

**GRANT ANNOUNCEMENT  
BIL EC-SDC Grant Program for  
OTM and Non-Profit NN**

**Issued:** Dec. 7, 2023

**Application Cycle Opens:** Jan. 16, 2024

**Cycle:** A

**Grant Announcement**  
**BIL EC-SDC Grant Program for OTM and Non-**  
**Profit NN**

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## **10 GENERAL INFORMATION**

### **11 Introduction**

The purpose of this document is to assist eligible applicants with preparing and submitting a grant application for the federal Bipartisan Infrastructure Law (BIL) Emerging Contaminants in Small or Disadvantaged Communities (EC-SDC) Grant Program for Other-Than-Municipal (OTM) and non-profit Non-Transient Non-Community (NN) public water systems. The State of Wisconsin represented by the Department of Natural Resources (DNR) intends to use results of this Grant Announcement to award up to \$4 million in grants to OTM or non-profit NN public water systems.

Funding for this assistance is provided to Wisconsin through the U.S. Environmental Protection Agency (EPA) by the federal BIL or the Infrastructure Investments and Jobs Act (IIJA).

The purpose of the BIL EC-SDC Grant Program for OTM and non-profit NN public water systems is to aid small public water systems in addressing emerging contaminants in drinking water and to ensure investment in infrastructure. This program focuses on PFAS and manganese as the emerging contaminants.

### **12 Granting Agency**

This Grant Announcement is issued by the DNR, which is the contact for the State of Wisconsin during the application process. All communications to the DNR regarding EC-SDC grants should be sent to the following email address: [DNRECSDCGrants@wisconsin.gov](mailto:DNRECSDCGrants@wisconsin.gov).

### **13 Clarifications and/or Revisions to the Grant Announcement**

If an applicant discovers any significant ambiguity, error, conflict, discrepancy, omission or other deficiency in this grant announcement, the applicant should notify the DNR of such error at [DNRECSDCGrants@wisconsin.gov](mailto:DNRECSDCGrants@wisconsin.gov) and request modification or clarification of the grant announcement. If it becomes necessary to provide additional clarifying data or information, or to revise any part of this grant announcement, revisions/amendments and/or supplements will be posted to the program website.

### **14 Reasonable Accommodations**

The DNR will provide reasonable accommodations, including the provision of informational material in an alternate format, for qualified individuals with disabilities upon request. Any applicant in need of reasonable accommodations should contact the grant manager via email at [DNRECSDCGrants@wisconsin.gov](mailto:DNRECSDCGrants@wisconsin.gov) or mail to:

Wisconsin Department of Natural Resources  
WI DNR - CF/2  
EC-SDC Grant Program  
PO Box 7921  
Madison, WI 53707-7921

## 15 Definitions

The definitions below are intended for this Grant Announcement only.

Applicant	The eligible water system owner or authorized representative.
DNR	The Wisconsin Department of Natural Resources.
Eligible Water System	Eligible water system means only OTMs and non-profit NNs that are listed as active in the Wisconsin Drinking Water System Database as of Jan. 1, 2024.
Emerging Contaminant	A contaminant in drinking water listed on any of the EPA's Contaminant Candidate Lists and that does not have a National Primary Drinking Water Regulation (NPDWR). PFAS is an emerging contaminant regardless of whether the EPA promulgates a NPDWR for certain PFAS.
Grant Coordinator	The DNR staff who provides assistance with the application process, eligibility questions, and general programmatic questions. Please send questions to <a href="mailto:DNRECSDCGrants@wisconsin.gov">DNRECSDCGrants@wisconsin.gov</a> .
Grant Manager	The DNR staff who provides assistance with issuing grant awards, reimbursement, and other financial administration. Please send questions to <a href="mailto:DNRECSDCGrants@wisconsin.gov">DNRECSDCGrants@wisconsin.gov</a> .
Hazard Index	Refers to a federal or state hazard index calculation, which is determined by taking the summation of individual hazard quotients for PFAS chemicals. Hazard Index includes the Wisconsin Department of Health (DHS) hazard index and the proposed Environmental Protection Agency (EPA) hazard index for drinking water.
Non-Profit	An organization that is described under section 501(c)(3), 501(c)(4), or 501(c)(6) of the Internal Revenue Code and which does not lobby, or a government entity.
Non-Transient Non-Community Public Water System (NN)	A water system that regularly serves at least 25 of the same persons over six months per year but does not serve year-round residents. For example, schools and day care centers may meet this definition.
Other-Than- Municipal Community Public Water System (OTM)	A water system that has 15 service connections used by year-round residents or regularly serves at least 25 year-round residents, and is not owned by a city, village, county, town, town sanitary district, utility district, public inland lake and rehabilitation district, municipal water district or a federal, state, county or municipal owned institution for congregate care or correction, or a privately owned water utility serving the foregoing. This may include systems serving 7 or more homes, 10 or more mobile homes, 10 or more apartment units, or 10 or more condominium units unless information is available to indicate that 25 year-round residents will not be served. For example, mobile home parks, apartment buildings, and condominium associations may meet this definition.
Small	A public water system that serves a community of less than 10,000 individuals. This definition is intended to be consistent with the eligible entity definition for small communities under the Safe Drinking Water Act (SDWA) § 1459A (c)(2)(B).
State	The state of Wisconsin.

