

**BEST PRACTICES GUIDE**  
for Performance Partnership Grants with  
Tribes and Intertribal Consortia

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## Purpose

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This *Best Practices Guide for Tribal Performance Partnership Grants* serves as a reference tool for EPA and Tribal officials, at both the management and staff level, to better understand and apply the numerous features and benefits of Performance Partnership Grants (PPGs).

Tribes and Intertribal consortia continually seek to expand the use of PPGs to best leverage resources and optimize the efficiencies and flexible approaches toward meeting joint environmental goals and priorities. EPA and tribal counterparts regularly collaborate in sharing best practices and approaches in managing PPGs, much of which is captured within this guide.

Using a question-answer format, this guide:

- Explains how PPGs can help achieve agreed-upon environmental goals and objectives.
- Highlights key regulations, policies, and procedures for developing and managing PPGs.
- Provides examples showing how PPGs have been used to achieve administrative efficiencies and direct resources to support tribal priority environmental programs and results.
- Provides information and resources for tribal and federal personnel involved in negotiating, managing, and maintaining PPGs.
- Offers a glossary of terms, and active links to training and reference materials to allow the user to further explore the context and related information influencing PPG implementation.

This document is meant to provide supplemental information regarding PPGs that may not be included in the Office of Congressional and Intergovernmental Relations' (OCIR) National Program Guidance. The best practices guide will be continually updated as topics are raised by PPG recipients and their EPA regional counterparts. To raise a topic or question that you believe should be addressed in this guide, please email [regionaloperations@epa.gov](mailto:regionaloperations@epa.gov) with "Tribal PPG Best Practices Guide" in the subject line.



# Section I: Introduction to Performance Partnership Grants (PPGs)

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## What are Performance Partnership Grants?

A Performance Partnership Grant (PPG) is a single grant combining funds from two or more eligible environmental program grants. A PPG requires only a single application, work plan, and budget, regardless of the number of eligible programs included in the PPG.

Recipients are encouraged to use PPGs to fully capitalize on their ability to leverage EPA financial assistance and optimize flexibilities through joint priority setting while minimizing reporting requirements and financial constraints. Once funds are awarded in a PPG, the recipient can direct the funds as needed to achieve work plan commitments and does not need to account for funds in accordance with their original program sources. Unlike [consolidated grants](#), PPGs have their own statutory authority distinct from individual program statutes, which provides unique flexibilities to recipients enjoyed by no other grant program at EPA.

## Which statutes and regulations govern PPGs for Tribes?

For many years, States, Tribes, and Intertribal Consortia wanted greater flexibility in how they use and manage the grant funds they receive from EPA. In 1995, EPA asked Congress for new authority to provide this flexibility. In response, Congress authorized EPA to award assistance agreements that combine funds from two or more of the eligible environmental program grants without the restrictions of consolidated grants, and those agreements were titled Performance Partnership Grants or PPGs. The statutory authority to award PPGs was provided to EPA in the Omnibus Consolidated

Rescissions and Appropriations Act of 1996 ([Public Law 104-134](#)) and in EPA's 1998 Appropriations Act ([Public Law 105-65](#)). EPA established regulations governing the award and administration of PPGs to Indian Tribes and Intertribal Consortia in [40 CFR Part 35 Subpart B](#) ("[Environmental Program Grants for Tribes](#)").

In addition, all EPA grants, including PPGs, must comply with the assistance regulations in [2 CFR Parts 200](#) and [1500](#), known collectively as the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, or Uniform Grants Guidance (UGG), and [40 CFR Part 33](#), Participation by Disadvantaged Business Enterprises in United States Environmental Protection Agency Programs.

## What are the advantages of PPGs?

A Performance Partnership Grant may provide for administrative savings or programmatic flexibility to direct grant resources where they are most needed to address public health and environmental priorities. PPGs streamline administrative requirements, give Tribes greater flexibility to direct resources to their most pressing environmental problems, and make it easier to fund efforts that cut across program boundaries. Under standalone environmental program grants, Tribes and Intertribal Consortia receive funds to administer and implement air, water, waste, pesticides, and toxics programs. Each standalone grant can only be used for the specific purposes set out in the authority for that grant.

As provided at [40 CFR §35.535](#), Tribes and Intertribal Consortia can use PPG funds for any environmental activity that is eligible

under the environmental programs listed in [Table 1](#) (except [EPA delegated, EPA approved, or EPA authorized activities](#), which still require delegation, approval or authorization), regardless of whether a Tribe applied for or was selected for funding for that particular activity, provided that the Regional Administrator consults with the appropriate National Program Managers (NPMs).

With PPGs, Tribes can:

**Reduce administrative costs** through streamlined paperwork and accounting procedures, e.g., single performance/ progress reports, Federal Financial Reports (Standard Form 425).



**Fund efforts** that involve multiple programs and activities that are eligible under the environmental programs listed in 40 CFR §35.501.



Focus EPA grant funds on **priority environmental program needs**.



**Eliminate cost share** requirements.

## What are the challenges of PPGs?

While PPGs can afford Tribes more financial and administrative flexibility during the grant's period of performance, PPGs require increased collaboration and coordination upfront to successfully negotiate a work plan and throughout the grant to report and track progress. This guide will delve deeper into these challenges and present best practices to help alleviate them.

