



Legislation Text

File #: 25-990, **Version:** 1

Interoffice Memorandum

DATE: June 11, 2025

TO: Mayor Jerry L. Demings and County Commissioners

THROUGH: N/A

FROM: Tanya Wilson, AICP, Director, Planning, Environmental, and Development Services Department

CONTACT: Renée H. Parker, LEP, Manager, Environmental Protection Officer

PHONE: (407) 836-1420

DIVISION: Environmental Protection Division

ACTION REQUESTED:

Approval of U.S. Environmental Protection Agency Cooperative Agreement Grant Number (FAIN): PM-05D38225-0 between the U.S. Environmental Protection Agency and Orange County in the amount of \$93,643 with an initial award amount of \$65,000, subject to availability of funds from the U.S. Environmental Protection Agency, relating to support of ambient air monitoring for fine particulate matter and authorization for the Environmental Protection Division Manager to make non-substantial amendments to the agreement, including additional service periods. The grant period is April 1, 2025 through March 31, 2027. All Districts. (Environmental Protection Division)

PROJECT: U.S. Environmental Protection Agency Grant Number PM-05D38225-0

PURPOSE: The Environmental Protection Division (EPD) has received approval of Grant Number PM-05D38225-0 from the U.S. Environmental Protection Agency (EPA) to support the ongoing collection of data on the ambient air concentrations of fine particulate matter (PM) and to support the County's efforts with staying in compliance with National Ambient Air Quality Standards. For many years, EPD has received similar grants from EPA to perform these duties under the Clean Air Act.

The size of particles in ambient air is directly linked to their potential for causing health problems. Small particles less than 2.5 microns in size pose the greatest risk because they can penetrate deeply into the lungs and cause a variety of health problems affecting the lungs and heart. This new grant agreement provides funding to support EPD's continued monitoring of concentrations of fine PM for comparison to health-based standards established by EPA. This grant will coincide with the

Specific Operating Agreement (SOA) between the Florida Department of Environmental Protection and the Board, which was approved by the Board on April 9, 2024. The SOA defines the scope of services that EPD will provide as a designated local air program.


The initial award amount authorized for this grant is \$93,643 with a project period from April 1, 2025 through March 31, 2027. The current award for this two-year grant is \$65,000 this fiscal year with the remaining \$28,643 expected next fiscal year. Future awards are subject to the availability of federal funding. In accordance with the terms of the agreement, EPA agrees to a cost share of 100% of all approved budget period costs incurred up to and not exceeding \$93,643 (i.e., no match is required). EPD is not requesting additional funding or additional staff as part of this grant.

It is also requested that the EPD Manager be granted authorization to make non- substantial amendments to the agreement, including additional service periods, subject to availability of funds from the EPA.

As indicated in the Notice of Award, a representative from Orange County is not required to sign the agreement. The County's commitment to carry out this award is demonstrated by either drawing down the funds or not filing a notice of disagreement with the award terms and conditions within stipulated timeframes.

Cooperative Agreement, Grant Number PM-05D38225-0, was reviewed by the County Attorney's Office and the County Grants Oversight Committee.

BUDGET: N/A

	U.S. ENVIRONMENTAL PROTECTION AGENCY Cooperative Agreement	GRANT NUMBER (FAIN): 05D38225 MODIFICATION NUMBER: 0 PROGRAM CODE: PM	DATE OF AWARD 05/26/2025
		TYPE OF ACTION New	MAILING DATE 05/29/2025
		PAYMENT METHOD: ASAP	ACH# 40567
RECIPIENT TYPE: County		Send Payment Request to: Contact EPA RTPFC at: rtpfc-grants@epa.gov	
RECIPIENT: ORANGE COUNTY, FLORIDA 201 SOUTH ROSALIND AVENUE OMB, 3rd Floor ORLANDO, FL 32801-3527 EIN: 59-6000773		PAYEE: ORANGE COUNTY, FLORIDA 201 South Rosalind Avenue P.O. Box 38 Orlando, FL 32801-3527	
PROJECT MANAGER Regina Gilliland 3165 McCrory Place Suite 200 Orlando, FL 32803 Email: Regina.Gilliland@ocfl.net Phone: 407-836-1484		EPA PROJECT OFFICER Katherine Martin 61 Forsyth Street SW Atlanta, GA 30303-8960 Email: Martin.Katherine.F@epa.gov Phone: 404-562-8866	
		EPA GRANT SPECIALIST Yolande Miller Grants Management Section 61 Forsyth Street SW Atlanta, GA 30303-8960 Email: Miller.Yolande@epa.gov Phone: 404-562-9782	
PROJECT TITLE AND DESCRIPTION Particulate Matter (PM 2.5) Ambient Monitoring Network See Attachment 1 for project description.			
BUDGET PERIOD 04/01/2025 - 03/31/2027	PROJECT PERIOD 04/01/2025 - 03/31/2027	TOTAL BUDGET PERIOD COST \$ 93,643.00	TOTAL PROJECT PERIOD COST \$ 93,643.00
NOTICE OF AWARD			
<p>Based on your Application dated 02/21/2025 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$ 65,000.00. EPA agrees to cost-share <u>100.00%</u> of all approved budget period costs incurred, up to and not exceeding total federal funding of \$ 65,000.00. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.</p>			
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)		AWARD APPROVAL OFFICE	
ORGANIZATION / ADDRESS U.S. EPA, Region 4 61 Forsyth Street Atlanta, GA 30303-8960		ORGANIZATION / ADDRESS U.S. EPA, Region 4, Air and Radiation Division R4 - Region 4 61 Forsyth Street SW Atlanta, GA 30303-8960	
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY			
Digital signature applied by EPA Award Official Shantel Shelmon - Grants Management Officer			DATE 05/26/2025