## 16 Calendar of Events

Listed below are specific and estimated dates/times of actions related to this grant announcement. The actions with specific dates must be completed as indicated unless otherwise changed by the DNR. If the DNR finds it necessary to change any of these dates and/or times, it will do so by issuing an amendment(s) to this grant announcement. There may or may not be formal notification issued for changes to estimated dates and times.

EVENT	DUE DATE
Grant Announcement Issue Date	Dec. 7, 2023
Applications Due	July 31, 2024, or until funds are exhausted, whichever comes first
Issuance of Awards	The time between submitting a completed application and receiving a grant award agreement typically ranges from three to six months.

## 2.0 PREPARING AND SUBMITTING AN APPLICATION

### 2.1 General Instructions

Failure to satisfy each of the requirements in the grant announcement may be the basis for rejecting an application. Incomplete applications, including applications that are missing required attachments or documentation, will not be reviewed.

### 2.2 Incurring Costs

The State of Wisconsin is not liable for any cost incurred by applicants in replying to this grant announcement.

### 2.3 Submitting the Application

Applicants must submit their application form and all additional materials by email. Do not submit an application more than once. If you need reasonable accommodations, please refer to section 1.4 above for additional information.

Applications must be received no later than **July 31, 2024**. Applications must be submitted by email to [DNRECSDCGrants@wisconsin.gov](mailto:DNRECSDCGrants@wisconsin.gov).

## 3.0 APPLICATION SELECTION AND AWARD PROCESS

### 3.1 Application Review & Prioritization

Applications will be accepted and reviewed on a rolling basis. Complete applications will be reviewed in the order they are received. After review for eligibility, the DNR may prioritize applications by the following factors:

- Risk to public health.
- The need to address PFAS contamination.
- The severity of PFAS contamination based on a hazard index or exceedances of PFOA or PFOS above 4 ng/L.

Applications will be reviewed by the grant coordinator and the grant manager against the eligibility requirements for the program.

Applications will be accepted continually until July 31, 2024, or until funds are exhausted, whichever comes first.

### 3.2 Right to Reject Applications and Negotiate Award Terms

The DNR reserves the right to reject any and all applications. The DNR reserves the right to negotiate award terms, including the award amount, with the selected applicant prior to making payment.

### 3.3 Award Amounts

The maximum grant award is \$240,000 per eligible public water system. The total amount of each grant award may not exceed the actual cost to complete the project. The DNR reserves the right to amend awards in accordance with objectives of the grant and availability of funding.

### 3.4 Method of Award

Successful applicants will receive an award letter and grant agreement with conditions. The performance period for a grant agreement is two years.

## 4.0 ELIGIBILITY REQUIREMENTS

Applicants must meet the eligibility requirements in this section to receive a grant award. The DNR shall interpret eligibility criteria to align with the objectives of this grant program, the BIL, and applicable federal laws, regulations, and guidance.

### 4.1 Eligible Applicant

Owner or authorized representative of an OTM or non-profit NN.

### 4.2 Eligible Entities

- Small OTMs.
- Small non-profit NNs.

