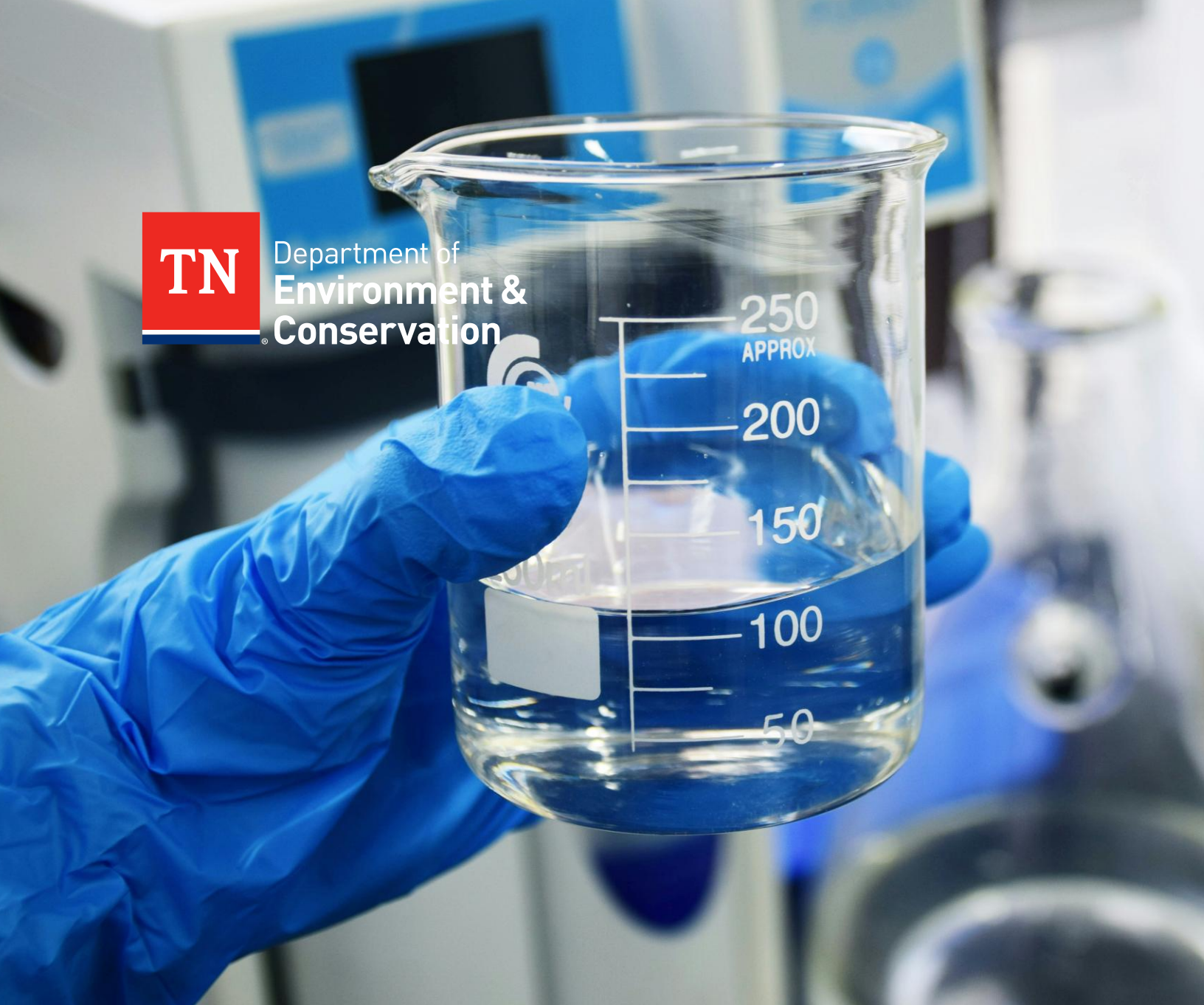




**TN**

Department of  
**Environment &  
Conservation**

# Emerging Contaminants in Small or Disadvantaged Communities Grant

State Water Infrastructure Grant Program

State of Tennessee, Department of Environment & Conservation |



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# Grant Overview

The Safe Drinking Water Act (SDWA), as amended by the Infrastructure Investment and Jobs Act (IIJA) of 2021 (i.e., the Bipartisan Infrastructure Law (BIL)), provides the U.S. Environmental Protection Agency (EPA) with more than \$50 billion to strengthen the nation's drinking water and wastewater systems. Among its provisions, the BIL provides a total of \$5 billion for fiscal years 2022-2026 for the Emerging Contaminants in Small or Disadvantaged Communities grant program (EC-SDC), which focuses on addressing emerging contaminants (EC). Examples of EC include perfluoroalkyl and polyfluoroalkyl substances (PFAS) in small or disadvantaged communities' drinking or source water. EC-SDC aims to provide funds to assist small or disadvantaged communities to improve their drinking water by carrying out projects and activities to address EC.

The State of Tennessee, Department of Environment and Conservation (TDEC), Division of Water Resources (DWR) will fund up to \$39,839,000 in financial assistance through EC-SDC for eligible projects. The administration of the EC-SDC grant and all associated subawards will be facilitated through the State Water Infrastructure Grants (SWIG) program. Entities eligible to apply for these competitive grants must meet technical and administrative requirements and demonstrate a matching funding commitment before a grant can be awarded. Applications will be scored to determine suitability for funding. SWIG will award grants until the designated funding is exhausted.

## Eligibility

### ***Grant Applicants***

Eligible entities are private, public, and non-profit water systems serving small and/or disadvantaged communities. Eligibility is determined by the target beneficiaries defined below:

- SWIG defines a "disadvantaged community" as one with an [Ability to Pay Index \(ATPI\)](#) of 50 or less. The University of Tennessee Knoxville (UTK) updates the ATPI annually.

OR

- A "small community" is defined as a community with a population of 10,000 or fewer individuals, according to EPA standards based on population size served for public drinking water systems.

The ATPI is a database developed by the University of Tennessee's Institute of Agriculture for use by TDEC's State Revolving Fund (SRF) loan program. The database uses socio-economic and financial data to determine a community's economic health and fiscal capacity; values have been calculated for all 95 counties and 347 cities and towns in Tennessee.

Grant applicants are responsible for overseeing and monitoring their grant activities. They are also responsible for submitting progress updates as requested by SWIG and managing the scope of services in the grant contract. For additional information about oversight, monitoring, and reporting requirements, see the Funding Conditions section of this grant manual.

### ***Eligibility Provisions***

A project or activity must be eligible for funding under the EC-SDC grant program under SDWA sections 1459A(a)-(f), (g)-(j), and its primary purpose must be to address one or more ECs, including PFAS, in drinking water. EC includes any contaminants on any Candidate Contaminant List (CCL) published by the EPA. A list of eligible ECs, as found in the most recent CCL, is available in Appendix A. Most contaminants do not have maximum contaminant levels (MCLs). ECs, therefore, are not regulated under the SDWA. On April 10, 2024, the EPA published its final rule establishing the first national drinking water standards to regulate six PFAS chemicals. However, the EPA has specified that PFAS will remain an eligible EC for purposes of this funding opportunity, even if regulated under the SDWA.

- Other contaminants or deficiencies, including those subject to primary or secondary drinking water regulations, may be addressed as a secondary purpose of the project. Any water system with detections from the TDEC PFAS sampling effort or EPA's Unregulated Contaminant Monitoring Rule (UCMR) efforts is eligible to address those contaminants through this funding opportunity.

The project's primary purpose means that the component of the project that addresses EC must exceed 50% of the total project costs or level of effort (LOE). If the subject project or activity is funded from multiple sources, applicants can only charge eligible project activities to the EC-SDC grant.

