



Legislation Text

File #: 25-1089, **Version:** 1

Interoffice Memorandum

DATE: July 14, 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): A-95450425-0 between the U.S. Environmental Protection Agency and Orange County in the amount of \$956,043 (\$500,000 total award amount from the U.S. Environmental Protection Agency agreement of 52.3% cost-share, County cost-share of 47.7%) with an initial award amount of \$100,000 and subject to availability of funds from the U.S. Environmental Protection Agency, relating to support of air pollution control systems throughout the county and authorization for the Environmental Protection Division Manager to make non-substantial amendments to the agreement, including additional service periods. The grant period is October 1, 2024 through September 30, 2026. All Districts. (Environmental Protection Division)

PROJECT: U.S. Environmental Protection Agency Grant Number A-95450425-0

PURPOSE: The Environmental Protection Division (EPD) has received approval of Grant Number A-95450425-0 from the U.S. Environmental Protection Agency (EPA) to support the ongoing implementation of air pollution control programs throughout the county. This includes activities such as Title V permitting, compliance and enforcement of stationary sources, pollutant prevention outreach, emission inventories and ambient air quality monitoring 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.

This grant supports activities to maintain and improve the air quality of the County for our public.

Pollutants in ambient air are directly linked to their potential for causing health problems. This new grant agreement provides funding to support EPD's continued air quality program. Outcomes to this program provide a greater awareness of the emerging threats to public health and the environment. 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 total anticipated funding from the EPA for the two-year project period from October 1, 2024, to September 30, 2026, is \$500,000. These funds will be distributed incrementally over Fiscal Years (FY) 2025 and 2026. EPA has currently authorized \$250,000 per fiscal year for this grant. For FY 2025, an initial award of \$100,000 this fiscal year with the remaining \$150,000 expected to be awarded by the end of FY 2025. Future awards are subject to the availability of federal funding. Under the terms of the agreement, EPA will provide a cost-share of 52.3% of all approved costs, up to a maximum of \$500,000. The County's required cost-share of 47.7% amounts to \$456,043. Combined, the EPA grant and County contribution total \$956,043 in project funding. 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 A-95450425-0, was reviewed as to form by the County Attorney's Office and the County Grants Oversight Committee.

BUDGET: N/A

 <p style="text-align: center;">U.S. ENVIRONMENTAL PROTECTION AGENCY</p> <p style="text-align: center;">Cooperative Agreement</p>	GRANT NUMBER (FAIN): 95450425 MODIFICATION NUMBER: 0 PROGRAM CODE: A		DATE OF AWARD 06/20/2025
	TYPE OF ACTION New		MAILING DATE 06/25/2025
	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 P.O. 38, 201 South Rosalind Avenue OMB, 3rd Floor Orlando, FL 32801-3527	
PROJECT MANAGER Wanda Parker 3165 McCrory Place Suite 200 Orlando, FL 32803 Email: wanda.parker@ocfl.net Phone: 407-836-1434	EPA PROJECT OFFICER Brianna Pierce 61 Forsyth Street SW Atlanta, GA 30303-8960 Email: Pierce.Brianna@epa.gov Phone: 404-562-8832	EPA GRANT SPECIALIST Latoria Davis Grants Management Section 61 Forsyth Street SW Atlanta, GA 30303-8960 Email: Davis.Latoria@epa.gov Phone: 404-562-9782	
PROJECT TITLE AND DESCRIPTION Air Pollution Control Program Support See Attachment 1 for project description.			
BUDGET PERIOD 10/01/2024 - 09/30/2026	PROJECT PERIOD 10/01/2024 - 09/30/2026	TOTAL BUDGET PERIOD COST \$ 956,043.00	TOTAL PROJECT PERIOD COST \$ 956,043.00
NOTICE OF AWARD			
<p>Based on your Application dated 07/31/2024 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$ 100,000.00. EPA agrees to cost-share 52.30% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$ 100,000.00. 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 06/20/2025

