampler refits, Trailer Preparation, Initial Power installation, fencing where needed, Utility connections, personnel costs. OAQM personnel	5,000.00
Year 1 Q3	Installation completion, Samplers and sensors purchased, supplies purchased, portion of filters purchased, Local approvals, Utility connections, OAQM personnel cost	3,261.00
Year 2 Q1	Data loggers, additional supplies, public meeting, site rental, Sample analysis, finalized siting and utility connections, OAQM and DCLS personnel costs	51,421.17
Year 2 Q2	Final T640X costs, Filters, electrical operational costs, Sample analysis, ongoing personnel costs	197,348.39
Year 2 Q3	Ongoing consumables costs, public meetings, property rental costs, personnel costs	61,830.60
Year 2 Q4	Ongoing consumables, supply replenishment, ongoing electrical and analytical costs, personnel	38,874.36
Year 3 Q1	Ongoing consumables, public meetings, supply replenishment, ongoing electrical and analytical costs, personnel	33,839.28
Year 3 Q2	Electrical and analytical costs, OAQM, DCLS and VDH personnel costs.	34,392.77
Year 3 Q3	Public Meeting, Electrical and analytical costs, ongoing personnel costs	33,039.28
Year 3 Q4	Electrical and analytical costs, ongoing personnel costs	29,431.77
Year 4 Q1	Public Meeting, Electrical and analytical costs, ongoing personnel costs	26,533.18
Year 4 Q2	Electrical Costs, Personnel costs associated with project close out	4,467.14
Year 4 Q3	Public Meeting, Postage for materials, Personnel costs associated with final reports	4,437.11
Year 4 Q4	Final Report completion – Health Assessment and data findings	2,726.96

EPA KEY CONTACTS FORM

OMB Number: 2030-0020
Expiration Date: 06/30/2024

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

Name: Prefix: Mr. First Name: Cliff Middle Name: W.
Last Name: Goldsborough Suffix:

Title: Director of Financial Management

Complete Address:

Street1: 1111 East Main Street, Suite 1400
Street2:
City: Richmond State: VA: Virginia
Zip / Postal Code: 23219-3531 Country: USA: UNITED STATES

Phone Number: 804-998-0810 **Fax Number:** 804-698-4178

E-mail Address: Cliff.Goldsborough@deq.virginia.gov

Payee: *Individual authorized to accept payments.*

Name: Prefix: Ms. First Name: Nancy Middle Name:
Last Name: Perry Suffix:

Title: Fiscal Director

Complete Address:

Street1: 1111 East Main Street, Suite 1400
Street2:
City: Richmond State: VA: Virginia
Zip / Postal Code: 23219-3531 Country: USA: UNITED STATES

Phone Number: 804-659-1545 **Fax Number:** 804-698-4178

E-mail Address: nancy.perry@deq.virginia.gov

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

Name: Prefix: Ms. First Name: Michelle Middle Name:
Last Name: Prior Suffix:

Title: Grants Administrative Manager

Complete Address:

Street1: 1111 East Main Street, Suite 1400
Street2:
City: Richmond State: VA: Virginia
Zip / Postal Code: 23219-3531 Country: USA: UNITED STATES

Phone Number: 804-659-1544 **Fax Number:** 804-698-4178

E-mail Address: michelle.prior@deq.virginia.gov

EPA KEY CONTACTS FORM

Project Manager: *Individual responsible for the technical completion of the proposed work.*

Name: **Prefix:** Mr. **First Name:** Charles **Middle Name:** L.

Last Name: Turner **Suffix:**

Title: Manager, Office of Air Quality Monitoring

Complete Address:

Street1: 1111 East Main Street, Suite 1400

Street2:

City: Richmond **State:** VA: Virginia

Zip / Postal Code: 23219-3531 **Country:** USA: UNITED STATES

Phone Number: 804-517-2394 **Fax Number:** 804-527-5106

E-mail Address: charles.turner@deq.virginia.gov

OMB Number: 2030-0020
Expiration Date: 04/30/2021

Preaward Compliance Review Report for All Applicants and Recipients Requesting EPA Financial Assistance

Note: Read Instructions before completing form.

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

Name: Virginia Department of Environmental Quality

Address: 1111 E Main Street, Suite 1400

City: Richmond

State:

Zip Code: 23219

B. DUNS No. 8097437680000

II. Is the applicant currently receiving EPA Assistance? ☒ Yes ☐ No

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.)