### ***Eligible Activities***

In accordance with the statutory eligibility under section 1459A of SDWA<sup>1</sup> eligible actions for EC funding may include, but are not limited to, the following categories for addressing EC:

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<sup>1</sup> SDWA § 1459A(b)(2), 42 U.S.C. § 300j-19a(b)(2).

1. Research and Testing
2. Planning and Design to Address EC
3. Treatment of EC
4. Source Water Activities Related to EC
5. Storage
6. Water System Restructuring, Consolidation, or Creation
7. Providing Households Access to Drinking Water Services
8. Public Communication, Engagement, and Education
9. Workforce Development

Appendix B includes a detailed explanation of each category of eligible activities, including examples of projects that fall within that category.

### ***Quality Assurance Project Plan***

To meet EPA EC-SDC grant requirements, TDEC SWIG developed a Quality Assurance Project Plan (QAPP) specific to PFAS sampling under this program. The EC-SDC QAPP outlines all PFAS sampling requirements, including EPA Methods 533 and 537.1, testing acceptance criteria, lab and field documentation, reporting, sampling design, chain of custody, quality control, oversight procedures, and data validation standards.

The QAPP developed by TDEC for this grant applies only to PFAS sampling. If a project includes sampling for other CCL contaminants, the grantee must prepare a separate QAPP and obtain EPA approval before sampling begins. Additional EPA guidance for QAPP development can be found on the [EPA website](#).

### ***Project Award Type***

The project award type dictates the extent of activities and deliverables. There are three project award types: 1) Investigation and Planning; 2) Investigation, Planning, and Design; and 3) Planning, Design, and Construction. Proposals must identify the eligible activities, clearly articulate whether the grant applicant or any partners on the application are responsible for certain activities, and how those activities fall into one project award type.

### ***Ineligible Activities***

Consistent with the statutory provisions under SDWA section 1459A, funding for bottled water is not eligible under this EC-SDC grant program. Examples of additional ineligible uses of grant

funds are listed below. Please note that this list is not all-inclusive and is intended to be illustrative. The EC-SDC funding may not be used for the following activities:

- Projects whose primary purpose is not to address EC.
- Remediation of contaminated groundwater or underlying aquifers.
- Purchase land, easements, right-of-way, and relocations to carry out a project (prohibited by statute).
- Operations and maintenance costs (prohibited by statute).
- Lead service line replacement.
- Replacement of premise plumbing.
- Construction or rehabilitation of dams.
- Activities needed primarily for fire protection.
- Activities needed primarily to serve future population growth.
- Costs that are unallowable (e.g., lobbying and alcoholic beverages) under 2 C.F.R. 200 Subpart E – Cost Principles.

EC-SDC funds **cannot** be used to cover the costs associated with testing to comply with the fifth UCMR (UCMR 5). Although EC-SDC funds can be used to conduct non-routine/non-compliance monitoring to identify the presence, source, or extent of EC in water systems or source water, monitoring for the UCMR 5 would be considered “compliance monitoring,” which is not eligible for funding under the EC-SDC program.

### ***Private Wells***

Due to legislative changes to the FY 2024 Consolidated Appropriations Act<sup>2</sup> EC-SDC funds may be utilized to assist owners of private drinking water wells with water testing to address contaminants. However, remediation of individual contaminated wells will not be offered in the initial year of this grant funding; these projects may be considered in future years based on the availability of private well data indicating the need to address EC where connection to public water systems (PWSs) is not feasible. Projects that propose the connection of private well owners to PWSs are eligible for EC-SDC funding. Applicants proposing the connection of private well owners to PWSs to support public water system regionalization efforts are encouraged to apply.

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<sup>2</sup> FY24 EC Allotment Memo (April 10, 2024). Retrieved on April 12, 2024, from: [https://www.epa.gov/system/files/documents/2024-04/final\\_fy24\\_bil\\_ecsdc\\_allotmentmemo\\_april-2024.pdf](https://www.epa.gov/system/files/documents/2024-04/final_fy24_bil_ecsdc_allotmentmemo_april-2024.pdf).



# Funding

With this grant offering, \$39,839,000 is available for the EC-SDC grant program. SWIG anticipates awarding between 8 and 25 grant awards in the State FY 2025, depending on the project types submitted. TDEC is not designating a certain proportion of the available funding by project type. Please note that TDEC may select parts of a grant proposal to fund and may offer to fund less than the eligible grant amounts or a smaller amount than requested in the application. TDEC has set the following budget maximums and grant contract terms for funding through the EC-SDC grant program:

| Project Type                        | Proposal Budget Maximum | Grant Contract Term |
|-------------------------------------|-------------------------|---------------------|
| Investigation and Planning          | \$250,000               | 24 months           |
| Investigation, Planning, and Design | \$1 million             | 36 months           |
| Planning, Design, and Construction  | \$5 million             | 48 months           |

*\*Budget maximums may exceed these thresholds based on state priorities.\**

Grant applicants must consider proposal budget maximums and match requirements when developing and submitting proposals.

## Match Requirements

A proposal's total project budget is the sum of the grant award plus their match. Match will be applied to the total project budget for each reimbursement request. **A 10% match is required for all EC-SDC grants.** If applying for the proposal budget maximum, the breakdown of grant funds (state) and match funds (local) would be as follows:

| Project Type                        | Proposal Budget Maximum | Grant Funds (State) | Match (Local) |
|-------------------------------------|-------------------------|---------------------|---------------|
| Investigation and Planning          | \$250,000               | \$225,000           | \$25,000      |
| Investigation, Planning, and Design | \$1 million             | \$900,000           | \$100,000     |
| Planning, Design, and Construction  | \$5 million             | \$4,500,000         | \$500,000     |

Cash, forced labor, and in-kind services to offset expenditures are eligible to meet match requirements. Cash may consist of financial assistance grants and loans, cash reserves, revenue bonds, and public-private partnerships or sponsors. In-kind contributions mean the value of non-cash contributions that may consist of goods or services, benefit a federally assisted project, and are contributed by a third party without charge. These may include project owner labor,

equipment services, or material contributions. SWIG will consider using in-kind match contributions provided supporting documentation, like an individual accountability report, submitted with the grant application. During the reimbursement process, further documentation will need to be provided indicating the in-kind value of the project and tracked throughout the contract term.

### ***Administrative Use of Funds***

Grant applicants are responsible for ensuring proper grant administration. Applicants may contract with consultants to administer the grant; however, legal liability for the terms and conditions of the grant remains with the grant applicant. Up to 6% of a grant applicant's total grant contract may be used for reasonable and allocable administrative expenses. Administrative expenses may include grant application, project and proposal development and submittal, reporting, compliance assurance, monitoring, or direct or indirect costs associated with administering the grant award. Grantees may also be reimbursed for a reasonably proportionate share of the costs of audits required by and performed in accordance with the "Single Audit Act Amendments of 1996" as provided in 2 C.F.R. § 200.425.

### ***Capital Assets***

Grant applicants wishing to use these grant funds to acquire vehicles will be required to provide the following additional information in their grant application: 1) SWIG will require a cost analysis showing that the vehicle purchase is less than the cost of procuring the service through a third party; and 2) SWIG will also require verification that the vehicle will only be used for the lifecycle of the proposed project. Suppose the Grantee's budget line items indicate vehicle purchase, and the above requirements are not submitted at the time of the application. In that case, the application will be considered an **automatic failure** and will not be moved to the scoring review.

## **Application Review, Deadlines, and Timelines**

### ***Proposal Priority Ranking***

All grant applications will be ranked based on application completeness and how well the applicant has addressed the ranking components. Grant applicants cannot revise or add to applications following submission; therefore, applications will be ranked based only on the merits of the submitted application. Incomplete applications may not be eligible for funding.

SWIG will assemble a panel to review, rank, and recommend proposals for funding. Proposals will be reviewed and ranked relative to other proposals submitted after the application period closes; they will not be ranked as they are received.