## How can new or existing grant programs be deemed eligible for inclusion in a PPG?

For grant programs to be deemed eligible for inclusion in a PPG, they must be funded through the same specific appropriation as the funds for PPGs: Categorical State and Tribal Assistance Grants (STAG). Only funds included in the categorical earmark within the STAG appropriation account are available for inclusion in PPGs because the statutory authority to award a PPG ([Public Laws 104-134](#) and [105-65](#)) is limited to those funds. Additional grant programs are thus made eligible for inclusion in PPGs if they are funded in the same line item for the categorical environmental program grants. If grant programs are funded in a separate line item, they can be made eligible if Congress makes clear through statutory language that the program should be eligible for inclusion in PPGs.

As provided in [40 CFR §35.533\(b\)](#), the EPA Administrator may, in guidance or regulation, describe subsequent additions, deletions, or changes to the list of environmental programs eligible for inclusion in Performance Partnership Grants.

EPA policy presumes that any new STAG categorical grant program will be approved for inclusion in a PPG unless there is specific legislative language stating the program may not be included in a PPG. The Office of Congressional and Intergovernmental Relations (OCIR) will coordinate with the appropriate EPA program offices to develop a decision package for the Administrator's signature approving new programs for PPG eligibility. If an EPA program office believes a new STAG program should be excluded from PPGs, the office must notify OCIR. OCIR will convene meetings with interested offices and raise the issue, as necessary. The Administrator makes the final decision as to

whether or not a grant program is approved for inclusion in PPGs.

### **What Tribal entities are eligible to receive PPGs?**

Under [40 CFR 35 Subpart B](#), a Tribe or Intertribal Consortium is eligible for a PPG if the Tribe or each member of the Intertribal Consortium is eligible for and receives funding from more than one of the eligible environmental program grants in accordance with the requirements for those environmental programs. For grants to Tribes, a Tribal agency must be designated by a Tribal government or other authorized Tribal process to receive grants under each of the environmental programs to be combined in the PPG.

### **Can a Tribe or tribal consortium receive more than one PPG?**

Yes. Some situations where a Tribe or Tribal consortium may opt to have multiple PPGs include:

- ❖ Tribe has multiple PPGs in order to effectively align grant work based on Tribal programs/departments (e.g., media-specific PPGs like a “water PPG” and an “air PPG”)
- ❖ Timing of multi-year grant project would cause an existing PPG to go beyond the 5-year limit, so a second PPG may be awarded with new funds that overlaps an existing PPG for a year or more.

Tribes and Tribal consortia can have more than one active PPG, but careful considerations must be made, such as:

- ❖ Expenditures must be carefully tracked and documented to ensure costs are charged to the appropriate grant.
- ❖ The recipient must ensure records support the distribution of the employee's salary or wages among specific activities or cost objectives, as required by [2 CFR §200.430](#).



*Big Pine Paiute Tribe's uses PPG funds to grow native plants. The plants will be used for restoration activities on the reservation*

### **Which grant programs are eligible for inclusion in PPGs?**

There are currently 19 environmental program grants eligible for inclusion in a PPG, listed in [Table 1](#) with the corresponding Assistance Listing number. Assistance listings are detailed public descriptions of federal programs that provide grants, loans, scholarships, insurance, and other types of assistance awards. The assistance listing number for PPGs is 66.605. For more information on Assistance Listings, please refer to <https://sam.gov/content/assistance-listings>.

Since the inception of the [National Environmental Performance Partnership System](#) (NEPPS), there have been other EPA grant programs eligible for inclusion in a PPG. However, these programs were either discontinued or are inactive and excluded in the table below. Examples include Multimedia Sector Program Grants and Water Quality Cooperative Agreements (CWA §104(b)(3)).

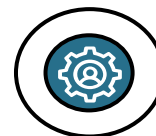
**Table 1. Eligible Environmental Programs for Inclusion in PPGs**

<b>EPA Office</b>	<b>Assistance Listing Number</b>	<b>Environmental Program Grant</b>
Office of the Administrator	66.204	<a href="#">Multipurpose Grants to States and Tribes</a>
Office of Air and Radiation	66.001	<a href="#">Air Pollution Control Program Support</a>
	66.032	<a href="#">State Indoor Radon Grants</a>
Office of Chemical Safety and Pollution Prevention	66.707	<a href="#">TSCA Title IV State Lead Grants Certification of Lead-Based Paint Professionals</a>
	66.708	<a href="#">Pollution Prevention Grant Program</a>
Office of Enforcement and Compliance Assurance	66.700	<a href="#">Consolidated Pesticide Enforcement Cooperative Agreements<sup>1</sup></a>
	66.701	<a href="#">Toxic Substances Compliance Monitoring Cooperative Agreements</a>
Office of International and Tribal Affairs	66.926	<a href="#">Indian Environmental General Assistance Program (GAP)</a>
Office of Land and Emergency Management	66.801	<a href="#">Hazardous Waste Management State Program Support</a>
	66.804	<a href="#">Underground Storage Tank Prevention, Detection, and Compliance Program</a>
	66.812	<a href="#">Hazardous Waste Management Grant Program for Tribes</a>
	66.817	<a href="#">State and Tribal Response Program Grants</a>
Office of Mission Support	66.608	<a href="#">Environmental Information Exchange Network Grant Program and Related Assistance</a>
Office of Water	66.419	<a href="#">Water Pollution Control State, Interstate, and Tribal Program Support</a>
	66.432	<a href="#">State Public Water System Supervision</a>
	66.433	<a href="#">State Underground Water Source Protection</a>
	66.460	<a href="#">Nonpoint Source Implementation Grants</a>
	66.461	<a href="#">Wetland Program Development Grants</a>
	66.472	<a href="#">Beach Monitoring and Notification Program Implementation Grants</a>

<sup>1</sup>Pesticide cooperative enforcement (section 23(a)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)), pesticide applicator certification and training (section 23(a)(2) of FIFRA), and pesticide program implementation (section 23(a)(1) of FIFRA) fall under this assistance listing.