Elizabeth C. Abe, ET AL, Plaintiffs v. Virginia Department of Environmental Quality

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 actions taken. (Do not include employment complaints not covered by 40 C.F.R. Parts 5 and 7.)

None

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))

Virginia Department of Human Resource Management, FY 2019 EEO Compliance Assessment (See attached).

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.

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 program 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)) ☒ Yes ☐ No

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) ☒ Yes ☐ No

X. If the applicant 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.

Yes.

Renee L. Wilson, Human Resources Director (Position 4530)

Virginia Department of Environmental Quality
P.O. Box 1105
Richmond, VA 23218

Email: Renee.Wilson@deq.virginia.gov
Fax: 804 698 4178
Phone: 804 698 4317

XI. If the applicant 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.

The grievance procedures authorized by the agencies below apply to those seeking to file a complaint alleging DEQ has engaged in activity that violates 40 C.F.R. Parts 5 and 7:

Virginia Department of Human Resources Management -- http://www.dhrm.virginia.gov/employmentdisputeresolution

Virginia Office of the Attorney General Division of Human Rights (OAG DHR) -- https://www.oag.state.va.us/programs-initiatives/human-rights

(Authority for the OAG-DHR derives from Va. Code § 2.2-522 and the accompanying regulation, 1 VAC 45-20, et seq. Both cite the Virginia Human Rights Act, which closely follows language used in 40 CFR 5 and 40 CFR 7 (Va. Code 2.2-3901). Va. Code § 2.2-522 also provides, in part, that "Filing of a written complaint with the Division of Human Rights shall be deemed filing with any state agency for the purpose of complying with any time limitation on the filing of a complaint, provided the time limit for filing with the other agency has not expired.")

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
Completed by Grants.gov upon submission.	Director of Administration	12-21-2020 Completed by Grants.gov upon submission.

Sign here — Date here

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 statures and EPA regulations.

A. *Signature of Authorized EPA Official	B. Title of Authorized Official	C. Date

* See Instructions

Instructions for EPA FORM 4700-4 (Rev. 06/2014)

General. Recipients of Federal financial assistance from the U.S. Environmental Protection Agency must comply with the following statutes and regulations.
Title VI of the Civil Rights Acts of 1964 provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. The Act goes on to explain that the statute shall not be construed to authorize action with respect to any employment practice of any employer, employment agency, or labor organization (except where the primary objective of the Federal financial assistance is to provide employment). Section 13 of the 1972 Amendments to the Federal Water Pollution Control Act provides that no person in the United States shall on the ground of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under the Federal Water Pollution Control Act, as amended. Employment discrimination on the basis of sex is prohibited in all such programs or activities. Section 504 of the Rehabilitation Act of 1973 provides that no otherwise qualified individual with a disability in the United States shall solely by reason of disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Employment discrimination on the basis of disability is prohibited in all such programs or activities. The Age Discrimination Act of 1975 provides that no person on the basis of age shall be excluded from participation under any program or activity receiving Federal financial assistance. Employment discrimination is not covered. Age discrimination in employment is prohibited by the Age Discrimination in Employment Act administered by the Equal Employment Opportunity Commission. Title IX of the Education Amendments of 1972 provides that no person in the United States on the basis of sex shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance. Employment discrimination on the basis of sex is prohibited in all such education programs or activities. Note: an education program or activity is not limited to only those conducted by a formal institution. 40 C.F.R. Part 5 implements Title IX of the Education Amendments of 1972. 40 C.F.R. Part 7 implements Title VI of the Civil Rights Act of 1964, Section 13 of the 1972 Amendments to the Federal Water Pollution Control Act, and Section 504 of The Rehabilitation Act of 1973. The Executive Order 13166 (E.O. 13166) entitled; "Improving Access to Services for Persons with Limited English Proficiency" requires Federal agencies work to ensure that recipients of Federal financial assistance provide meaningful access to their LEP applicants and beneficiaries.