Applications will be ranked according to points scored using a rubric system. Within each row (section) of the scoring rubric, a proposal will receive a score ranging from 0 to the maximum available points, using whole numbers. Proposals with the highest total points will be considered for funding at the end of scoring. Each proposal will be evaluated using the following scoring rubric:

| Section                                | Criteria                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Maximum Available Points |
|----------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| <b>COMMUNITY/SYSTEM CONSIDERATIONS</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>40</b>                |
| C1                                     | Investment in a disadvantaged community: <ul style="list-style-type: none"> <li>• 15 Points for ATPI 20 or below</li> <li>• 10 Points for ATPI 30-40</li> <li>• 8 Points for ATPI 50-60</li> <li>• 6 Points for ATPI 70-80</li> <li>• 3 Points for ATPI 90-100</li> </ul>                                                                                                                                                                                                                                                                                                     | 15                       |
| C2                                     | Applicant's population served: <ul style="list-style-type: none"> <li>• 15 Points for ≤ 500 Population Served</li> <li>• 12 Points for ≤ 3,300 Population Served</li> <li>• 9 Points for ≤ 10,000 Population Served</li> <li>• 6 Points for ≤ 20,000 Population Served</li> <li>• 3 Points for &gt; 20,000 Population Served</li> </ul>                                                                                                                                                                                                                                       | 15                       |
| C3                                     | Demonstration of project partners: <ul style="list-style-type: none"> <li>• 10 Points for two or more partners</li> <li>• 5 Points for one partner</li> <li>• 0 Points for no partners</li> </ul>                                                                                                                                                                                                                                                                                                                                                                             | 10                       |
| <b>PROPOSAL CONSIDERATIONS</b>         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>60</b>                |
| P1 <sup>3</sup>                        | <p>A. If contamination is known and tested, how does the applicant define the level of contamination being addressed in this proposal?</p> <ul style="list-style-type: none"> <li>• Up to 30 Points for a high level of contamination.</li> <li>• Up to 20 Points for a moderate level of contamination.</li> <li>• Up to 10 Points for a low level of contamination.</li> <li>• 0 Points for no contamination addressed.</li> </ul> <p>B. If contamination is not known and tested, are there suspected sources of contamination for PFAS or another eligible EC nearby?</p> | 30                       |

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<sup>3</sup> See Appendix D: Contamination Level and Suspected Sources of Contamination Considerations.

| Section | Criteria                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Maximum Available Points |
|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
|         | <ul style="list-style-type: none"> <li>Up to 30 Points for significant suspected sources in nearby proximity.</li> <li>Up to 15 Points for moderately suspected sources in nearby proximity.</li> <li>0 Points for no suspected sources in nearby proximity.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                          |
| P2      | <p>Does the applicant's project include a sampling plan for monitoring PFAS and/or other EC?</p> <ul style="list-style-type: none"> <li>Up to 10 Points for a project demonstrating a robust sampling plan to monitor PFAS and/or other EC.</li> <li>0 Points for a project that does not include a sufficient sampling plan to monitor PFAS and/or other EC.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 10                       |
| P3      | <p>A. If applying for <b>Investigation and Planning</b>, Can the applicant demonstrate how this funding will support research and investigation efforts to address EC?</p> <ul style="list-style-type: none"> <li>Up to 10 Points for a project that demonstrates a comprehensive strategy to support research and investigation efforts to address EC.</li> <li>Up to 5 Points for a project that partially supports research and investigation efforts to address EC.</li> <li>0 Points for a project plan that fails to support research and investigation efforts to address EC.</li> </ul> <p>B. If applying for <b>Investigation, Planning, and Design</b> or <b>Planning, Design, and Construction</b>: Can the applicant demonstrate how funding will support design(s) to reduce the presence of PFAS and other EC in source water supplies for PWSs or treated drinking water supplies?</p> <ul style="list-style-type: none"> <li>Up to 10 Points for a project that supports design(s) to reduce the presence of PFAS and other ECs in source water supplies for PWSs or treated drinking water supplies.</li> <li>0 Points for a project that fails to support design(s) to reduce the presence of PFAS and other EC in source water supplies for PWSs or treated drinking water supplies.</li> </ul> | 10                       |
| P4      | <p>Can the applicant demonstrate how this project will be feasibly completed within the project period?</p> <ul style="list-style-type: none"> <li>Up to 10 Points for fully demonstrating that timelines and deliverables schedule align with the project period.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 10                       |

| Section                               | Criteria                                                                                                                                                                                                                                                                                       | Maximum Available Points |
|---------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
|                                       | <ul style="list-style-type: none"> <li>Up to 5 Points for partially demonstrating that timelines and deliverables schedule align with the project period.</li> <li>0 Points for insufficient demonstration of timeline and deliverables schedule alignment with the project period.</li> </ul> |                          |
| <b>MAXIMUM AVAILABLE POINTS TOTAL</b> |                                                                                                                                                                                                                                                                                                | <b>100</b>               |

TDEC may, at its sole discretion, consider the feasibility of project/proposal completion and the diversity of project types, applicants, and geographic distribution when making final funding recommendations. TDEC may not award funds to proposals that score below 70 out of 100 total points. Final funding decisions will be made by TDEC leadership and published online. Funding decisions are final at the time of award announcement and publication.

### ***Application and Funding of Projects***

Eligible grant entities will complete a grant application within TDEC's GMS. The grant application will establish the items needed for a complete application. SWIG will rank projects with the potential to be funded based on the highest number of priority points awarded, subject to TDEC's discretion. SWIG will provide award letters to all communities with projects on the grant award announcement. Communities must respond to the award letter within 30 days, notifying SWIG of their intent to accept or decline the grant award. Communities that do not respond or are not ready to proceed with a contract will be bypassed.

### ***Notice of Award and Grant Contract***

SWIG will review applications and announce awards after the grant application closes. SWIG will then send contracts for the grant applicant's signature within 60 days of announcing the awards. SWIG will work with the grant applicant on the grant contract to include an overview of the award, scopes of services, project timelines, terms and conditions, subcontracting, the budget, and the process to reimburse for costs incurred. Full execution and acceptance of a complete, valid grant contract is required before funds can be allocated to a grantee. TDEC retains the sole discretion to terminate awarded grant contracts, refuse to allocate funds, or require a refund of funds from grantees if sufficient progress or compliance has not been demonstrated through required reporting. No reimbursable work shall begin on an awarded project until all parties have signed an executed contract.

### ***Grant Timeline***

The anticipated timeline for this grant offering is as follows:

|                                                        |                                   |
|--------------------------------------------------------|-----------------------------------|
| Application Opens:                                     | 30 Days                           |
| Application Review, Scoring,<br>and Funding Decisions: | 30 Days Post Application Closing  |
| Executed Contracts:                                    | 90 Days Post Funding Decisions    |
| Total Time:                                            | 150 Days Post Application Opening |

## Submission Guidelines

Projects must align with EC-SDC minimum requirements, and grant applicants must demonstrate this alignment when submitting applications. Applicants will develop and submit a grant narrative as part of the proposal submission through TDEC's GMS.

### ***Grant Application***

Applicants will complete a grant application using TDEC's online GMS. The GMS allows grants administration partners to affiliate with the grant applicant to prepare the application for the legally authorized representative's review and electronic signature. Signees other than the executive officer or mayor must include a resolution from the applicant's governing body giving authority to sign for the applicant.

The GMS will include the grant manual, application, project proposal narrative, budget worksheets, and document upload capability. It will be designed to ensure that only complete applications may be submitted for SWIG review and approval. The GMS will also be the portal for submitting the required Title VI Pre-Audit Survey, Supplier Direct Deposit Authorization (SDDA), and future invoices for reimbursement requests and state approvals.