## Section II: Applying for and Negotiating a PPG



### What activities are eligible for funding under PPGs?

As provided at [40 CFR §35.535](#), Tribes and Intertribal Consortia may use PPG funds for any environmental activity that is eligible under the environmental programs listed in [40 CFR §35.501](#) (except EPA delegated, EPA approved, or EPA authorized activities, which still require delegation, approval, or authorization), regardless of whether a Tribe applied for or was selected for funding for that particular program, provided that the Regional Administrator receives concurrence from the appropriate NPMs, when necessary.

The terms “delegated”, “approved”, and “authorized” refer to terms used in applicable statutes. While there may be other activities that fall within these bounds, the two most common activities that require proper delegation, approval, or authorization are issuing a permit or carrying out an



*The La Jolla Band of Luiseño Indians uses PPG funds to monitor air quality on their reservation.*

enforcement action. Tribes may conduct activities that ultimately support the media program that requires a separate delegation or approval. For example, a Tribe could collect information that is then used by EPA to issue a permit on Tribal lands.

### What is the period of performance for a PPG?

The period of performance for a PPG is flexible and can be negotiated between EPA and the recipient for up to a maximum of five years. To maximize flexibilities and ensure program continuity, it is a best practice to apply for multi-year PPGs. Recipients are encouraged to align their multi-year PPG work plans with EPA’s 2-year [National Program Guidances \(NPGs\)](#) to streamline the work plan negotiation process and reduce administrative burden.

### What needs to be included in a PPG work plan?

A PPG work plan should be the product of joint planning, priority setting, and mutual agreement between the recipient and EPA. The PPG grant work plan is the result of negotiations between EPA and tribal program managers and staff.

Successful PPG work plan negotiations rely on a predictable process that fosters prompt resolution of issues, including elevation of issues to senior management levels if necessary. In successful work plan negotiations, EPA and the recipient will reach a mutual understanding and agreement about what will be accomplished under the agreement.

An approvable work plan, as outlined at [40 CFR §35.507](#), must specify:

- ❖ The work plan components to be funded under the grant;
- ❖ The estimated work years and the estimated funding amounts for each work plan component;
- ❖ The work plan commitments for each work plan component and a time frame for their accomplishment;
- ❖ A performance evaluation process and reporting schedule in accordance with [40 CFR §35.515](#); and
- ❖ The roles and responsibilities of the recipient and EPA in carrying out the work plan commitments.

The work plan must also be consistent with applicable federal statutes; regulations; circulars; executive orders; and EPA delegations, approvals, or authorizations.

## COMPONENTS AND COMMITMENTS

A work plan component is a negotiated set or group of work plan commitments established in the grant agreement. A PPG work plan typically has more than one work plan component. All Tribes are provided flexibility through the work plan negotiation process and have the ability to organize work plan components in whatever way fits the Tribe best. For example, components can be media specific, or they can be cross-media, grouping together similar activities that fall within multiple media.

Work plan commitments are the outputs and outcomes associated with each work plan component. Outputs may be quantitative or qualitative but must be measurable during an assistance agreement funding period, while outcomes must be quantitative and may not necessarily be achievable within an assistance agreement funding period. Outcomes may be

environmental, behavioral, health-related, or programmatic in nature.

It is [EPA policy](#) to link proposed assistance agreements to the [Agency's Strategic Plan](#) and ensure that outputs and outcomes are appropriately addressed in work plans and performance reports.

## What is the relationship between PPGs and EPA-Tribal Environmental Plans (ETEPs)?

An [ETEP](#) is a jointly developed plan outlining how each Tribe and EPA will work together to address shared environmental priorities under the Indian Environmental General Assistance Program (GAP). It serves as a planning and communication tool for the Tribe and EPA that provides a road map for future decision-making. Tribes and Intertribal Consortia, when applicable, should have an ETEP in place to receive GAP funds.

An ETEP can be a standalone document that is referenced when developing a PPG work plan or combined with the PPG work plan. While Tribes are not required to negotiate ETEPs with EPA in order to receive financial assistance from other EPA programs or to combine multiple programs into a PPG, Tribes can use their ETEP as their PPG work plan, or as a part of it, as long as their ETEP meets the work plan requirements listed in [40 CFR §35.507\(b\)](#). The portion(s) of the ETEP being used as the work plan must be clearly identified. Addressing both the ETEP and PPG activities in a single document can be beneficial for strategic planning since it draws a direct link between short and long-term goals.

## How do the National Program Guidances (NPGs) influence PPG work plans?

EPA program offices issue NPGs to serve as the two-year framework for EPA regions and grant recipients to meet Agency national priorities, strategies, and goals.

EPA regions and grant recipients should consider the priorities in the NPGs when they negotiate PPG work plans. To allow flexibility when addressing regional and Tribal needs, Tribes and Intertribal consortia are encouraged to develop work plans that reflect jointly identified priorities as well as Tribal-specific environmental and programmatic needs.

EPA typically issues the NPGs every two years, typically in April. EPA encourages grant negotiations to continue in the event a program office is late in issuing its NPG, or when a grant recipient's fiscal year begins earlier than a federal fiscal year. As outlined in [40 CFR §35.507\(a\)\(3\)](#), Tribes and Intertribal consortia should use the NPG in place at the time the Tribe prepares its grant application.