EPA Funding Information

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 0	\$ 65,000	\$ 65,000
EPA In-Kind Amount	\$ 0	\$ 0	\$ 0
Unexpended Prior Year Balance	\$ 0	\$ 0	\$ 0
Other Federal Funds	\$ 0	\$ 0	\$ 0
Recipient Contribution	\$ 0	\$ 0	\$ 0
State Contribution	\$ 0	\$ 0	\$ 0
Local Contribution	\$ 0	\$ 0	\$ 0
Other Contribution	\$ 0	\$ 0	\$ 0
Allowable Project Cost	\$ 0	\$ 65,000	\$ 65,000

Assistance Program	Statutory Authority	Regulatory Authority
66.034 - Surveys-Studies-Investigations-Demonstrations and Special Purpose Activities relating to the Clean Air Act	Clean Air Act: Sec. 103	2 CFR 200, 2 CFR 1500 and 40 CFR 33

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
-	2504VW5063	25	E1	04V2	000A04XPM	4183	-	-	\$ 65,000
									\$ 65,000

Budget Summary Page

Table A - Object Class Category (Non-Construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$ 56,532
2. Fringe Benefits	\$ 27,763
3. Travel	\$ 0
4. Equipment	\$ 0
5. Supplies	\$ 0
6. Contractual	\$ 0
7. Construction	\$ 0
8. Other	\$ 0
9. Total Direct Charges	\$ 84,295
10. Indirect Costs: 11.09 % Base Salary and fringe	\$ 9,348
11. Total (Share: Recipient <u>0.00</u> % Federal <u>100.00</u> %)	\$ 93,643
12. Total Approved Assistance Amount	\$ 93,643
13. Program Income	\$ 0
14. Total EPA Amount Awarded This Action	\$ 65,000
15. Total EPA Amount Awarded To Date	\$ 65,000

Attachment 1 - Project Description

This action provides funding in the amount of \$65,000.00 to assist the Orange County's efforts to maintain fine particulate matter (PM2.5) monitoring networks in Orange County, Florida. The primary objective of this project is to collect quality assured data on ambient air concentrations of PM2.5 as well as chemical composition and precursors. Data will be used for: (1) providing air pollution data to the general public in a timely manner, (2) PM2.5 National Ambient Air Quality Standards (NAAQS) comparisons, (3) development and tracking of implementation plans, (4) assessments of regional haze, and (5) assistance for health studies and other ambient aerosol research activities. The PM2.5 monitoring network design addresses these four program objectives through a combination of siting and instrumentation strategies.

Activities to be Performed: The recipient will collect quality assured PM2.5 concentrations and submit results to EPA's national air quality database.

Expected Outcomes: The anticipated short-term outcome for this project is an increase in the knowledge regarding the character and extent of PM2.5 in the ambient air. The long-term outcome, through the eventual development and execution of the state's implementation plan, is reduced PM2.5 concentrations and compliance with the PM2.5 NAAQS as set forth in the Clean Air Act. **Intended Beneficiaries:** Direct beneficiaries of these activities are state residents who will have decreased risk of adverse health effects, including cancer and neurological effects. **Subrecipient Activities:** The recipient does not intend to subaward funds.

No subawards are included in this assistance agreement.

Administrative Conditions

General Terms and Conditions

The recipient agrees to comply with the current Environmental Protection Agency (EPA) general terms and conditions available at: https://www.epa.gov/system/files/documents/2024-10/fy_2025_epa_general_terms_and_conditions_effective_october_1_2024_or_later.pdf

These terms and conditions are in addition to the assurances and certifications made as a part of the award and the terms, conditions, or restrictions cited throughout the award.

