

US EPA ARCHIVE DOCUMENT

Best Practices Guide

for

PERFORMANCE PARTNERSHIP GRANTS

Office of Congressional and Intergovernmental Relations
Office of the Administrator
U.S. Environmental Protection Agency

Best Practices Guide for PERFORMANCE PARTNERSHIP GRANTS

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Purpose of the Guide

Purpose of the Guide

The guide is designed to help EPA and state officials understand and take full advantage of the features and benefits of Performance Partnership Grants (PPGs), in which states can combine multiple environmental program grants into a single grant. PPGs are one of the cornerstones in the National Environmental Performance Partnership System (NEPPS) that serves as the framework for EPA-state relations. Through answers to questions, the guide:

- Explains how PPGs can help in achieving agreed-upon environmental and program goals and objectives;
- Highlights key regulations, policies, and procedures for developing and managing PPGs; and
- Provides examples showing how PPGs have been used to achieve administrative efficiencies and direct resources where they are needed most.

IMPORTANT NOTE

This guide provides information about developing and implementing PPGs. EPA Project officers must complete required training and follow all Grants Administration Division [policies, directives, and procedures](#) (intranet link available only to EPA employees).

TRIBES. Tribes can also combine grants in PPGs, but tribal grants are subject to different administrative and match requirements (see [40 CFR 35.500-36.735](#)). This guide addresses state PPGs. However, regions and tribes may find many parts of the guide useful in negotiating tribal PPGs.

Section I: Introduction to Performance Partnership Grants

1-1 What are Performance Partnership Grants (PPGs) and what advantages do they offer?

EPA provides financial assistance to states to help them develop and implement environmental programs. A state may receive these funds in individual environmental program categorical grants or choose to combine up to 19 grants in a [Performance Partnership Grant](#) (PPG). PPGs streamline administrative requirements, give states greater flexibility to direct resources to their most pressing environmental problems, and make it easier to fund efforts that cut across program boundaries.

All state grants, including PPGs, are governed by [40 CFR Part 35](#), Subpart A (commonly referred to as Part 35.)

PPGs can help states fund the priorities and strategies they have developed through joint planning efforts with EPA. With PPGs, states can:

- Reduce administrative costs through streamlined paperwork and accounting procedures;
- Focus EPA grant funds to priority environmental problems or program needs, while maintaining core environmental programs; and
- Fund efforts that involve multiple programs, such as geographic initiatives or data management projects, as approved by the EPA Regional Administrator.

1-2 Why were PPGs created?

Under traditional categorical environmental program grants, states receive funds to implement air, water, waste, pesticides, and toxics programs. Each categorical grant can only be used for the specific purposes set out in the authority for that particular grant.

For many years, states 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. Congress responded by authorizing EPA to award Performance Partnership Grants (PPGs) 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).

1-3 Which grants are eligible for inclusion in PPGs?

Congress determined the individual environmental program grants that were initially eligible for the PPG program when it authorized the program in 1996. In 2004, the Administrator added three grants to the list of PPG-eligible grants. The box below contains a list of grants eligible for PPGs in FY 2006.

Grants Eligible for Inclusion in State PPGs -- FY 2006

- o Air Pollution Control – CAA Sec.105
- o State Indoor Radon Grants –TSCA Sec. 306
- o Water Pollution Control – CWA Sec.106
- o Nonpoint Source Management -- CWA Sec. 319(h)
- o Wetlands Development Grants Program – CWA Sec.104(b)(3)
- o Water Quality Cooperative Agreements – CWA Sec. 104(b)(3)
- o Public Water System Supervision --SDWA Sec. 1443(a)
- o Underground Water Source Protection – SDWA Sec. 1443(b)
- o Hazardous Waste Management – SWDA Sec. 3011(a)
- o State and Tribal Response (Brownfields) – CERCLA Sec. 128(a)
- o State Underground Storage Tanks – SWDA Sec. 2007(f)(2)
- o Pesticides Cooperative Enforcement – FIFRA Sec.23(a)1
- o Pesticide Applicator Certification and Training -- FIFRA Sec. 23(a)(2)
- o Pesticide Program Implementation -- FIFRA Sec. 23(a)(1)
- o Lead-Based Paint Program – TSCA Sec. 404(g)
- o Toxic Substances Compliance Monitoring – TSCA Sec. 28
- o Environmental Information Exchange Network–EPA Appropriations Acts
- o Pollution Prevention State Grants – PPA Sec. 6605
- o Multi-Media Sector Grants (compliance/enforcement)