### CONSIDERATION OF TRIBAL PRIORITIES

The PPG regulations require that tribal priorities be considered, along with national program and, if applicable, regional supplemental guidance, in developing grant work plans (see [40 CFR §35.507\(a\)\(1\)](#)). This allows for Tribal flexibilities to be applied to propose grant work plans that differ from the goals, objectives, and measures in the NPM guidance.

If the Tribe proposes a work plan that is significantly different from the National Program Guidance, the Regional Administrator must consult and approve this

with the affected National Program Manager before agreeing to the work plan. For PPGs where the proposed differences affect more than one program, the Regional Administrator must consult with each affected National Program Manager, along with OCIR.

## How do Tribes or Intertribal consortia apply for a PPG?

All applications for new EPA assistance agreement awards must be submitted using [www.grants.gov](http://www.grants.gov). Applicants that have limited or no internet capacity should refer to the PDF on the [Exceptions to the Grants.gov Requirement webpage](#) describing the process to request an exception.

PPG applications are to be submitted through [grants.gov](http://grants.gov) at least 60 days before the beginning of the proposed funding period. As a best practice, applicants should consult their [regional NEPPS Coordinator](#) or EPA Project Officer (PO) to discuss submitting an application and determine if more time is needed for review. The steps to apply are as follows:

1. Go to [www.grants.gov](http://www.grants.gov).
2. Under the "Applicants" tab, click "How to Apply for Grants."
3. Near the bottom-right of the page, click the red button, "[Search for Opportunity Package](#)."
4. In the field "Funding Opportunity Number," type EPA-CEP-01 (leave the "Opportunity Package ID" field blank) and click "Search."
5. CFDA 66.605 can be found at the bottom of the list; users can click "Preview" to download the required forms or "Apply" to begin the application process.

Applicants with questions about submission requirements, including required forms and other materials, should contact their PO,

regional Grants Management Official (GMO), or [regional NEPPS Coordinator](#).

## What needs to be included in a PPG application?

An application for a PPG must contain:

1. A list of the environmental programs and the amount of funds from each program to be combined in the PPG;
2. A consolidated budget (SF 424, 424A and a budget narrative);
3. A consolidated work plan (including a project narrative) that addresses each program being combined in the grant and meets the requirements of [40 CFR §35.507](#);
4. [EPA Form 4700-4](#); and
5. [EPA Key Contacts Form](#).

## Can a Tribe or Intertribal consortium include competitive funds in a PPG?

Yes, a Tribe or Intertribal consortium may include their competitively awarded funds from PPG-eligible programs in a PPG. Tribes and Intertribal consortia must apply for competitive grants individually and indicate in their application if they anticipate incorporating the proposed project, if selected for funding, into an already existing PPG or if they intend to create a new PPG. The PPG should be in place before the time of grant award or created concurrently with the award of the grant funds.

Tribal and Intertribal consortium applications must first be selected under the competitive grant process in accordance with the relevant program competition. If a proposed PPG work plan differs significantly from the work plan selected for funding under a grant competition, the Regional Administrator must confer with the National Program Office (see [40 CFR §35.535](#)). The purpose of this consultation requirement is to address the

issue of ensuring that a project which is awarded funding under a competition is implemented as proposed during the competition once the funds are combined with other grant programs in a PPG.

### ADDING A COMPETITIVE GRANT TO PPGS

If a recipient opts to include competitive funds in a PPG, the budget and work plan commitments from the competitively selected application will be incorporated into the budget and work plan of the PPG. This can be done with an initial PPG award or through a supplemental amendment to an existing PPG.

If the time required to complete work plan commitments from the competitive program is longer than the funding period for the existing PPG, recipients must make provisions to carry the activities (and funds, if appropriate) to subsequent PPG funding period to complete them. In some cases, extending the period of performance for the PPG may be a suitable option to ensure all the work plan commitments are completed. In other cases, opening a new PPG for the competitive program to ensure ample time to complete work plan commitments may be a better option. This option would require the applicant to identify an additional eligible program to be combined in the competitive program into the PPG.

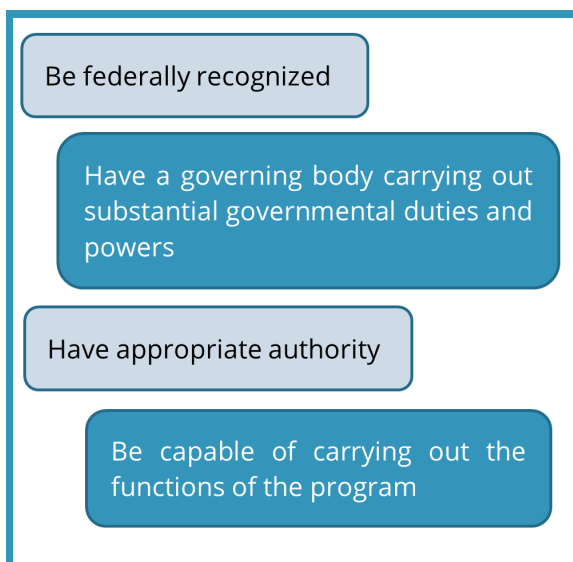
As a best practice, the recipient should consult with their Project Officer to determine which option may work best.