The EPA repository for the general terms and conditions by year can be found at: <https://www.epa.gov/grants/grant-terms-and-conditions#general>.

A. Correspondence Condition

The terms and conditions of this agreement require the submittal of reports, specific requests for approval, or notifications to EPA. Unless otherwise noted, all such correspondence should be sent to the following email addresses:

- Federal Financial Reports (SF-425): rtpfc-grants@epa.gov and Miller.Yolande@epa.gov
- All other forms/certifications/assurances, Indirect Cost Rate Agreements, Requests for Extensions of the Budget and Project Period, Amendment Requests, Requests for other Prior Approvals, updates to recipient information (including email addresses, changes in contact information or changes in authorized representatives) and other notifications: the Grant Mangement Specialist at Miller.Yolande@epa.gov and the Project Officer, Katherine Martin at Martin.Katherine.F@epa.gov
- Payment requests (if applicable): the Grant Mangement Specialist at Miller.Yolande@epa.gov and the Project Officer, Katherine Martin at Martin.Katherine.F@epa.gov
- Quality Assurance documents, workplan revisions, equipment lists, programmatic reports and deliverables: the Project Officer, Katherine Martin at Martin.Katherine.F@epa.gov

B. Contingent Funding

EPA is funding this agreement incrementally. There is no guarantee of funding beyond the first year. The **Total Approved Assistance Amount** identified on Line 12 of the budget table of this award is contingent upon the availability of appropriated funds, EPA funding priorities, and satisfactory progress in carrying out the activities described in the scope of work. If EPA informs the recipient that the amount on Line 12 will be reduced, the recipient agrees to provide an updated workplan and budget information, as needed, to amend the agreement.

Programmatic Conditions

Section 103 (PM2.5) Programmatic Terms and Conditions

A. Performance Reporting:

In accordance with 2 CFR 200.329, the recipient must relate financial data and project or program accomplishments to the performance goals and objectives of the EPA award and must provide cost information to demonstrate cost-effective practices (for example, through unit cost data) when reporting program performance. The recipient agrees to submit performance reports that include information on each of the following areas: 1) A comparison of accomplishments to the outputs/outcomes established in the assistance agreement work plan for the reporting period (for example, comparing costs to units of accomplishment); 2) explanations on why established outputs/outcomes were not met; and 3) Additional information, analysis, and explanation of cost overruns or higher-than-expected-unit costs.

Additionally, the recipient agrees to notify the EPA when a significant development occurs that could impact the award. Significant developments include events that enable meeting milestones and objectives sooner or at less cost than anticipated or that produce different beneficial results than originally planned. Significant developments also include problems, delays, or adverse conditions which will impact the ability to meet the milestones or objectives of the award, including outputs/outcomes specified in the assistance agreement work plan. If the significant developments negatively impact the award, the recipient must include information on their plan for corrective action and any assistance needed to resolve the situation.

Performance Reports - Frequency

The recipient agrees to submit **annual** performance reports electronically to the EPA Project Officer.

Annual reports are due within 90 days after the annual reporting period ends on December 31.

B. Air Quality Index Forecasting:

As resources permit, the grantee agrees to participate in Air Quality Index forecasting for those areas with continuous PM2.5 monitoring and report all continuous PM2.5 data to AQS and to the PM2.5 mapping program.

C. EPA Involvement in Cooperative Agreement (Substantial Involvement):

EPA's role in the Agreement will include the review and approval of the grantee's PM 2.5 annual monitoring network plan.

D. Problems, Delays or Adverse Conditions:

In accordance with 2 CFR §200.328(d)(1), the recipient agrees to inform EPA as soon as problems, delays or adverse conditions become known which materially impair the ability to meet the outputs/outcomes in the assistance agreement workplan.

E. Quality Assurance:

Authority: Quality Assurance applies to all assistance agreements involving environmental information as defined in [2 C.F.R. § 1500.12](#) Quality Assurance.

The recipient shall ensure that subawards involving environmental information issued under this agreement include appropriate quality requirements for the work. The recipient shall ensure sub-award recipients develop and implement a Quality Assurance (QA) planning document in accordance with this term and condition; and/or ensure sub-award recipients implement all applicable approved QA planning documents.

1. Quality Management Plan (QMP)

a. Prior to beginning environmental information operations, the recipient must:

i. Submit a previously EPA-approved and current QMP,

ii. The EPA Quality Assurance Manager or designee (hereafter referred to as QAM) will notify the recipient and EPA Project Officer (PO) in writing if the QMP is acceptable for this agreement.