[Question 2-20](#) discusses EPA's policy on and process for adding new grants to the list of PPG-eligible grants.

1-4 What entities are eligible to receive PPGs?

States, tribes, and interstate agencies are eligible for PPGs. The state or interstate agency must be eligible to receive each of the two or more grants combined in the PPG.

Congress authorized EPA to award PPGs to interstate agencies, but only as provided in authorizing statutes. Congress did not intend to change any of the existing program grant eligibility requirements, including the definition of interstate agency. Recipients must be interstate agencies as defined by either the Clean Water Act (CWA), the Clean Air Act (CAA), or both, depending on which funds are included in the PPG. Specifically, interstate agencies are eligible for PPGs that include funds from the following programs: Air Pollution Control (CAA Sec. 105); Water Pollution Control (CWA Sec. 106);

Wetlands Development Grants (CWA Sec. 104(b)(3)); and Water Quality Cooperative Agreements (CWA Sec.104(b)(3)).

1-5 What is the relationship between PPGs and Performance Partnership Agreements (PPAs)?

Many states now use the process of negotiating [Performance Partnership Agreements](#) (PPAs) with EPA regions as a mechanism for reaching mutual agreement on priorities and plans. While the scope and content of PPAs varies, PPAs typically set out goals and objectives, priorities and plans, the roles and responsibilities of each partner, and the measures they will use to assess progress. The best PPAs are based on an assessment of environmental conditions and program implementation needs as well as analysis of what approaches and tools are most likely to bring about the greatest environmental results.

PPA as grant work plan. Often, the PPA or portions of the PPA also serve as the work plan for a PPG and/or other state grants. All state grant work plans, including PPGs, must meet the requirements of 40 CFR [35.107](#)(b), and the portions of the PPA that serve as a grant work plan must meet all of these requirements. In addition, the portions of the PPA that are used as the work plan must be clearly identified to distinguish them from other parts of the PPA that are voluntary. (See 40 CFR [35.107](#)(c)(1).)

PPA is not a prerequisite for a PPG. States are not required to negotiate PPAs (or comparable agreements) with EPA in order to combine grants in a PPG. However, PPAs can provide the strategic underpinning for PPGs. This is especially important if the state wants to take advantage of the flexibility available through PPGs that allows them to shift resources among programs or to fund projects that cut across program boundaries.

1-6 How can PPGs help EPA and states reach environmental goals?

- When developing a PPG work plan, EPA and states have a unique opportunity to plan their work across multiple environmental programs.

Traditional grant work plans are negotiated within individual programs. PPGs are often developed in a process that involves not only EPA and state program managers but also more senior leaders who bring a broader perspective about priorities and needs to the table. This can lead to PPG work plans that better reflect the relative priorities and needs of the state. Another advantage of a coordinated work plan development process is that when program managers see and understand the work their counterparts in other programs are planning, they may be able to leverage resources by joining forces on efforts of mutual interest.

- PPGs provide a mechanism through which EPA can help states fund the priorities and strategies that EPA and the state have agreed on through their joint planning efforts.

Under Part 35, states have some flexibility to address state priorities and needs if they fall within the boundaries of an individual grant program. However, states that receive their

funds in PPGs have the greatest flexibility to shift resources among program areas. PPGs have streamlined administrative requirements that can reduce administrative costs.