## Does a Tribe or Intertribal consortium need Treatment as a State (TAS) to include a given programs' funds in a PPG?

If a program requires treatment in a manner similar to a State, the Tribe or Tribal members of a Consortium must satisfy that requirement in order to include that program's funds in a PPG. Before a Tribe or Intertribal Consortium **can include funds** from an EPA environmental program in a PPG, it must meet the eligibility requirements for that program with a few specified exceptions.

However, program requirements that restrict the use of funds after an award do not apply when funds are awarded in a PPG. Once funds are awarded in a PPG, they may be used for cross-media activities or strategies and do not need to be accounted for in accordance with their original program sources.

## What are the basic requirements for acquiring TAS?



Additional information on TAS is available at: <https://www.epa.gov/tribal/tribal-assumption-federal-laws-treatment-state-tas>

## Can a Tribe or Intertribal consortium perform program activities if they do not have TAS for that program?

Yes, as stated in [40 CFR §35.532](#), if funds from an environmental program are **not included** in a PPG, an applicant is not required to meet the eligibility requirements for that environmental program in order to carry out activities eligible under that program, except in cases where the recipient needs proper EPA delegation, approval, or authorization as provided in [40 CFR §35.535](#).

For example, a Tribe can use PPG funds to conduct water quality monitoring even if they do not have TAS for CWA §106. Additionally, PPGs allow the flexibility for Tribes to work toward obtaining TAS for PPG-eligible programs that have not contributed funding to the PPG. EPA regions must discuss these types of work plan activities with the appropriate NPM before approving the proposed work plan.

## Do Tribal PPGs have any cost share requirements?

For awards made on or after October 1, 2021, there are **no** cost share requirements for Tribal PPGs. OGD approved a [regulatory class exception](#) from [40 CFR §35.536](#), to reduce the required Tribal PPG cost share to 0% for all included programs, with the following conditions:

- ❖ The class exception is effective October 1, 2021 and applies only to new Tribal or Intertribal consortia PPGs and new funding awarded via supplemental amendments to Tribal or Intertribal consortia PPGs awarded on or after October 1, 2021.
- ❖ The class exception is in place until EPA can revise or remove cost share

requirements from 40 CFR Part 35 Subpart B.

If cost share was included in the budget of a new award or supplemental amendment to a Tribal or Intertribal consortia PPG awarded after October 1, 2021, the recipient is required to comply with the cost share contribution and reporting requirements; however, the recipient can request removal of the voluntary cost share. Cost share associated with funds approved and/or awarded prior to October 1, 2021, remain unaffected by this regulatory exception.

### **Do Tribal PPGs have any maintenance of effort (MOE) requirements?**

No, there are no maintenance of effort requirements for PPGs awarded to Tribes or Intertribal consortia.

### **Can voluntary cost share be included in a Tribal PPG?**

Yes. As defined in [2 CFR §200.1](#), voluntary committed cost sharing (referred to within this document simply as “voluntary cost share”) means cost sharing specifically pledged on a voluntary basis in the proposal's budget or the Federal award on the part of the non-Federal entity and that becomes a binding requirement of Federal award. Because cost share initially included on a voluntary basis becomes legally binding after the PPG is awarded, applicants are discouraged from including voluntary cost share in their proposed work plans and budget. Instead, as a best practice, any Tribe funding put towards eligible PPG activities beyond the required cost share (which is 0% for Tribes) should be reported on in the recipients FFRs. This amount can be reported on in line “j. Recipient share of expenditures”. This additional funding is considered overmatch and can be used to replace any costs that may be disallowed over the course of the PPG project period to minimize any potential repayments.



## Section III: Managing a PPG

### How is PPG performance evaluated?

Tribal PPGs are subject to the reporting, joint evaluation, and other accountability requirements of 40 CFR Part 35. Tribes are held accountable for achieving the commitments set out in approved PPG work plans. Tribes with PPGs continue to report information into national data systems and submit any other reports required by regulation, as outlined in the terms and conditions of the award.

As discussed in [EPA Order 5700.7](#), [Environmental Results Under EPA Assistance Agreements](#), program offices must review performance reports submitted by recipients under [2 CFR §200.329](#) to determine whether the recipient achieved the environmental and/or public health outputs and outcomes contained in the assistance agreement work plan. This includes ensuring that performance reports provide a satisfactory explanation if outcomes or outputs were not achieved. The review is to be documented in the official project file.

### REPORTING

PPGs can be comprised of program grants that require different frequencies of reporting. While a reporting schedule can vary across programs, recipients are required to report at least annually and must satisfy the requirements for progress reporting under [2 CFR §200.329](#). Some programs may ask recipients to report more frequently, either semi-annually or quarterly. In these instances, only those programs requiring more frequent

reports would need to be reported on as specified in the terms and conditions of the award; the other programs included in the PPG would provide updates in an annual progress report that covers all programs in the PPG.

### JOINT EVALUATION

As required by [40 CFR §35.515](#), PPG performance is assessed by reviewing reported outputs and outcomes according to an agreed upon joint evaluation process. EPA and the Tribe develop a joint evaluation process that is intended to analyze and report progress on accomplishments under the work plan. A description of the evaluation process and a reporting schedule must be included in the work plan and the schedule must require the recipient to report at least annually and satisfy the requirements for progress reporting.

The elements of the joint evaluation process must provide for:

- ❖ A discussion of accomplishments as measured against work plan commitments
- ❖ A discussion of the cumulative effectiveness of the work performed under all work plan components
- ❖ A discussion of existing and potential problem areas; and
- ❖ Suggestions for improvement, including, where feasible, schedules for making improvements.