### **Grant Application Requirements**

The grant application will contain the necessary information to complete the contract. Each city, county, utility, and water authority can only submit one application. The grant application will require the following information:

#### **A. Grant Applicant Profile Information**

- a. Organization profile
  - i. Establishes the official contact and signatory.
  - ii. Establishes the individual responsible for grant application implementation and compliance (e.g., procurement oversight, adherence to reporting requirements, etc.).

#### **B. Title VI Compliance**

- a. The Title VI compliance application will be a separate application that the applicant must complete. This application must be completed for the organizational profile and must be completed once per year through the grant term.
- b. Specify the completion date of the most recent Title VI application.

**C. Budget**

- a. The budget proposed in the pre-application questionnaire must be populated in Tennessee's budget worksheet. The budget will have expense line items that conform to the Department and Finance and Administration's Policy.

**D. General Project Information**

- a. Project name
- b. Grant applicant ATPI (C1 of the scoring rubric)
- c. Grant applicant population served (C2 of the scoring rubric)
- d. Identification of project partners, if applicable (C3 of the scoring rubric)
- e. Narrative description of the project
- f. Project award type
  - i. Investigation and Planning
  - ii. Investigation, Planning, and Design
  - iii. Planning, Design, and Construction
- g. Detailed scope of work (P2 - P4 of the scoring rubric)
  - i. Activities and milestones
  - ii. Timeline
  - iii. Start and completion dates of construction (if applicable)
- h. Total project information (P1 - P4 of the scoring rubric)
  - i. Total project budget
  - ii. Total project timeline, including start and completion dates for all project phases
  - iii. Additional funding sources committed to the project (other than the match for this grant opportunity)

**E. Uploaded Tennessee Infrastructure Scorecard**

**F. Overall Grant Budget, including:**

- a. Budget for the project
- b. Match requirements

**G. Proposal Details (maximum response – 250 words per question)**

- a. Is there known contamination of one or more qualifying ECs? (P1 of scoring rubric)
  - i. *If the primary contaminant of concern for this proposal is PFAS, is the data indicating PFAS contamination from the TDEC PFAS sampling effort, EPA UCMR sampling efforts, or another source?*
    - 1. If sampling was taken through another source, upload the certified laboratory results with the indicated PFAS contamination. The

certified laboratory results should include the name of the laboratory doing the sampling and its certification, the date of sampling, and the source of the water being sampled (e.g., source water, treated drinking water, etc.).

- ii. *If the primary contaminant of concern is an eligible EC other than PFAS* (See Appendix A for the list of qualifying ECs), list the EC the proposed project aims to address and upload certified laboratory results confirming the presence of the EC.
- b. If there is no known contamination of one or more qualifying EC, is there suspected contamination? Describe the suspected contamination, including any likely sources of contamination (e.g., airports, military bases, manufacturers, industrial users, etc.). (P1 of scoring rubric)
- c. Describe the project's proposed sampling plan to test for EC, including which EC will be included in the sampling plan, the sampling frequency, sampling methodology, and any other pertinent considerations. (P2 of scoring rubric)
- d. Describe how this project will improve drinking water quality and health outcomes for the community. (P3 of the scoring rubric)
- e. Describe any public outreach or engagement that will be done as a part of this project.
- f. Does this project involve system regionalization/consolidation or connecting individuals with impacted private wells to the public water system? If yes, describe.

## **H. Technical Project Information**

- a. Investigation and Planning Project
  - i. Detailed individual project budget
  - ii. Maps of the area of interest and location of activities
  - iii. Detailed schedule for the project, which includes deliverable dates:
    - 1. Sampling plan (P2 of the scoring rubric)
    - 2. Engineering agreement within 60 days of the grant award
    - 3. Preliminary engineering report (or facilities plan)
- b. Investigation, Planning, and Design Project
  - i. Detailed individual project budget
  - ii. Maps of the area of interest and location of activities
  - iii. Detailed schedule for the project, which includes deliverable dates:
    - 1. Sampling plan (P2 of the scoring rubric)
    - 2. Engineering agreement within 60 days of the grant award
    - 3. Preliminary engineering report (or facilities plan)
    - 4. Plan of Operation(s) for every individual project where a new facility is planned, or expansion or upgrade of the existing facility
    - 5. Engineering plans and specifications



6. List of required permits (as needed for plans and specs approval)
- c. Planning, Design, and Construction Project
  - i. Detailed individual project budget
  - ii. Maps of the area of interest and location of activities
  - iii. Detailed schedule for the project, which includes deliverable dates:
    1. Sampling plan (P2 of the scoring rubric)
    2. Preliminary engineering report (or facilities plan)
    3. Plan of Operation(s) for every individual project where a new facility is planned, or expansion or upgrade of the existing facility
    4. Engineering plans and specifications
    5. Projected start of construction
    6. Projected Initiation of Operations
    7. Operation and maintenance manual (if applicable)
    8. Projected construction completion
    9. List of required or approved permits (as needed)
    10. Site certification or letter in lieu of for the project (as needed)

**I. Authorization**

- a. If the principal executive officer or ranking elected official wants to allow others to sign off on contract-related items, an authorization letter specifying the individuals who have the authority to sign and submit documents on behalf of the principal executive officer or ranking elected official will need to be uploaded.

**J. Self-Debarment Verification**

- a. The applicant is required to check the debarment status of their organization along with the officers, directors, owners, partners, employees, or agents of the applicant organization and ensure each is (are) not presently debarred, suspended, proposed for debarment, or declared ineligible for an award by any State or Federal agency.

**K. Application Submission Authorization and Acknowledgements**

- a. The applicant must submit an approval of the submission on official letterhead from the authorized signatory.
- b. Must sign a certification statement.

### ***Tennessee Infrastructure Scorecard***

The infrastructure scorecard is a benchmarking tool for drinking water, wastewater, and stormwater systems. It was developed as a pilot tool in 2020 through a partnership with the Tennessee Association of Utility Districts to assist small systems with prioritizing their most critical needs. In 2021, the infrastructure scorecard was adapted as a needs assessment tool for systems of any size. The infrastructure scorecard covers key areas of a system's technical,

managerial, financial, operational, and environmental health. Financial data, asset management, risk and resiliency, compliance, and operations are assessed at a basic level.

It is the goal of SWIG to have all system infrastructure scorecards on file and use this information in SWIG's program moving forward. Systems must complete an infrastructure scorecard to be eligible for TDEC to review and rank the application materials. Cities, counties, utility districts, and water authorities across the state that operate multiple systems must complete a Scorecard for every system they own or operate before applying. Many systems through the State ARP funding have submitted a Scorecard. If so, the file summary can be used for the grant application. If a system does not have a completed Scorecard, instructions on how to complete a Scorecard can be accessed on [SRF's website](#).

## Funding Conditions

### ***Grant Terms and Conditions***

The grant contract will have strict performance measures to ensure that the schedule and information provided in the grant application will be executed promptly. The grant contract will have a variable term based on the project award type. All grantees must fulfill the grant obligations to meet any terms, covenants, conditions, or provisions of the grant contract. SWIG will have no obligation to the grantee for fulfillment and reimbursement of funds outside the contract term.

### ***Procurement***

Grant applicants are responsible for ensuring that any procurement using SWIG funds or payments under procurement contracts using such funds are consistent with state procurement standards and those outlined in the Uniform Guidance at 2 C.F.R. Part 200, as applicable. When the terms of a grant award allow disbursements for the cost of goods, materials, supplies, equipment, or contracted services, such procurement must be made on a competitive basis, including using competitive bidding procedures, if purchases exceed the simplified acquisition threshold. According to the State's Procurement Policy, acquisitions over \$50,000 must be formally procured. Local procurement policies and thresholds for simplified acquisitions may be lower. At a minimum, the lowest threshold (local, state, or federal) should be applied for any transaction. Grant applicants must maintain documentation for the basis of each procurement for which a disbursement is made under the grant award. In each instance where it is determined that using a competitive procurement method is impractical, supporting documentation must include a written justification for the decision and use of a non-competitive procurement process. Further, grant applicants are considered subrecipients and must comply with 2 C.F.R. §§ 200.318—200.327 when procuring property and services under a federal award.