- PPGs can help states implement innovative strategies that cross traditional program boundaries.

Several promising innovative approaches address environmental problems more holistically, such as on a geographic basis or by industry sector. Some states now have multi-media permitting units where staff may work under multiple authorities and may even issue multi-media permits. Other states conduct multi-media inspections, compliance assistance programs, or enforcement initiatives. Community-based environmental protection projects and pollution prevention programs also cut cross program boundaries. Voluntary programs to reward facilities and companies with exemplary environmental performance, such as the Environmental Results Program and Performance Track look at compliance across all environmental requirements. With PPGs, such cross-cutting or multi-media projects are easier to fund and manage.

- PPGs can help link program activities with environmental and public health goals and outcomes.

Many of the states that negotiate PPAs and PPGs have been on the leading edge of building a performance-based system, including the development and use of improved performance measures. EPA and states had been working to improve measures and indicators for many years, but the advent of performance partnerships moved these efforts to the forefront. The efforts were further boosted by implementation of the [Government Performance and Results Act](#) (GPRA) and preparation of the draft [Report on the Environment](#).

While considerable work remains, many states negotiating PPAs and PPGs have been trying to improve the links between program activities and strategic goals and objectives. As a result, these states had some experience in this approach when EPA issued an [environmental results order](#) in 2005 requiring all grants awarded by EPA to be linked to the goals and objectives in the EPA [Strategic Plan](#).

1-7 How do the regulations governing PPGs support flexible approaches to achieving environmental results?

The Part 35 rule, which governs all state grants -- including PPGs -- was revised in 2001. The updated rule is designed to help promote performance-based partnerships and provide greater opportunities to focus grant resources on state-identified needs and priorities. Working with EPA, states can take advantage of a range of flexibility under Part 35.

- *All categorical state grants* provide some flexibility to direct resources to state priorities *within* a program grant (e.g., CAA Sec. 105, CWA Sec. 106, etc).

- **All PPGs** provide administrative flexibility by allowing states to meet state match requirements as a whole rather than by individual program, streamlining paperwork and accounting requirements, and allowing funding of cross-cutting projects. Application requirements for all PPGs are the same as for categorical grants.
- States can use the ***most flexible features of PPGs*** to increase efforts in some program areas where the state's environmental protection needs are greater, and decrease them in others where the state's needs are less. The state may also use a PPG to fund projects or activities that cut across program boundaries. In applying for a PPG that uses this kind of flexibility, the state must provide a rationale for any shifts they propose (see 40 CFR [35.137](#)(a)(4).)

PPGs have several flexible features that states can tailor to their particular needs and circumstances.

Some of the most important features and how they can be used are described below. See [examples](#) of administrative and programmatic flexibility for real-world examples of how states have actually used these features.

- States can focus resources on their most pressing needs.

All states can take advantage of a range of flexibility under the Part 35 rule, but the greatest flexibility is available with PPGs. Under individual program grants, states can negotiate work plans that focus resources on their priorities *within* the activities authorized by that grant program (e.g., CWA Sec. 106, CWA Sec. 119, CAA Sec. 105). States that receive funds in a PPG can reduce achieve cost savings through streamlined administrative requirements.

With a PPG, states can propose work plans that increase efforts in some program areas where the state's environmental protection needs are greater, and decrease them in others where the state's needs are less. PPGs also allow states to pool resources from multiple programs to fund initiatives and projects that cut across program boundaries.

In proposing such shifts to EPA, Part 35 requires the state to explain the basis for its priorities as well as the environmental and other benefits the state expects to achieve. (See 40 CFR [35.137](#)(4).)

- o States have used this flexibility in a variety of ways. Examples include: addressing environmental problems caused by natural disasters such as hurricanes and forest fires, covering staffing shortfalls, hiring summer interns to conduct field surveys, developing Total Maximum Daily Loads (TMDLs), and reducing permit backlogs.
- o States have also used PPGs for cross-cutting projects such as data management improvements, multi-media inspection programs, cross-media permit training, Geographic Information Systems (GIS) mapping, and laboratory services.