The purpose of the joint evaluation process is to assess progress in accomplishing the commitments in a grant agreement. Joint evaluations produce valuable performance

information to support Tribal and EPA program planning and decision making and provide assurance that EPA and the recipient are meeting their environmental program responsibilities.

### **Can changes be made to an approved PPG work plan?**

Yes, the regulations at [2 CFR §200.308](#) and [40 CFR §35.514](#) provide information on when prior approval from the agency is necessary. A best practice that is embedded in the terms and conditions of a PPG award is for the recipient to consult with their EPA Project Officer (PO) before making a post-award change to the work plan. Consulting the PO will help the recipient determine whether their proposed work plan change is significant or not. If the PO determines the change is significant, the recipient must work with the EPA PO and Grant Specialist (GS) to create a formal amendment to the PPG, to be approved by EPA's GMO.

Per the "Transfer of Funds" General Term and Condition, the recipient will notify the EPA PO and GS of any transfers of funds of among direct budget categories, programs, functions and activities or transfers that change amounts budgeted for indirect costs. If the PO determines that a transfer of funds significantly changes work plan commitments, or involves an item of cost subject to a prior approval requirement under [2 CFR §200.407](#), the recipient must consult with the PO and obtain approval by EPA's GMO prior to making the transfer of funds. All transfers must be reported in performance reports.

If the recipient and PO cannot agree on whether a significant change to work plan commitments will take place, the matter will be elevated to the EPA approval official for the assistance agreement and an appropriate senior manager for the recipient for a negotiated resolution. The recipient cannot

make the change until the matter is resolved. If a negotiated resolution is not achieved the EPA's GMO or other authorized official will issue an Agency Decision under the [2 CFR Part 1500, Subpart E Dispute Procedures](#).

### **Can the period of performance for a PPG be extended?**

Yes. If the original project period for a PPG is less than five years, and a recipient needs more time to finish the work plan commitments, they can request an extension. The administrative terms and conditions of each assistance agreement dictate where to send requests for an extension. Typically, requests for extensions are sent to the EPA GS and PO.

## **EXTENSIONS BEYOND FIVE YEARS**

When necessary, PPG recipients can request an extension to the period of performance beyond five years. To request an extension, recipients should work with their PO to submit the request, which must include:

- ❖ Grantee Name
- ❖ Grant Number
- ❖ Current and Proposed Budget/Project Periods
- ❖ Remaining Award Amount
- ❖ A justification for the extension, including pertinent background information, a description of their circumstances, and what the extension will allow the recipient to do.

The PO will submit the extension request on the recipient's behalf to the Office of Grants and Debarment (OGD) for consideration, following standard agency procedure. As a best practice, PPG recipients that anticipate needing an extension beyond five years should notify their PO six months before their



project end date to ensure it is processed in time.

## What is the EPA Quality Program?

EPA organizations and non-EPA organizations performing environmental information operations funded by or on behalf of EPA are required to participate in the EPA Agency-wide Quality Program. EPA's Quality Program supports EPA's mission to protect human health and the environment and to ensure environmental information operations products and services are of known and documented quality for their intended use(s). Project-specific details of individual projects are documented in a Quality Assurance Project Plan (QAPP). Thus, the Quality Management Plan (QMP) may be viewed as the "umbrella" document under which individual projects are conducted. Requirements for QMPs can be found in [EPA QA/R-2, EPA Requirements for Quality Management Plans](#). Please also contact your sponsoring organization for additional requirements for QMPs.

The terms and conditions of the award will specify a recipient's quality assurance responsibilities. Any data collection that does not follow quality assurance procedures is unusable and therefore the costs must be disallowed. For more information on EPA's Quality Program, please visit [www.epa.gov/quality](http://www.epa.gov/quality).

## What is a Quality Management Plan (QMP)?

A Quality Management Plan (QMP) describes an organization's Quality Program. It documents how an organization structures its Quality Program including descriptions of its internal quality procedures for implementing and assessing the effectiveness of the program; criteria for and areas of application; and roles, responsibilities, and authorities.

The QMP must also document all technical activities to be performed under the Quality Program and how the program will integrate quality assurance (QA), quality control (QC), and Quality Assurance Project Plans (QAPP) into all its environmental information operations.

## What is a Quality Assurance Project Plan (QAPP)?

A QAPP is a planning document related to a project that describes in comprehensive detail the necessary QA/QC requirements and other technical activities that must be implemented to ensure that the results of the work performed will satisfy the stated performance and acceptance criteria. It integrates all the technical and quality aspects of the project in order to provide a "blueprint" for obtaining the type and quality of environmental information needed for a specific decision or use. All work performed or funded by EPA that involves environmental information operations must have an approved QAPP.

A QAPP is a post-award requirement that needs to be **completed and approved before environmental information operations are conducted**. Environmental information operations is a collective term that encompasses the collection, production, evaluation, or use of environmental information by or for EPA and the design, construction, operation, or application of environmental technology. Additionally, activities involving environmental information operations in the grant work plan may not be funded until the QAPP is approved. Requirements for QAPPs can be found in [EPA QA/R-5, EPA Requirements for Quality Assurance Project Plans](#). Please also contact your sponsoring organization for additional requirements for QAPPs.