## Reimbursement

A request to be reimbursed for costs incurred on awarded grants shall include only requests for actual, reasonable, and necessary expenditures required in the delivery of the service described in the grant contract and identified in the individual project budget. Reimbursement may not include any request for future expenditures. The grant contract term for a reimbursement request means the time the grant applicant may incur new obligations to carry out the work authorized in the grant contract. Grant applicants may elect to complete their final report early if all contract deliverables are complete and reports are submitted and approved. For all projects, the maximum allowable reimbursement is 80% of the individual project budget until the applicable deliverables outlined in the grant contract have been received and approved by TDEC.

| Reimbursement Schedule           |     |                                                                                                                                                                              |
|----------------------------------|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Investigation & Planning         | 80% | The maximum allowable reimbursement of the <b>individual project budget</b> until the PER(s) <sup>4</sup> or comparable deliverable is received and approved by TDEC.        |
| Investigation, Planning & Design | 80% | The maximum allowable reimbursement of the <b>planning fees</b> of an individual project budget until the PER(s) or comparable deliverable is received and approved by TDEC. |
|                                  | 90% | The maximum allowable reimbursement of the <b>design fees</b> of an individual project budget is until the plans and specifications are received and approved by TDEC.       |
| Planning, Design & Construction  | 80% | The maximum allowable reimbursement of the <b>design fees</b> of an individual project budget is until the plans and specifications are received and approved by TDEC.       |
|                                  | 90% | The maximum allowable reimbursement of the <b>total individual project costs</b> until the construction is complete, the site                                                |

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<sup>4</sup> Preliminary Engineering Report

|  |  |                                                                                                                 |
|--|--|-----------------------------------------------------------------------------------------------------------------|
|  |  | has been inspected by TDEC (or designated agent) and is in proper operation, and TDEC has approved the project. |
|--|--|-----------------------------------------------------------------------------------------------------------------|

## Additional Considerations

### ***Reporting Requirements***

Grantees must submit semi-annual and annual performance progress reports to the SWIG program, including grant fund reporting elements, project progress, and the status of outputs during the reporting period. As part of the report, grantees should upload documentation of activities occurring during the given period. Grant contracts will provide detailed information on program progress and expenditure reporting requirements, reporting frequency, and reporting deadlines.

The grantee and any approved subcontractor shall maintain documentation for all items managed under the grant contract. Grant recipients and partners should appropriately maintain accounting records for compiling and reporting accurate, compliant financial data per appropriate accounting standards and principles. Records shall be retained for no less than five full years from the final payment date. Grant applicants may be subject to federal, state, and local audits. SWIG, state auditors, and the Comptroller of the Treasury will monitor and evaluate grantees or their duly appointed representatives. The grantee shall comply with all applicable state and federal laws and regulations in the performance of the grant contract.

### ***Sampling Plans and EC Surveillance***

All applications must submit a sampling plan as a part of the grant application. A proposal that fails to provide a sampling plan will not be considered for funding. Applicants should detail in the sampling plan the EC that shall be monitored as part of sampling, the sampling frequency, the analytical sampling method, and how sampling results will be provided to TDEC. Applicants who receive funding under this grant must report any EC detections in source water or finished drinking water to TDEC as part of passive surveillance to monitor water quality.

### ***Construction Projects***

All construction projects must comply with and secure all relevant state and federal permits before construction begins. Awarding a grant does not indicate that a permit will be authorized and is not a substitute for required permits. Any construction permits should evaluate the need for section 401 water quality certification permits, coverage under the DWR Construction General

Permit, National Pollutant Discharge Elimination System permits, and any other applicable local, state, and federal permits.

TDEC will require the submission of an authority-to-award (ATA) bid package from grant recipients before commencing construction. Once TDEC completes the review and approval of the ATA bid package, the grant recipient and partners are authorized to award construction contracts. Grant applicants should schedule pre-construction conferences (PCC) before issuing a notice to proceed (NTP) with construction. TDEC will require a two-week notification before the PCC. Once the PCC is held, an NTP can be issued. Construction start dates in the NTP must be within 120 days of the approval of the ATA bid package. If construction projects are not initiated before this date, TDEC may limit the remaining grant activity and/or revoke grant dollars. TDEC will not authorize construction until all permits have been secured. Bid packages will be reviewed for compliance with the competitive procurement process, federal requirements concerning minority business enterprises, equal employment opportunity documentation, bid tabulations, and other standard, relevant information.

Construction project grantees must receive TDEC approval for initiation of operations, performance certifications, operation and maintenance manuals, and other common, relevant material before the project closeout. All construction projects will be inspected at the start, during, and after construction to ensure the project is executed according to plans and specifications, complies with permit requirements, and is progressing in a timely manner. Construction projects experiencing up to three-month delays in individual project schedules and at risk of missing deliverable dates should notify SWIG staff immediately. Grantees must justify the delay and request a project schedule modification. Schedule modifications will be granted on a case-by-case basis, given reasonable assurances that the project will be completed by the end of the grant contract. No projects may extend construction activity or incur any expenses for reimbursement past the grant contract date. Any projects that are not completed on time may forfeit remaining grant award dollars or risk contract termination and be required to remit funds back to the state. Additional information on requirements for construction projects will be provided in grant contracts.

### ***Public Records***

Any information submitted in response to the solicitation for the State of Tennessee's EC-SDC grant may be considered public record and will be subject to disclosure to the public as required by Tennessee law. By applying for a grant, applicants agree to allow the use of applicant and

project information as provided in the application and grant documents to be published or distributed in various print or electronic media publications.

The application is also subject to the State of Tennessee's applicable laws governing the public disclosure of personally identifiable information, which are set forth in Tennessee Code Annotated section 10-7-504(a)(29). Pursuant to Tennessee Code Annotated section 10-7-503(a)(5), "information made confidential by State law shall be redacted whenever possible, and the redacted record shall be made available for inspection and copying."

### ***Certification***

SWIG reserves the right not to award funds to applicants that:

- Fail to submit a complete application;
- Does not respond to the funding notification letter;
- Exhibit poor performance in complying with the expectations and requirements of previous grant or loan contracts with the State of Tennessee or
- Have regulatory and/or programmatic compliance issues with the State of Tennessee.

The applicant shall certify that:

- The applicant understands that the elements of [Title VI compliance](#) correspond to requirements for Title VI as provided for in 42 U.S.C. § 2000(d) and in Tennessee Code Annotated section 4-21-904, an applicant has either adopted and implemented these elements of compliance or has agreed to adopt and implement SWIG's compliance resources as its own;
- The applicant understands that the applicant's eligibility for funding is contingent upon its satisfaction of and adherence to the requirements of Title VI, as well as any contractor or subcontractor associated with the project, as required by law;
- The applicant understands that if SWIG awards the applicant a grant, the applicant will need to show evidence of completion of Title VI training when requested by SWIG;
- The applicant has read and understands the reporting requirements and that the applicant will comply with these requirements;
- All vendors will be selected in accordance with state public contracting laws under Tennessee Code Annotated Title 4, Chapter 56; Title 12, Chapter 3; and Title 12, Chapter 4; and
- The applicant, along with the officers, directors, owners, partners, employees, or agents of the applicant organization, is not presently debarred, suspended, proposed for debarment, or declared ineligible for an award by any State or Federal agency.