Items "Applicant" means any entity that files an application or unsolicited proposal or otherwise requests EPA assistance. 40 C.F.R. §§ 5.105, 7.25. "Recipient" means any entity, other than applicant, which will actually receive EPA assistance. 40 C.F.R. §§ 5.105, 7.25. "Civil rights lawsuits and administrative complaints" means any lawsuit or administrative complaint alleging discrimination on the basis of race, color, national origin, sex, age, or disability pending or decided against the applicant and/or entity which actually benefits from the grant, but excluding employment complaints not covered by 40 C.F.R. Parts 5 and 7. For example, if a city is the named applicant but the grant will actually benefit the Department of Sewage, civil rights lawsuits involving both the city and the Department of Sewage should be listed. "Civil rights compliance review" means any review assessing the applicant's and/or recipient's compliance with laws prohibiting discrimination on the basis of race, color, national origin, sex, age, or disability. Submit this form with the original and required copies of applications, requests for extensions, requests for increase of funds, etc. Updates of information are all that are required after the initial application submission. If any item is not relevant to the project for which assistance is requested, write "NA" for "Not Applicable." In the event applicant is uncertain about how to answer any questions, EPA program officials should be contacted for clarification. * Note: Signature appears in the Approval Section of the EPA Comprehensive Administrative Review For Grants/Cooperative Agreements & Continuation/Supplemental Awards form.

COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY
Street address: 1111 E. Main Street, Suite 1400, Richmond, Virginia 23219
Mailing address: P.O. Box 1105, Richmond, Virginia 23218
www.deq.virginia.gov

Matthew J. Strickler
Secretary of Natural Resources

David K. Paylor
Director

(804) 698-4000
1-800-592-5482

October 23, 2019

Kera Woodard
Office of Equity, Diversity and Inclusion
Department of Human Resource Management
101 North 14th Street
12th Floor
Richmond, VA 23219

Dear Ms. Woodard:

This is in response to your September 10, 2019 letter requesting justification explaining the non-discriminatory reason for the indicators of disparate impact in the following employment practices:

In-Band Adjustments for Professional Category based on Age
A total of 56 in-band adjustments were given in this category. Of those given, 31 or 55.3% were given to employees age 40 or older and 44 of the in-band adjustments were made as a result of DEQ's Career Path Program. Of those related to the career path program, 24 or 54.5% were given to employees age 40 or older. The Career Path Program is designed to improve development of employee's knowledge and skills and to provide an opportunity for advancement within their current role based upon the gained skills through a Career Path. Mapping worksheets have been developed for positions and are designed to document progress towards achievement of required competencies. Advancement to a higher level within the current role shall be accomplished by the Program Manager's review of competencies of an employee and determination that he/she has met the competencies at the higher level. An employee advancing from one competency level to a higher competency level within a pay band is eligible for an in-band adjustment and what the agency refers to as a competency level increase.

Age is not taken into consideration when these adjustments are made, only achievement of competencies associated with their specific position. Even though more in-band adjustments for the career path program were given to employees age 40 or older, because most career path participants move through the various levels (Entry to Senior; Senior to Senior II) early in their career, most Career Path participants who are still eligible for an increase related to a competency level change are staff who are age 40 or younger. Staff who have already achieved

the highest competency level are generally age 40 or older and therefore have already received the competency level increases. The remaining 12 in-band adjustments were directly related to a change in duties, internal alignment, and retention. While age was not taken into consideration when these adjustments were made, 7 or 58% of those employees were age 40 or older.

Applicant Flow for Officials/Administrator Category based on Race, Age & Veteran Status
It is the goal of the DEQ to have a diverse and inclusive workforce. The Agency is aware that we lack diversity in the applicant flow of our recruitment pools, but are committed to increasing this diversity by implementing programs and updating out practices to encourage a more diverse applicant pool. Some of our recent efforts include:

- Via a formal Memorandum of Understanding (MOU) between DEQ, Norfolk State, Hampton University, and the Environmental Protection Agency (EPA), DEQ provides annual internship opportunities to students of Norfolk State and Hampton Universities. The internship opportunities are designed to promote an increase in the number of minority student recruitment, internships, career development and employment with careers in environmental science and environmental engineering.
- Seek out and participate in career fairs and other events hosted by Historically Black Colleges and Universities (HBCUs) to bring awareness to the agency's various environmental and administrative programs and opportunities. DEQ participated in the Virginia Union University 2019 Earth Day event. Additionally, DEQ participated in the Norfolk State University 2019 Fall Career Expo.
- Continue to advertise DEQ jobs with the Equal Opportunity Employment (EOE) Online Journal, which his dedicated to servicing the needs of women, veterans, disabled communities and all ethnic backgrounds.
- We are currently developing new strategies to increase utilization of Facebook, Twitter, and LinkedIn for agency job advertisements. These social media networks cross various racial, gender, age and veteran groups that may not otherwise connect with DEQ.
- Continue to highlight in our job advertisements that we are V3 Certified, highly encourage veterans to apply and give additional consideration to veterans and disable veterans in the hiring process.
- Increase participation in Veteran recruitment via Career Fairs hosted by Hire Vets Now and the Fort Lee Transition Assistance Program.