## What is the difference between a QMP and a QAPP?

A QMP is a document that describes a quality program in terms of the organizational structure, policy and procedures, functional responsibilities of management and staff, lines of authority, and required interfaces for those planning, implementing, documenting, and assessing all activities conducted. A QAPP is a document that describes the necessary quality assurance, quality control, and other technical activities that must be implemented to ensure that the results of the work performed will satisfy the stated performance criteria. A QMP documents the overall organization/program whereas a QAPP documents project-specific information. Usually, a quality program is documented once (and updated on a regular basis), but the quality assurance activities are documented for each project.



*The Pechanga Band of Indians used competitive CWA §319 funds in their PPG for creating a rain garden to capture pollutants.*

## How does a PPG recipient draw down funds?

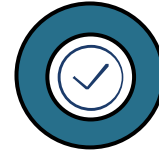
As required by [2 CFR §200.305\(b\)](#), recipients must only draw funds for the minimum amounts needed for actual and immediate cash requirements to pay employees, contractors, subrecipients or to satisfy other obligations for allowable costs under the assistance agreement. The timing and amounts of the drawdowns must be as close as administratively feasible to actual disbursement of EPA funds. Disbursement within five business days of the drawdown will materially comply with this requirement. Excess funds drawn down not meeting this requirement should be returned to EPA. More information on receiving assistance agreement payments can be found [here on EPA's website](#).

PPG recipients do not need to account for PPG funds in accordance with the funds' original environmental program sources; they need only account for total PPG expenditures. When drawdowns are made, they are charged proportionately to each source of funds in the PPG.

## If funds remain after all work is complete, what can a recipient use those funds on?

If funds remain on the grant after all work plan commitments have been accomplished, PPG recipients may use those remaining funds for additional activities that fall within the scope of work. Recipients must contact their PO to confirm proposed activities fall within the scope of work before proceeding.

## Section IV: Closeout



### What does closeout mean?

[Closeout](#) refers to the systematic process EPA uses to determine that a recipient has completed all the required work under a grant and to confirm that all applicable financial and administrative requirements have been met.

Most grants follow the closeout procedures that are outlined in the Office of Management and Budget's (OMB) [Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards](#) regulations, located at 2 CFR Part 200. In addition, EPA grant policy requires all grants to be closed as soon as possible prior to the end of the calendar year following the project end date(s):

- ❖ 90 days before the project expiration, the Agency Finance Center sends a reminder to the grant recipient with closeout procedures and requirements
- ❖ No later than 120 days after the project is complete, the grant recipient should submit a final Federal Financial

Report (FFR) to the Agency Finance Center

- ❖ Grant recipient should also submit a Final Technical Report for EPA review and approval
- ❖ The PPG Project Officer must complete the PO certification form and return to the EPA Grants Office

### What is the process for closeout of a PPG?

About 90 days before the PPG expires, EPA's Research Triangle Park Finance Center (RTPFC) will send a letter to remind the recipient about the approaching end date and explain the grant closeout requirements. Under Federal grant regulations as noted in [2 CFR §200.344](#), grants must be closed out within 120 days of the end of the performance period, meaning all final progress and federal financial reports have been submitted. More information and training modules [can be found on EPA's website](#). Module 6, as depicted below, offers insight on closing out a grant.

### Module 6

Reviews guidelines and information about closing out an EPA grant in accordance with EPA's grant regulations and the terms and conditions of the award.

*Approximately 60 minutes* | [Launch](#)





## Program-Specific Requirements

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There are program-specific requirements that do not apply to program funds when they are included in a PPG. The following provides examples, but is not an exhaustive list, of program-specific requirements that do not apply to PPGs:

- ❖ [35.548\(c\)](#): The project period of a General Assistance Program award may not exceed four years.
- ❖ [35.638\(b\)](#): **Financial assistance to persons.** Tribes or Intertribal Consortia may use funds for financial assistance to persons only to the extent that such assistance is related to the cost of demonstration projects. (Nonpoint Source Management Grants (Sections 319(h) and 518(f)))
- ❖ [35.638\(c\)](#): **Administrative costs.** Administrative costs in the form of salaries, overhead, or indirect costs for services provided and charged against activities and programs carried out with these funds shall not exceed 10 percent of the funds the Tribe or Intertribal Consortium receives in any fiscal year. The cost of implementing enforcement and regulatory activities, education, training, technical assistance, demonstration projects, and technology transfer programs are not subject to this limitation. (Nonpoint Source Management Grants (Sections 319(h) and 518(f)))
- ❖ [35.691](#): Recipients must use the Lead-Based Paint program funding in a way that complements any related assistance they receive from other federal sources for lead-based paint activities.
- ❖ [35.708\(c\)](#): The costs of radon measurement equipment or devices (see [§ 35.820\(b\)\(1\)\(iv\)](#)) and demonstration of radon mitigation, methods, and technologies (see [§ 35.820\(b\)\(1\)\(ix\)](#)) shall not, in aggregate, exceed 50 percent of a Tribe's or Intertribal Consortium's radon grant award in a fiscal year.
- ❖ [35.708\(d\)](#): The costs of general overhead and program administration (see [§ 35.820\(b\)\(1\)\(vii\)](#)) of an indoor radon grant shall not exceed 25 percent of the amount of a Tribe's or Intertribal Consortium's Indoor Radon Grant in a fiscal year.
- ❖ [35.708\(e\)](#): A Tribe or Intertribal Consortium may use funds for financial assistance to persons only to the extent such assistance is related to demonstration projects or the purchase and analysis of radon measurement devices.