# Appendix A: Contaminant Candidate List 5 – CCL 5 (2022)

## Chemical Contaminants

| Chemical Name                       | CASRN <sup>5</sup> | DTXSID <sup>6</sup> |
|-------------------------------------|--------------------|---------------------|
| 1,2,3-Trichloropropane              | 96-18-4            | DTXSID9021390       |
| 1,4-Dioxane                         | 123-91-1           | DTXSID4020533       |
| 17-alpha ethynyl estradiol          | 57-63-6            | DTXSID5020576       |
| 2,4-Dinitrophenol                   | 51-28-5            | DTXSID0020523       |
| 2-Aminotoluene                      | 95-53-4            | DTXSID1026164       |
| 2-Hydroxyatrazine                   | 2163-68-0          | DTXSID6037807       |
| 6-Chloro-1,3,5-triazine-2,4-diamine | 3397-62-4          | DTXSID1037806       |
| Acephate                            | 30560-19-1         | DTXSID8023846       |
| Acrolein                            | 107-02-8           | DTXSID5020023       |
| alpha-Hexachlorocyclohexane         | 319-84-6           | DTXSID2020684       |
| Anthraquinone                       | 84-65-1            | DTXSID3020095       |
| Bensulide                           | 741-58-2           | DTXSID9032329       |
| Bisphenol A                         | 80-05-7            | DTXSID7020182       |
| Boron                               | 7440-42-8          | DTXSID3023922       |
| Bromoxynil                          | 1689-84-5          | DTXSID3022162       |
| Carbaryl                            | 63-25-2            | DTXSID9020247       |
| Carbendazim (MBC)                   | 10605-21-7         | DTXSID4024729       |
| Chlordecone (Kepone)                | 143-50-0           | DTXSID1020770       |
| Chlorpyrifos                        | 2921-88-2          | DTXSID4020458       |
| Cobalt                              | 7440-48-4          | DTXSID1031040       |
| Cyanotoxins <sup>7</sup>            | Multiple           | Multiple            |
| Deethylatrazine                     | 6190-65-4          | DTXSID5037494       |
| Desisopropyl atrazine               | 1007-28-9          | DTXSID0037495       |
| Desvenlafaxine                      | 93413-62-8         | DTXSID40869118      |

<sup>5</sup> Chemical Abstracts Service Registry Number (CASRN) is a unique identifier assigned by the Chemical Abstracts Service (a division of the American Chemical Society) to every chemical substance (organic and inorganic compounds, polymers elements, nuclear particles, etc.) in the open scientific literature. It contains up to 10 digits, separated by hyphens into three parts.

<sup>6</sup> Distributed Structure Searchable Toxicity Substance Identifiers (DTXSID) is a unique substance identifier used in EPA's CompTox Chemicals database, where a substance can be any single chemical, mixture or polymer.

<sup>7</sup> Toxins naturally produced and released by some species of cyanobacteria (previously known as "blue-green algae"). The group of cyanotoxins includes, but is not limited to: anatoxin-a, cylindrospermopsin, microcystins, and saxitoxin.

| Chemical Name                                           | CASRN <sup>5</sup> | DTXSID <sup>6</sup> |
|---------------------------------------------------------|--------------------|---------------------|
| Diazinon                                                | 333-41-5           | DTXSID9020407       |
| Dicrotophos                                             | 141-66-2           | DTXSID9023914       |
| Dieldrin                                                | 60-57-1            | DTXSID9020453       |
| Dimethoate                                              | 60-51-5            | DTXSID7020479       |
| Disinfection byproducts (DBPs) <sup>8</sup>             | Multiple           | Multiple            |
| Diuron                                                  | 330-54-1           | DTXSID0020446       |
| Ethalfuralin                                            | 55283-68-6         | DTXSID8032386       |
| Ethoprop                                                | 13194-48-4         | DTXSID4032611       |
| Fipronil                                                | 120068-37-3        | DTXSID4034609       |
| Fluconazole                                             | 86386-73-4         | DTXSID3020627       |
| Flufenacet                                              | 142459-58-3        | DTXSID2032552       |
| Fluometuron                                             | 2164-17-2          | DTXSID8020628       |
| Iprodione                                               | 36734-19-7         | DTXSID3024154       |
| Lithium                                                 | 7439-93-2          | DTXSID5036761       |
| Malathion                                               | 121-75-5           | DTXSID4020791       |
| Manganese                                               | 7439-96-5          | DTXSID2024169       |
| Methomyl                                                | 16752-77-5         | DTXSID1022267       |
| Methyl tert-butyl ether (MTBE)                          | 1634-04-4          | DTXSID3020833       |
| Methylmercury                                           | 22967-92-6         | DTXSID9024198       |
| Molybdenum                                              | 7439-98-7          | DTXSID1024207       |
| Nonylphenol                                             | 25154-52-3         | DTXSID3021857       |
| Norflurazon                                             | 27314-13-2         | DTXSID8024234       |
| Oxyfluorfen                                             | 42874-03-3         | DTXSID7024241       |
| Per- and polyfluoroalkyl substances (PFAS) <sup>9</sup> | Multiple           | Multiple            |
| Permethrin                                              | 52645-53-1         | DTXSID8022292       |
| Phorate                                                 | 298-02-2           | DTXSID4032459       |
| Phosmet                                                 | 732-11-6           | DTXSID5024261       |
| Phostebupirim                                           | 96182-53-5         | DTXSID1032482       |

<sup>8</sup> This group includes 23 unregulated DBPs.

<sup>9</sup> For the purpose of CCL 5, the structural definition of per- and polyfluoroalkyl substances (PFAS) includes chemicals that contain at least one of these three structures (except for PFOA and PFOS which are already in the regulatory process):

1. R-(CF<sub>2</sub>)-CF(R')R'', where both the CF<sub>2</sub> and CF moieties are saturated carbons, and none of the R groups can be hydrogen
2. R-CF<sub>2</sub>OCF<sub>2</sub>-R', where both the CF<sub>2</sub> moieties are saturated carbons, and none of the R groups can be hydrogen
3. CF<sub>3</sub>C(CF<sub>3</sub>)RR', where all the carbons are saturated, and none of the R groups can be hydrogen



| Chemical Name                        | CASRN <sup>5</sup> | DTXSID <sup>6</sup> |
|--------------------------------------|--------------------|---------------------|
| Profenofos                           | 41198-08-7         | DTXSID3032464       |
| Propachlor                           | 1918-16-7          | DTXSID4024274       |
| Propanil                             | 709-98-8           | DTXSID8022111       |
| Propargite                           | 2312-35-8          | DTXSID4024276       |
| Propazine                            | 139-40-2           | DTXSID3021196       |
| Propoxur                             | 114-26-1           | DTXSID7021948       |
| Quinoline                            | 91-22-5            | DTXSID1021798       |
| Tebuconazole                         | 107534-96-3        | DTXSID9032113       |
| Terbufos                             | 13071-79-9         | DTXSID2022254       |
| Thiamethoxam                         | 153719-23-4        | DTXSID2034962       |
| Tri-allate                           | 2303-17-5          | DTXSID5024344       |
| Tribufos                             | 78-48-8            | DTXSID1024174       |
| Tributyl phosphate                   | 126-73-8           | DTXSID3021986       |
| Trimethylbenzene (1,2,4-)            | 95-63-6            | DTXSID6021402       |
| Tris(2-chloroethyl) phosphate (TCEP) | 115-96-8           | DTXSID5021411       |
| Tungsten                             | 7440-33-7          | DTXSID8052481       |
| Vanadium                             | 7440-62-2          | DTXSID2040282       |