EPA Funding Information

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 0	\$ 100,000	\$ 100,000
EPA In-Kind Amount	\$ 0	\$ 0	\$ 0
Unexpended Prior Year Balance	\$ 0	\$ 0	\$ 0
Other Federal Funds	\$ 0	\$ 0	\$ 0
Recipient Contribution	\$ 0	\$ 456,043	\$ 456,043
State Contribution	\$ 0	\$ 0	\$ 0
Local Contribution	\$ 0	\$ 0	\$ 0
Other Contribution	\$ 0	\$ 0	\$ 0
Allowable Project Cost	\$ 0	\$ 556,043	\$ 556,043

Assistance Program	Statutory Authority	Regulatory Authority
66.001 - Air Pollution Control Program Support	Clean Air Act: Sec. 105	2 CFR 200, 2 CFR 1500, 40 CFR 33 and 40 CFR 35 Subpart A

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
-	2504VW5021	25	E1	04V2	000A04	4112	-	-	\$ 100,000
									\$ 100,000

Budget Summary Page

Table A - Object Class Category (Non-Construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$ 251,940
2. Fringe Benefits	\$ 125,668
3. Travel	\$ 16,240
4. Equipment	\$ 289,300
5. Supplies	\$ 56,700
6. Contractual	\$ 60,000
7. Construction	\$ 0
8. Other	\$ 80,000
9. Total Direct Charges	\$ 879,848
10. Indirect Costs: 8.66 % Base TDC	\$ 76,195
11. Total (Share: Recipient <u>47.70</u> % Federal <u>52.30</u> %)	\$ 956,043
12. Total Approved Assistance Amount	\$ 500,000
13. Program Income	\$ 0
14. Total EPA Amount Awarded This Action	\$ 100,000
15. Total EPA Amount Awarded To Date	\$ 100,000

Attachment 1 - Project Description

This action approves an award in the amount of \$100,000 to Orange County, Florida. Specifically, the recipient will implement air pollution control programs throughout the county, including continuing development and implementation of stationary source regulations; continuing promulgation and update of enhanced mobile source regulations; improvement of emission inventories for modeling simulations; and to operate a monitoring network that collects air data. These activities are to improve and maintain the public's air quality. The activities include implementing activities within the scope of the Section 105 program including: 1) To implement national priorities as defined in the Environmental Protection Agency's (EPA) national guidance and consistent with EPA's Strategic Plan; 2) actions mandated by statute or regulation; 3) Program activities delegated to the recipient (state, local or tribe) for which EPA provides section 105 grant funding. A continuing program typically includes, but is not limited to, such activities as: analysis and planning for attainment and maintenance of national ambient air quality standards (NAAQS); control strategy development and implementation; reduction of risks from hazardous air pollutants; air quality monitoring; ambient air quality and source modeling; inventory of emissions; regulation development and implementation; non-Title V related permitting and enforcement; public outreach; staff training and development; air pollution data analysis and management; air cross-media analysis and control; air pollution prevention activities; and other innovative approaches to pollution reduction including economic incentive and market-based (allowance and trading) programs. The anticipated deliverables include development and implementation of stationary source regulations; promulgation and update of enhanced mobile source regulations; improvement of emission inventories for modeling simulations; and operating monitoring network(s) that collects air data to improve and maintain the public's air quality. The expected outcomes include a broadened awareness of air quality programs that are established to address the attainment and maintenance of (NAAQS) as well as immediate and emerging threats to public health and welfare from air pollution (CAA 105(a)). The intended beneficiaries include local residents of Orange County who will have decreased exposure to criteria and hazardous air pollutants. 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 Davis.Latoria@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 Management Specialist, Latoria Davis-Reed at Davis.Latoria@epa.gov and the Project Officer, Brianna Pierce at Pierce.Brianna@epa.gov
- Payment requests (if applicable): the Grant Management Specialist, Latoria Davis-Reed at Davis.Latoria@epa.gov and the Project Officer, Brianna Pierce at Pierce.Brianna@epa.gov
- Quality Assurance documents, workplan revisions, equipment lists, programmatic reports and deliverables: the Project Officer, Brianna Pierce at Pierce.Brianna@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