### 4.3 Eligible Projects

Eligible projects must meet all of the following criteria:

- The primary purpose of the project must be to address PFAS or manganese contamination.  
**Note:** The DNR will consider additional project objectives on a case-by-case basis when other contaminants are co-located at the eligible water system and the emerging contaminant is the primary purpose of the project.
- The project must include action to address contamination, rather than planning only.
- The project must be otherwise eligible for funding under SDWA §1459A(a) through (j), except (g) cost-sharing is not required.

### 4.4 Eligible Contamination

Applicants must demonstrate that its source water, such as a well or wells, has PFAS or manganese contamination.

- PFAS contamination occurs when the result of a sample taken at an entry point in the water system contains either:
  - PFOA or PFOS of 4 ng/L or greater, or
  - PFAS with a hazard index value of 1.0 or greater.
- Manganese contamination occurs when the most recent sample taken at an entry point or

source water location in the water system has a sample result of 300 µg/L or greater.

All samples used for eligibility under this grant program shall be submitted to a laboratory certified or registered under Wis. Admin. Code ch. NR 149. DNR may require additional sampling to verify contamination.

#### **4.5 Ineligible Contamination**

Grants will not be awarded for ineligible contamination. Ineligible contamination includes one or more contaminants upon which an application is based that was introduced into the well intentionally by an applicant or a person who would directly benefit by payment of the award.

#### **4.6 Eligible Expenses**

- Planning and Design
  - Preliminary engineering reports and preliminary/final design.
  - Required environmental and archaeological review costs.
  - Permit fees.
- Technical Assistance
  - Technical assistance subcontracts/subawards to help the eligible public water system plan, develop, diagnose emerging contaminant problems, administer, or perform any other eligible activity or use.
  - Assistance in conducting engineering evaluations of proposed work.
  - Eligible training on emerging contaminants including for local contractors as part of a construction contract and for staff on operation of new equipment or implementation of new practices.
  - Hiring of staff/contracting with third-party service to support otherwise eligible work including assisting with federal requirement compliance.
- Testing and Research
  - Pilot testing for treatment alternatives.
  - Conducting initial, special (non-routine/non-compliance) testing to establish a baseline understanding or determine extent of a contaminant of concern or operation of newly used technology.
  - Project pre-development activities including technical and engineering expert engagement and planning and partnership development with community-based organizations that have experience conducting community outreach.
  - Post-remediation testing to verify whether contaminant(s) are still present after removal actions have been completed.
- Treatment
  - Build new treatment facilities with emerging contaminant removal capability.
  - Upgrade existing treatment facilities to add new treatment processes such as activated carbon, ion exchange and reverse osmosis.
  - Treatment or protection measures against emerging contaminants in source water.
- Source Water
  - Source water protection plans and plan updates.
  - Source water protection and/or wellhead protection and investigation on eligible activities.
  - Development of a new source (i.e., new/replacement well or intake for a public water system) that addresses an emerging contaminant issue.
- Storage
  - Development of supplemental treatment to finished water storage facilities as a protective distribution “barrier” that prevents contamination of water.
- Water System Restructuring, Consolidation or Creation
  - Planning, negotiations, and public processes necessary to support restructuring, consolidation, partnership, or new system creation due to emerging contaminant concerns.
  - Consolidation with another water system that does not have emerging contaminants present or has removal capability.
- Other costs that the DNR deems reasonable and necessary and that are consistent with EPA guidance for the EC-SDC Grant Program and the primary purpose of the project.

#### **4.7 Ineligible Expenses**

Payment will not be made for ineligible expenses. Ineligible expenses include the following items:

- Costs incurred before the date of performance period for the award, unless the costs would be eligible expenses if they had been incurred during the performance period, the costs are included in the application, the costs were necessary for efficient and timely performance of the project, and the DNR determines the costs allowable.
- Funding for bottled water.
- Remediation of contaminated groundwater or underlying aquifers.
- Operations and maintenance costs.
- Activities needed primarily to serve future population growth.
- Lead service line replacement.
- Replacement of premise plumbing.
- Construction or rehabilitation of dams.
- Activities needed primarily for fire protection.
- Activities that have received assistance from the tribal allotment for tribal nations.
- Costs that are unallowable (e.g., lobbying and alcoholic beverages) under 2 CFR 200 Subpart E – Cost Principles.
- Expenses that conflict with or contravene the purpose of the BIL or federal guidance.
- Any costs that the DNR determines to be unreasonable, unnecessary or not approved.