### Microbial Contaminants

| Microbial Name                 | Type of Microorganism                                              | Diseases and Infections                                                                                                      |
|--------------------------------|--------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|
| Adenovirus                     | Virus                                                              | Respiratory illness and occasionally gastrointestinal illness.                                                               |
| Caliciviruses                  | Virus (includes Norovirus)                                         | Mild self-limiting gastrointestinal illness.                                                                                 |
| <i>Campylobacter jejuni</i>    | Bacterium                                                          | Mild self-limiting gastrointestinal illness.                                                                                 |
| Enteroviruses                  | Viruses, including polioviruses, coxsackieviruses, and echoviruses | Mild respiratory illness.                                                                                                    |
| <i>Escherichia coli</i> (O157) | Bacterium                                                          | Gastrointestinal illness and kidney failure.                                                                                 |
| <i>Helicobacter pylori</i>     | Bacterium                                                          | It is capable of colonizing the human gut and can cause ulcers and cancer.                                                   |
| <i>Legionella pneumophila</i>  | Bacterium                                                          | Lung diseases are caused when inhaled.                                                                                       |
| <i>Mycobacterium abscesses</i> | Bacterium                                                          | Lung infection in those with underlying lung disease, such as cystic fibrosis. It may cause skin and soft tissue infections. |

|                               |           |                                                                                                                    |
|-------------------------------|-----------|--------------------------------------------------------------------------------------------------------------------|
| <i>Mycobacterium avium</i>    | Bacterium | Lung infection in those with underlying lung disease and disseminated infection in the severely immunocompromised. |
| <i>Naegleria fowleri</i>      | Protozoan | Primary amebic meningoencephalitis (PAM)                                                                           |
| <i>Pseudomonas aeruginosa</i> | Bacterium | Pneumonia, infections in the blood, or other parts of the body, can occur after surgery.                           |
| <i>Shigella sonnei</i>        | Bacterium | Mild self-limiting gastrointestinal illness and bloody diarrhea.                                                   |

# Appendix B: Detailed Explanation of Eligible Activities

The following list includes examples of eligible activities that can be funded under an EC-SDC grant. Other expenses may be allowable but require prior approval from TDEC.

1. **Research and Testing:** Research and testing initiatives to understand the presence of EC, including PFAS, in the water supply. Base knowledge of contamination levels can support future project eligibility, including treatment and removal efforts. Research and testing activities do not need to find EC to be eligible; efforts to determine whether EC are present are eligible regardless of the findings. The following are examples of eligible activities under this category:

- Research and investigations to identify the presence, source, or extent of emerging contaminant contamination in water systems or source water, including monitoring and testing (non-routine).
- Direct technical assistance to PWSs (of any size) and respective source water resources with EC and treatment problems, which could lead to requests for grant funding.
- PFAS and other EC project pre-development activities (technical and engineering expert engagement and planning, partnership development with community-based organizations that have experience conducting community outreach).
- Provisions to provide household water quality testing, including testing for unregulated contaminants.
- Post-remediation testing to verify whether contaminant(s) are still present after removal actions have been completed.
- Supplying water test kits and instructions to households.
- Upgrading the Supervisory Control and Data Acquisition (SCADA) system to aid with the detection of EC.
- Pilot testing for treatment alternatives.
- Conducting initial, special (non-routine/non-compliance) testing to establish a baseline understanding of a contaminant of concern or operation of newly used technology.
- Purchase of lab equipment and materials, including equipment that is shared/rotated among PWSs, is an eligible capital expense to fully assess the potential for EC impacting the PWS and/or source water.

2. **Planning and Design to Address EC:** Projects addressing EC will help improve water quality and benefit communities by decreasing the number of EC, including PFAS and environmental exposure, in the future, subsequently improving overall health outcomes related to PFAS exposure. The following are examples of eligible activities under this category:

- Developing emerging contaminant action plans.
- Preliminary engineering reports.
- Alternatives analyses.
- Preliminary and final design.
- Climate and cybersecurity risk assessment to address gaps that may increase levels of emerging contaminant exposure due to the prevalence of such actions as extreme weather events or PWS interruptions that may cause unintended threats to source waters and/or water treatment systems.
- Energy efficiency analyses.
- Source water protection plans and plan updates.
- Environmental and archaeological review, including the costs to hire a cultural resources management firm, if required, based upon archaeological or historic issues discovered during the environmental review process.
- Capacity building, administrative support, technical assistance, training, outreach, reports/studies, tools, and other eligible activities.
- Permit fees.

3. **Treatment of EC:** Treatment of existing PFAS and other EC will directly address current contamination levels and health risks to communities based on the chemicals in existing PWSs' water sources and drinking water supplies. The following are examples of eligible activities under this category:

- Build new treatment facilities with emerging contaminant removal capability.
- Upgrade existing treatment facilities to add new treatment processes such as activated carbon, ion exchange, and reverse osmosis.
- Treatment or protection measures against EC in source water.
- Development of a new source (i.e., new/replacement well or intake for a PWS) that addresses an emerging contaminant issue.

4. **Source Water Activities Related to EC:** Source water integrity is critical to supporting best management practices to mitigate contamination. The following are examples of eligible activities under this category:

- Source exploration and new source development.
- Source water protection activities (e.g., developing source water protection plans, well abandonment, etc.).
- Testing water sources by installing monitoring wells, equipment, or mapping software to analyze whether specific funding actions/projects have remediated contaminant issues.
- Source water impacted by EC, aquifer storage, and recovery (ASR) system for water storage (e.g., part of a reclaimed water system), including wells, pumps, pipes, and wellhead structures.
- Implement voluntary source water protection activities in delineated drinking water source areas (as defined in SDWA Section 1453) to mitigate EC.
- Implementing protection measures to treat against contamination-impacted source water or contaminated land and industrial sources that may impact source water, where it is found to be the most cost-effective alternative to respond to and alleviate a vulnerability that would substantially disrupt the ability of the system to provide a safe and reliable supply of drinking water.

5. **Storage:** The following are examples of eligible activities under this category:

- New storage or replacement/rehabilitation of existing structures to protect public health by preventing microbiological contaminants from entering a PWS.
- Development of supplemental treatment to finished water storage facilities as a protective distribution “barrier” that prevents water contamination.
- Animal control services to mitigate bacteria and pathogen contamination.
- ASR system for water storage (e.g., part of a reclaimed water system).

6. **Water System Regionalization<sup>10</sup>:** Water system regionalization to improve water infrastructure can be an effective way to reduce EC for PWSs. The following are examples of eligible activities under this category:

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<sup>10</sup> Activities that result in restructured, consolidated, or regionalized systems are eligible even if the water system with which the recipient water system partners or consolidates does not serve a community meeting the definition of small or disadvantaged or the newly consolidated/regionalized system does not serve a community meeting the definition of small or disadvantaged. Activities eliminating a water system serving a small and/or disadvantaged community are eligible.

- Due to emerging contaminant concerns, planning, negotiations, and public processes are necessary to support restructuring, consolidation, partnership, or new system creation.
- Administrative restructuring.
- Consolidation with another water system that does not have EC present or has removal capability.
- Creating a new community water system to address unsafe drinking water provided by individual (i.e., privately owned) wells or surface water sources.
- Creation of a Source Water Protection Partnership. Construction of an extensive water transmission and distribution system that consolidates several smaller PWSs where harmful algal blooms and other contaminants impacted the source water into one regional entity, including areas without public water previously.

7. **Providing Households Access to Drinking Water Services:** Connecting households in small and disadvantaged communities promotes equity in access to clean drinking water supplies. The following are examples of eligible activities under this category:

- Connection to an existing water system without EC concerns.
- Point-of-use / point-of-entry devices that are certified by a third party using science-based test methods for the removal of contaminants of concern as a temporary, interim measure completed by the recipient of the grant funding while determining whether to connect to an existing PWS or create a new water system.
- Investments necessary for providing accurate and current information about the need for filtration and filter safety, including proper use and maintenance practices.