In addition, we continue to capture the race and gender of each candidate interviewed by utilizing the Visual Race and Sex feature in RMS.

Recognitions for Technician Category based on Age
A total of five recognition awards were given in the Technician occupational category. Three of these awards were related to being rated as Extraordinary Contributor during the Performance Evaluation Process. It is the practice of DEQ to award employees who are rated as Extraordinary Contributor, 16 hours of recognition leave. The other two awards were given as part of the DEQ Employee Recognition Program (ERP), which allows for employees to be nominated by their co-workers, subordinates, supervisors, or peers for their outstanding contributions to the agency. The recognition awards were not given based on the age of the employees being recognized, but for their outstanding performance and contributions throughout the year.

It is the agency's position that the employment actions that resulted in the various indicators of disparate impact were non-discriminatory and approved with no regard to race, age, veteran status or any other protected classification. The agency will continue to take great care in the future to review the EEO statistics of the proposed group of employees and when appropriate, make adjustments as feasible.

The DEQ updated its EEO Compliance Policy Statement on July 17, 2019, to reaffirm our commitment to equal opportunity to all employees and applicants for employment (See Attached).

If you have any questions, please call me at (804) 698-4317.

Sincerely,

Renee L. Wilson

Renee L. Wilson
Human Resources Director

COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY
Street address: 1111 E. Main Street, Suite 1400, Richmond, Virginia 23219
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DEQ EQUAL EMPLOYMENT OPPORTUNITY COMPLIANCE POLICY STATEMENT

In accordance with Executive Order Number 1 (2018) Equal Opportunity, it is the policy of the Department of Environmental Quality (DEQ) to assure equal employment opportunity to all employees and applicants for employment. It is the responsibility of supervisors, managers, Agency principals, and co-workers to maintain a bias-free working environment that assures that no employee is subject to discrimination or harassment of any kind. Prohibition against employment discrimination applies to all aspects of the hiring process and employment practices, including hiring, demotion, promotion, role change, in-band adjustment, layoff, and transfer; performance management and employee development; corrective actions, including disciplinary actions; and compensation, pay practices, benefits, and other terms, conditions, and privileges of employment.

Employment discrimination on the basis of race, sex, color, national origin, religion, sexual orientation, gender identity or expression, age, political affiliation, genetics, or against otherwise qualified persons with disabilities is specifically prohibited. The policy permits appropriate employment preference for veterans and specifically prohibits discrimination against veterans.

Agency hiring and other managers and supervisors shall take positive and affirmative measures to emphasize the recruitment of qualified minorities, women, persons with disabilities, and older persons to serve at all levels of the Agency. This directive does not permit or require the lowering of bona fide job requirements, performance standards, or qualifications to give preference to any state employee or applicant for state employment.

Allegations of violations of this Policy shall be brought to the attention of the DEQ Human Resources Director or the Department of Human Resource Management, Office of Equal Employment Services. Retaliatory actions against persons making allegations shall not be tolerated.

The Human Resource Director is authorized to issue detailed procedures necessary to implement this Policy. The Human Resource Office shall provide all current and new employees a copy of this Policy. Any DEQ employee found in violation of this Policy shall be subject to appropriate disciplinary action under the Standards of Conduct.

David K. Paylor

7/16/2019
Date

Renee Wilson

From:	kera.woodard@dhrm.virginia.gov on behalf of eeo_compliance, rr <eeo_compliance@dhrm.virginia.gov>
Sent:	Tuesday, September 10, 2019 12:07 PM
To:	Renee Wilson
Subject:	EEO Compliance Assessment FY19
Attachments:	DEQ Assessment Summary.pdf

Department of Human Resource Management

Emily Elliott
Director

September 10, 2019

Ms. Renee Wilson
Human Resource Director
Department of Environmental Quality
629 E. Main Street
Richmond, Virginia 23219

RE: EEO Compliance Assessment – FY19

Dear Ms. Wilson:

The Office of Equity, Diversity, and Inclusion has initiated its review of fiscal year 2019 employment data. The EEO Assessment Tool reveals that at the end of the fiscal year (June 30, 2019), your agency has indicators of disparate impact with respect to race, gender, age, or veteran's status in one or more employment practices we monitor via the EEO Assessment Tool.