#### **5.0 REQUIRED ATTACHMENTS**

- EC-SDC Grant Application
- Disadvantaged Business Enterprise (DBE) Good Faith Certification
- Environmental Review Questionnaire
- Equal Employment Opportunity Certification
- W-9 Form
- NNs only: IRS Tax-Exempt Affirmation Letter, unless government owned

#### **6.0 NEW APPLICATIONS**

A grantee who received an award under this grant program in a previous grant application cycle may submit a new application if the DNR determines that the project from the prior grant award was unsatisfactory at addressing the contamination and a new method is selected. An applicant must be able to meet all application requirements in the new application, including demonstrating contamination.

#### **7.0 AWARD PAYMENTS**

Payments of the grant award will be made on a reimbursement basis, with quarterly reimbursement requests for actual and eligible expenses incurred. The DNR may allow alternate payment methods that are consistent with federal and state requirements on a case-by-case basis. The DNR may require inspection of the project before payment is made. The DNR will only reimburse for costs incurred during the performance period, unless the DNR approved pre-award project costs. The DNR may withhold 20% of grant award funds for final payment.

#### **8.0 DISPUTES**

Any dispute arising from this grant program prior to the execution of a grant agreement shall be resolved in accordance with Wis. Admin. Code § NR 166.18.



## 9.0 FEDERAL REQUIREMENTS

Funding for the EC-SDC Grant Program comes from federal funds from the federal BIL. All projects are required to comply with applicable federal laws including, but not limited to, the following, as applicable:

### **Environmental Authorities**

- Archeological and Historic Preservation Act, Pub. L. 93-291, as amended
- Clean Air Act, Pub. L. 95-95, as amended
- Clean Water Act, Tittles ill, IV and V, Pub. L. 92-500, as amended
- Coastal Barrier Resources Act, Pub. L. 97-348
- Coastal Zone Management Act, Pub. L. 92-583, as amended
- Endangered Species Act, Pub. L. 93-205, as amended
- Environmental Justice, Executive Order 12898
- Flood Plain Management, Executive Order 11988 as amended by Executive Order 12148 and 13690
- Intergovernmental Review, Executive Order 12372
- Protection of Wetlands, Executive Order 11990 as amended by Executive Order 12608
- Farmland Protection Policy Act, Pub. L. 97-98
- Fish and Wildlife Coordination Act, Pub. L. 85-624, as amended
- Magnuson-Stevens Fishery Conservation and Management Act, Pub. L. 94-265
- National Environmental Policy Act, 42 USC 4321 et seq.
- National Historic Preservation Act, Pub. L. 89-655, as amended
- Safe Drinking Water Act, Pub L. 93-523, as amended
- Wild and Scenic Rivers Act, Pub. L. 90-54, as amended

### **Economic and Miscellaneous Authorities**

- Debarment and Suspension, Executive Order 12549
- Demonstration Cities and Metropolitan Development Act, Pub. L. 89 -754, as amended
- Intergovernmental Review of Federal Programs, Executive Order 12372
- Drug-Free Workplace Act, Pub. L. 100-690
- New Restrictions on Lobbying, Section 319 of Pub. L. 101-121
- Prohibitions relating to violations of the Clean Water Act or Clean Air Act with respect to Federal contracts, grants, or loans under Section 306 of the Clean Air Act and Section 508 of the Clean Water Act, and Executive Order 11738
- Prohibition on Certain Telecommunications and Video Surveillance Services or Equipment (2 CFR 200.216)
- Uniform Relocation and Real Property Acquisition Policies Act, Pub. L. 91-646, as amended

### **Civil Rights, Nondiscrimination, Equal Employment Opportunity Authorities**

- Age Discrimination Act, Pub. L. 94-135
- Equal Employment Opportunity, Executive Order 11246
- Section 13 of the Clean Water Act, Pub. L. 92-500
- Section 504 of the Rehabilitation Act, Pub. L 93-112 supplemented by Executive Orders 11914 and 11250
- Title VI of the Civil Rights Act, Pub. L 88-352 Disadvantaged Business Enterprise Authorities
- Participation by Disadvantaged Business Enterprises in Procurement

### **Other Authorities**

- American Iron and Steel (AIS)
- Build America, Buy America (BABA)
- Davis-Bacon and Related Acts (DBRA)