While [40 CFR §35.532](#) states that [§35.708\(g\)](#) does not apply to PPGs, EPA has a class exception in place that requires recipients of State Indoor Radon Grant (SIRG) funds to maintain and make available to the public, a list of firms and individuals in the State that have received a passing rating under the EPA proficiency rating program, regardless of whether those funds are in a standalone SIRG award or a PPG.

## Appendix A: Glossary of Terms

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**Consolidated Grant:** A single grant made to a recipient consolidating funds from more than one environmental grant program. After the award is made, recipients must account for grant funds in accordance with the funds' original environmental program sources. Consolidated grants are not Performance Partnership Grants.

**Environmental program:** A program for which EPA awards grants under the authorities listed in [40 CFR §35.501](#). The grants are subject to the requirements of 40 CFR Part 35 Subpart B.

**Federal Indian reservation:** All land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and including rights-of-way running through the reservation.

**Funding period:** The period of time specified in the grant agreement during which the recipient may expend or obligate funds for the purposes set forth in the agreement.

**Intertribal Consortium or Consortia:** A partnership between two or more Tribes that is authorized by the governing bodies of those Tribes to apply for and receive assistance under one or more of the programs listed in [40 CFR §35.501](#).

**Maintenance of effort:** A requirement contained in certain legislation or regulations that a recipient must maintain/contribute a specified level of financial effort in a specified area in order to receive Federal assistance funds, which ensures that those Federal funds are used to supplement, but not supplant, expenditures of the recipient's funds.

**National program guidance:** Guidance issued by EPA's National Program Managers for establishing and maintaining effective environmental programs. This guidance establishes national goals, objectives, and priorities as well as other information to be used in monitoring progress. The guidance may also set out specific environmental strategies, core performance measures, criteria for evaluating programs, and other elements of program implementation.

**Outcome:** The environmental result, effect, or consequence that will occur from carrying out an environmental program or activity that is related to an environmental or programmatic goal or objective. Outcomes must be quantitative, and they may not necessarily be achievable during a grant funding period. See "output."

**Output:** An environmental activity or effort and associated work products related to an environmental goal or objective that will be produced or provided over a period of time or by a specified date. Outputs may be quantitative or qualitative but must be measurable during a grant funding period. See "outcome."

**Pre-award costs:** Pre-award costs, as defined in [2 CFR §200.458](#), are those incurred prior to the effective date of the Federal award or subaward directly pursuant to the negotiation and in anticipation of the Federal award where such costs are necessary for efficient and timely

performance of the scope of work. Such costs are allowable only to the extent that they would have been allowable if incurred after the date of the Federal award and only with the written approval of the Federal awarding agency. If charged to the award, these costs must be charged to the initial budget period of the award, unless otherwise specified by the Federal awarding agency or pass-through entity.

**Tribes in a similar manner as a state, or treatment as a state (TAS):** EPA is authorized to treat eligible Tribes in a similar manner as a state (TAS) for implementing and managing certain environmental programs. An EPA TAS approval makes a Tribe eligible to implement a particular program or function within the area covered by the approval. Where a Tribe is seeking to administer an environmental regulatory program, the Tribe will also need EPA approval of the program itself. EPA generally refers to the delegation, authorization, or approval of a federal program to Tribes as assumption of program authority. As part of the eligibility requirements for receiving a program delegation, authorization, or approval, the Tribe must demonstrate that they have the capacity to carry out, or implement, the functions of the program.

**Tribe:** Except as otherwise defined in statute or this subpart, Indian Tribal Government (Tribe) means: Any Indian Tribe, band, nation, or other organized group or community, including any Alaska Native village, which is recognized as eligible by the United States Department of the Interior for the special services provided by the United States to Indians because of their status as Indians.

**Work plan:** The document which identifies how and when the applicant will use funds from environmental program grants and is the basis for management and evaluation of performance under the grant agreement to produce specific outputs and outcomes (see 35.507). The work plan must be consistent with applicable federal statutes; regulations; circulars; executive orders; and EPA delegations, approvals, or authorizations.

**Work plan commitments:** The outputs and outcomes associated with each work plan component, as established in the grant agreement.

**Work plan component:** A negotiated set or group of work plan commitments established in the grant agreement. A work plan may have one or more work plan components.

## Appendix B: Frequently Used Acronyms

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CAA	Clean Air Act
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act
CFDA	Catalog of Federal Domestic Assistance
CFR	Code of Federal Regulations
CEP	Continuing Environmental Program
CWA	Clean Water Act
ECOS	Environmental Council of the States
ETEP	EPA-Tribal Environmental Plan
FFR	Federal Financial Report
FIFRA	Federal Insecticide, Fungicide and Rodenticide Act
GAP	Indian Environmental General Assistance Grant
GMO	Grants Management Official
GPI	Grants Policy Issuance
GPRA	Government Performance and Results Act
GS	Grant Specialist
MOE	Maintenance of Effort
MPG	Multipurpose Grant
NEPPS	National Environmental Performance Partnership System
NPM	National Program Manager
OCFO	Office of the Chief Financial Officer
OCIR	Office of Congressional and Intergovernmental Relations
OGD	Office of Grants and Debarment
OMB	Office of Management and Budget
PO	Project Officer
PPA	Performance Partnership Agreement
PPG	Performance Partnership Grant
PRC	Program Resource Code
RA	Regional Administrator
SDWA	Safe Drinking Water Act
SWDA	Solid Waste Disposal Act
STAG	State and Tribal Assistance Grant
TAS	Treatment in A Similar Manner as a State, or Treatment as A State
TPC	Total Project Costs
TSCA	Toxic Substances Control Act