A. Joint Evaluation for FY 2025:

Participate with EPA in an end of year evaluation of performance to be completed by December 31, 2024. This evaluation will be based on jointly evaluating and reporting progress and accomplishments under the workplan throughout the year. In accordance with 40 CFR 35.115 and the EPA Policy on Managing Unliquidated Obligations and Ensuring Progress under EPA Assistance Agreements, the joint evaluation process will include:

1. discussions of accomplishments as measured against work plan commitments;
2. discussions of the cumulative effectiveness of the work performed under all work plan components;
3. discussions of existing and potential problem areas;
4. suggestions for improvement, including, where feasible, schedules for making improvements; and
5. discussions of how effectively grant funds were managed and utilized, considering any accumulation of unliquidated obligations.

B. PERFORMANCE REPORTING AND FINAL PERFORMANCE REPORT

Performance Reports – Content

In accordance with [2 CFR 200.329](#), the recipient agrees to submit an annual Section 105 Grant Summary Report electronically to the EPA Administrative Project Officer within 120 days after the reporting period ends on September 30 each year. The report should include the following information: 1) a statement that all workplan commitments and outputs/outcomes under the EPA strategic plan goal(s) and objective(s) have been met; 2) or if commitments are not met, then explain the reasons why the established outputs/outcomes were not achieved; and 3) any additional pertinent information including, when appropriate, analysis and explanation of unliquidated obligations (e.g., unspent EPA funds), cost overruns or high-unit costs. Additionally, the report must prominently display the three Essential Elements for state and local agency workplans under the CAA Section 105 categorical grant program: 1) Strategic Plan Goal; 2) Strategic Plan Objective; and 3) Workplan Commitments plus time frame. (See [Grants Policy Issuance 11-03 State Grant Workplans and Progress Reports](#) for more information). EPA is not requiring a final report for CAA Section 105 grant program in accordance with 2 CFR 300.328(e). Additionally, the recipient agrees to inform EPA as soon as problems, delays, or adverse conditions which will materially impair the ability to meet the outputs/outcomes specified in the grant workplan are known.

C. Cybersecurity Condition

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 under 2 CFR 200.332(d), 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.

D. Competency Policy

Competency of Organizations Generating Environmental Measurement 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/sites/production/files/2015-03/documents/competency-policy-aaia-new.pdf> or a copy may also be requested by contacting the EPA Project Officer for this award.

E. 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 <https://www.fgdc.gov/>.

F. 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 the Quality Assurance (QA) planning documents 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 180 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 EPAPO 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 180 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 Specifications for EPA and Non-EPA Organizations.
- The Office of Grants and Debarment Implementation of Quality Assurance Requirements for Organizations Receiving EPA Financial Assistance

G. Minimum Matching Share Requirement:

This award and the resulting federal funding share of 52.28% as shown under "Notice of Award" above is based on estimated costs requested in the recipient's application dated 9/9/24. While actual total costs may differ than those estimates, the recipient is required to provide no less than 40% of the final total allowable program/project costs (outlays). EPA's participation shall not exceed the total amount of federal funds awarded or the maximum federal share for this program of 60% of the final total allowable program/project costs.

H. Use of Logos

If the EPA logo is appearing along with logos from other participating entities on websites, outreach materials, or reports, it must **not** be prominently displayed to imply that any of the recipient or subrecipient's activities are being conducted by the EPA. Instead, the EPA logo should be accompanied with a statement indicating that the Orange County, received financial support from the EPA under an Assistance Agreement. More information is available at: <https://www.epa.gov/stylebook/using-epa-seal-and-logo#policy>.