8. **Public Communication, Engagement, and Education:** There are opportunities to improve public communication, education, and education about EC. For example, according to a recent study, roughly 97.4% of people surveyed did not believe that PFAS impacted their drinking water<sup>11</sup>. Developing meaningful public outreach to spread awareness of PFAS,

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<sup>11</sup> Berthold et. Al. "Let's talk about PFAS: Inconsistent public awareness about PFAS and its sources in the United States", November 16, 2023;18(11):e0294134. doi: 10.1371/journal.pone.0294134. eCollection 2023. Accessed from: <https://pubmed.ncbi.nlm.nih.gov/37971973/#:~:text=Based%20on%20the%20received%20responses,entities%20to%20bolster%20their%20effectiveness> on February 12, 2024.

ensuring that communities are involved, and leading efforts to respond to PFAS and other EC is an allowable expense under this grant opportunity. The following are examples of eligible activities under this category:

- Conducting community stakeholder meetings.
- Shared decision-making processes.
- Establishing public information and reporting web portals.
- Educational support to agencies and partners.
- Development of educational materials and programs.
- Advisory councils/committees will provide research opportunities and mechanisms to improve understanding of EC.

**9. Workforce development activities as part of EC projects are eligible:** The BIL provides an opportunity to support the workforce needed to accomplish the infrastructure investment through the EC-SDC grant funding. Eligible activities may include reasonable costs to support on-the-job training, apprenticeship, pre-apprenticeship, and youth training programs that open pathways to employment. The following are examples of eligible workforce development activities under EC-SDC grant funding:

- Water System A receives funds to install a new treatment system to address PFAS, with which their operator is unfamiliar. They may use funds to train their operator(s) in the operation of the system.
- Company B may be contracted to conduct testing and research to identify the presence of an EC and the extent of contamination. As part of their funded work, they may train an apprentice in the methods and practices necessary to complete the work, or they may host a class from a local technical training program to discuss the project and practices. The added costs associated with apprentice training or introduced inefficiencies from hosting a class are eligible for funding.
- Company C may be contracted to install a new treatment system to address an EC. They may train a new employee on the required methods and skills to perform this work.
- Water System D receives funds to develop a new source and pump station to address an EC. They previously had one certified operator, but operational

requirements now make it necessary to have two operators. They may use a portion of funds to cover the training and certification of a new operator.



# Appendix C: Applicable Provisions

**Equivalency:** EC-SDC funds are federal funds. Projects funded through the EC-SDC program cannot be used to meet the equivalency requirements of other federal programs such as DWSRF.

**Build America, Buy America Act:** BIL creates the Build America, Buy America (BABA) Act domestic sourcing requirements for Federal financial assistance programs for infrastructure, including the drinking water grant programs. BABA expands the emphasis on domestically produced products in federally funded projects beyond American Iron and Steel (AIS). In addition to domestic iron and steel, it requires the use of domestic manufactured products and construction materials to be used in any federal financial assistance program for infrastructure. Its inclusion of domestic iron and steel requirements crosscuts AIS requirements into BABA, meaning that BABA's requirements for domestic iron and steel must follow the AIS requirements.

**Environmental Reviews:** Consistent with the procedural requirements of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321 et seq., as implemented by the Council on Environmental Quality (CEQ) Regulations (40 C.F.R. Parts 1500 through 1508), and EPA's NEPA Regulations (40 C.F.R. Part 6), grant recipients may be required to conduct environmental reviews. Consistent with NEPA's procedural requirements, EPA includes in its decision-making processes procedures to ensure the appropriate and careful consideration of the environmental effects of proposed actions, to analyze potential environmental effects of proposed actions and their alternatives for public understanding and scrutiny, to avoid or minimize adverse effects of proposed actions, and to restore and enhance environmental quality to the extent practicable.

**Federal Civil Rights Responsibilities, Including Title VI of the Civil Rights Act of 1964:** As a recipient of Federal financial assistance, recipients of this grant must comply with applicable civil rights laws that prohibit discrimination based on race, color, national origin (including limited English proficiency), disability, age, or sex in the administration of its programs or activities. Recipients cannot intimidate or retaliate against any individual or group because they have exercised their rights to participate in or oppose actions protected/ prohibited by 40 C.F.R. Parts 5 and 7 or to interfere with such rights.

Recipients are responsible for the coordination of compliance efforts and receipt of inquiries concerning nondiscrimination requirements implemented by 40 C.F.R. Parts 5 and 7 (Nondiscrimination in Programs or Activities Receiving Federal Assistance from the Environmental Protection Agency), including Title VI of the Civil Rights Act of 1964, as amended;

Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975; Title IX of the Education Amendments of 1972; and Section 13 of the Federal Water Pollution Control Act Amendments of 1972 (collectively, federal nondiscrimination laws).

# Appendix D: Contamination Level and Suspected Sources Considerations

The following provides guidance on how SWIG will assess contamination levels and proximity to suspected sources in the evaluation and ranking of applications for funding:

## Rubric Section P1

A. If contamination is known and tested, how does the applicant define the level of contamination being addressed in this proposal?

Up to 30 points for a high level of contamination.

- PFAS: Any detection of PFAS contamination at or above an established MCL OR the detection of two or more PFAS with detection levels of 2.0 parts per trillion or higher qualifies as a high level of contamination.
- Other EC: Any detection of an eligible EC referenced in *Appendix A: Contaminant Candidate List 5 – CCL 5 (2022)* in a water system that generates or would trigger a health advisory for water consumption-OR- Any detection of two or more EC of high consequence\*

Up to 20 points for a moderate level of contamination.

- PFAS: Any detection of two or more PFAS that do not qualify as a high level of contamination qualifies as a moderate level of contamination.
- Other EC: Detection of one EC of high consequence\*

Up to 10 points for a low level of contamination.

- PFAS: Any detection of a single PFAS chemical that does not qualify as high or moderate contamination qualifies as a low level of contamination.
- Other EC: Detection of any eligible EC referenced in *Appendix A: Contaminant Candidate List 5 – CCL 5 (2022)*.

0 points for no contamination addressed.

\*All EC listed in *Appendix A: Contaminant Candidate List 5 – CCL 5 (2022)* are eligible for this grant's funding. EC of high consequence is based on Tennessee's Department of Health assessment as chemical compounds and bacteria that, if found in drinking water, can pose high potential health risks to humans. The following chemical compounds and bacteria are considered EC of high consequence:

| Chemical Compounds | Bacteria                       |
|--------------------|--------------------------------|
| 1, 4-Dioxane       | <i>Legionella pneumophila</i>  |
| Lithium            | <i>Pseudomonas aeruginosa</i>  |
| Dieldrin           | <i>Mycobacterium abscesses</i> |
| Carbendazim (MBC)  | <i>Mycobacterium avium</i>     |

|                                       |                               |
|---------------------------------------|-------------------------------|
| <b>Disinfection byproducts (DBPs)</b> | <b><i>Shigella sonnei</i></b> |
|---------------------------------------|-------------------------------|

B. If contamination is not known and tested, are suspected source(s) of contamination for PFAS or another eligible EC in the nearby proximity?

Up to 30 points for significant suspected sources in nearby proximity.

- Provide application details and demonstrate nearby proximity to at least two suspected sources of PFAS or other EC contamination.

Up to 15 points for moderately suspected sources in nearby proximity.

- Provide application details and demonstrate nearby proximity to at least one suspected source of PFAS or other EC contamination.

0 points for no suspected sources in nearby proximity.

- The application does not detail any known suspected sources of contamination in nearby proximity.

Suspected sources of PFAS and other EC contamination may include but are not limited to the following entities/facilities:

- Airports
- Military Bases
- Industrial Sites
- Landfills
- Wastewater Treatment Plants
- Fire Training/ Fire Response Sites

Applications applying for funding based on suspected sources of PFAS and other EC contamination should detail within the application the name and type of the entity/facility, include the approximate distance of the entity/facility to the source and/or treated water, and describe why contamination is suspected. Applications qualifying based on this category of no known contamination but with suspected source(s) in nearby proximity are only eligible for funding under the project type of Investigation and Planning.