The purpose of the EEO Assessment Tool is to ensure fairness and equity in all tangible employment practices, and to ensure compliance with the Uniform Guidelines on Employee Selection Procedures, a progeny of Title VII of the Civil Rights Act of 1964, as amended, the Governor's Executive Order Number One (2018), and the Commonwealth's Policy 2.05 - Equal Employment Opportunity.

A list of the employment practices with indicators of disparate impact is attached. You are requested to submit either a written justification explaining the non-discriminatory reason for the indicators of disparate impact, or a corrective

action plan to eradicate the disparities. Your justification may include examples of programs, initiatives, etc., your agency has implemented to create a more diverse and inclusive workforce.

Responses to the indicators of disparate impact should be submitted by **October 22, 2019.** Additional requests for data may be made following the initial submission. Please be advised that submission of a legitimate justification does not preclude your agency from an onsite review of your employment data, if necessary.

If you have any questions or need technical assistance concerning this request please feel free to contact Kera Woodard, Senior Equity, Diversity, and Inclusion Specialist, at kera.woodard@dhrm.virginia.gov or (804) 786-5009.

Office of Equity, Diversity, & Inclusion
Department of Human Resource Management
eeo_compliance@dhrm.virginia.gov
(804) 225-2136

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

COGNIZANT AGENCY
NEGOTIATION AGREEMENT

Commonwealth of Virginia
Department of Environmental Quality
Richmond, VA

Date: February 26, 2021

Filing Ref: June 17, 2020

The indirect cost rates contained herein are for use on grants and contracts with the Federal Government to which Office of Management and Budget Circular 2 CFR 200 applies, subject to the limitations contained in the Circular and in Section II, A below.

SECTION I: RATES

Type	Effective Period From	Effective Period To	Rate	Base
Fixed	7/1/2021	6/30/2022	28.50%	(a)

Basis for Application
(a) Direct salaries and wages excluding fringe benefits.

Treatment of Fringe Benefits: Fringe benefits applicable to direct salaries and wages are treated as direct costs and charged in accordance with rates established by the State.

SECTION II: GENERAL

A. LIMITATIONS: The rates in this Agreement are subject to any statutory and administrative limitations and apply to a given grant, contract or other agreement only to the extent that funds are available. Acceptance of the rates is subject to the following conditions: (1) Only costs incurred by the department/agency or allocated to the department/agency by an approved cost allocation plan were included in the indirect cost pool as finally accepted; such costs are legal obligations of the department/agency and are allowable under governing cost principles; (2) The same costs that have been treated as indirect costs have not been claimed as direct costs; (3) Similar types of costs have been accorded consistent accounting treatment; and (4) The information provided by the department/agency which was used to establish the rates is not later found to be materially incomplete or inaccurate by the Federal Government. In such situations the rate(s) would be subject to renegotiation at the discretion of the Federal Government.

Commonwealth of Virginia
Department of Environmental Quality
Richmond, VA

B. CHANGES. The fixed rate contained in this agreement is based on the organizational structure and the accounting system in effect at the time the proposal was submitted. Changes in the organizational structure or changes in the method of accounting for costs which affect the amount of reimbursement resulting from use of the rate in this agreement, require the prior approval of the authorized representative of the responsible negotiation agency. Failure to obtain such approval may result in subsequent audit disallowances.

C. THE FIXED RATE contained in this agreement is based on an estimate of the cost which will be incurred during the period for which the rate applies. When the actual costs for such a period have been determined, an adjustment will be made in the negotiation following such determination to compensate for the difference between the cost used to establish the fixed rate and that which would have been used were the actual costs known at the time.

D. NOTIFICATION TO FEDERAL AGENCIES: Copies of this document may be provided to other Federal agencies as a means of notifying them of the agreement contained herein.

E. SPECIAL REMARKS: Please confirm your acceptance of the terms of the indirect cost rate agreement by signing and returning this letter to me. Please retain a copy for your records.

ACCEPTANCE

The undersigned official warrants that he/she has the proper authority to execute this agreement on the behalf of the State Agency:

Valerie E Thomson
(Signature)

Valerie E Thomson
(Name)

Director of Administration
(Title)

VA DEQ
(Agency)

3/1/2021
(Date)

By the Federal Agency:

JACQUELINE SMITH Digitally signed by JACQUELINE SMITH Date: 2021.02.26 13:57:14 -05'00'
(Signature)

National Policy, Training and Compliance Division
U.S. Environmental Protection Agency

Negotiated by: Jennifer Bae
Telephone: 202-564-0422