- b. The recipient must submit the QMP within 90 days after grant award, and/or no more than 120 days after grant award.
- c. The recipient must review their approved QMP at least annually. These documented reviews shall be made available to the sponsoring EPA organization if requested. When necessary, the recipient shall revise its QMP to incorporate minor changes and notify the EPA PO and QAM of the changes. If significant changes have been made to the Quality Program that affect the performance of environmental information operations, it may be necessary to re-submit the entire QMP for re-approval. In general, a copy of any QMP revision(s) made during the year should be submitted to the EPA PO and QAM in writing when such changes occur. Conditions requiring the revision and resubmittal of an approved QMP can be found in section 6 of EPA's [Quality Management Plan \(QMP\) Standard](#).

2. Quality Assurance Project Plan (QAPP)

- a. Prior to beginning environmental information operations, the recipient must:
- i. Submit a previously EPA-approved QAPP proposed to ensure the collected, produced, evaluated, or used environmental information is of known and documented quality for the intended use(s).
- ii. The EPA Quality Assurance Manager or designee (hereafter referred to as QAM) will notify the recipient and EPA Project Officer (PO) in writing if the previously EPA-approved QAPP is acceptable for this agreement.
- b. The recipient must submit the QAPP 90 days after grant award, and/or no more than 120 days after grant award.
- c. The recipient shall notify the PO and QAM when substantive changes are needed to the QAPP. EPA may require the QAPP be updated and re-submitted for approval.
- d. The recipient must review their approved QAPP at least annually. The results of the QAPP review and any revisions must be submitted to the PO and the QAM at least annually and may also be submitted when changes occur.

For Reference:

- [Quality Management Plan \(QMP\) Standard](#) and EPA's [Quality Assurance Project Plan \(QAPP\) Standard](#); contain quality specifications for EPA and non-EPA organizations and definitions applicable to these terms and conditions.
- [EPA QA/G-5: Guidance for Quality Assurance Project Plans](#).
- (QAM and/or PO may insert QA references that inform or assist the recipient here).
- [EPA's Quality Program](#) website has a [list of QA managers](#), and [Non-EPA Organizations Quality Specifications](#).
- The Office of Grants and Debarment [Implementation of Quality Assurance Requirements for Organizations Receiving EPA Financial Assistance](#).

F. Competency of Organizations Generating Environmental Measurement Data:

Data In accordance with Agency Policy Directive Number FEM-2012-02, Policy to Assure the Competency of Organizations Generating Environmental Measurement Data under Agency-Funded Assistance Agreements, Recipient agrees, by entering into this agreement, that it has demonstrated competency prior to award, or alternatively, where a pre-award demonstration of competency is not practicable, Recipient agrees to demonstrate competency prior to carrying out any activities under the award involving the generation or use of environmental data.

Recipient shall maintain competency for the duration of the project period of this agreement and this will be documented during the annual reporting process. A copy of the Policy is available online at <https://www.epa.gov/measurements-modeling/documents-about-measurement-competency-under-assistance-agreements> or a copy may also be requested by contacting the EPA Project Officer for this award.

G. Geospatial Data Standards:

All geospatial data created must be consistent with Federal Geographic Data Committee (FGDC) endorsed standards. Information on these standards may be found at www.fgdc.gov.

H. Cybersecurity Grant Condition for Other Recipients, Including Intertribal Consortia:

(a) The recipient agrees that when collecting and managing environmental data under this assistance agreement, it will protect the data by following all applicable State or Tribal law cybersecurity requirements.

(b) (1) EPA must ensure that any connections between the recipient's network or information system and EPA networks used by the recipient to transfer data under this agreement, are secure. For purposes of this Section, a connection is defined as a dedicated persistent interface between an Agency IT system and an external IT system for the purpose of transferring information. Transitory, user-controlled connections such as website browsing are excluded from this definition. If the recipient's connections as defined above do not go through the Environmental Information Exchange Network or EPA's Central Data Exchange, the recipient agrees to contact the EPA Project Officer (PO) no later than 90 days after the date of this award and work with the designated Regional/Headquarters Information Security Officer to ensure that the connections meet EPA security requirements, including entering into Interconnection Service Agreements as appropriate. This condition does not apply to manual entry of data by the recipient into systems operated and used by EPA's regulatory programs for the submission of reporting and/or compliance data.

(2) The recipient agrees that any subawards it makes under this agreement will require the subrecipient to comply with the requirements in (b)(1) if the subrecipient's network or information system is connected to EPA networks to transfer data to the Agency using systems other than the Environmental Information Exchange Network or EPA's Central Data Exchange. The recipient will be in compliance with this condition: by including this requirement in subaward agreements; and during subrecipient monitoring deemed necessary by the recipient or subrecipient under 2 CFR 200.332(e), by inquiring whether the subrecipient has contacted the EPA Project Officer. Nothing in this condition requires the recipient to contact the EPA Project Officer on behalf of a subrecipient or to be involved in the negotiation of an Interconnection Service Agreement between the subrecipient and EPA.