- States can use PPGs to fund a wide range of activities.

Each categorical program grant is governed by its own law, regulations, and administrative requirements. Funds can only be used to support activities that are eligible for funding under that particular grant's authority. Under a PPG, the scope of eligible activities includes all of the activities that are eligible under each one of the combined grants.

- For example, some media programs have several grant programs. For example, several different water program grants may be directed to address the same environmental problem, such as improving water quality in a watershed. The restrictions on the activities eligible for funding under each grant can limit opportunities for coordinating the use of funds in a strategic way. As a practical matter, it can be hard to make clear distinctions among the activities conducted under the grants and to track grant expenditures accordingly. If the grants were included a PPG, such tracking would not be necessary since all of the activities would be eligible.
 - Different grant programs might also be used to address the same environmental problem, such as water quality in a geographic region or pollution from an industry sector. Under a PPG, resources from several grant programs could be pooled to implement a coordinated strategy.
 - This feature is also useful in supporting projects that cut across program boundaries. For example, activities to improve information systems are clearly eligible for funding under some program grants but may not be under others. By combining grants in a PPG, information system improvements or equipment purchases affecting all programs in the PPG could be funded, with the approval of the Regional Administrator. (See 40 CFR [35.135\(b\)](#).)
- States can meet the PPG's composite match from a combination of program sources rather than with program-by-program matches.

Many environmental program grants require states to provide a percentage share of funds order to receive the grants; the cost-share percentages range from 25 percent to 50 percent. Some programs have no cost-share requirement, while others have both cost-share and maintenance of effort requirements.

With a PPG, the required amount of the state match is the sum of the cost-shares for each of the combined programs. (There are some special considerations for those programs with maintenance of effort requirements.) Many states have found this composite match feature to be particularly valuable.

- For example, a state may have more than adequate resources in its own budget for one program that is being combined in the PPG, but be strapped for resources in another. The state can overmatch with funds from the resource-rich program to cover the match from a program having difficulty meeting its own match.

- States can split funds between a PPG and individual program grants.

States have the greatest flexibility if they combine all of their funds in a PPG, and are encouraged to do so. However, some states may want to use a PPG to fund cross-cutting projects or special initiatives, but may not want to put all of the funds from each individual program grant into the PPG. If at least some portion of an individual program grant's funds are combined in the PPG (sometimes called the "dollar in" rule), the PPG can be used to fund activities associated with that program. (If air funds are being split, however, special considerations are involved to ensure that Maintenance of Effort requirements are met.)

- For example, a state may want to use a PPG to fund a multi-media environmental enforcement initiative, but may not want to combine all of their grant funds in the PPG. In these cases, the state could pool a portion of grant funds from each of the programs covered by the enforcement initiative in a PPG. (See 40 CFR [35.135\(b\)](#)).
- This feature can be used in combination as well. For example, a state could fully fund some programs via the PPG but split funds between the PPG and an individual program grant for others.

1-8 Do states with PPGs continue to implement all core environmental programs?

States must continue to implement each of the programs combined in a PPG. PPGs (and PPAs) do not supersede any laws, regulations, or delegation agreements. In their negotiations with each state, EPA regional program managers are responsible for making sure that the PPG work plan contains sufficient commitments to carry out the work needed to adequately implement the core environmental program requirements for their respective programs. Regional program managers are also responsible for making sure the state completes these commitments and reports information to EPA as required.

While states must continue to implement the core programs combined in the PPG, they do have flexibility in how they deploy the PPG funds to support them. If the state can show that it will meet basic program requirements for a given program with its own resources, funds in the PPG from that program might be used to support work in other areas.

1-9 Do PPGs have the same accountability requirements as other state grants?

All state grants – categorical grants and PPGs – are subject to the same reporting, joint evaluation, and other accountability requirements of Part 35. Just as for any other grant, states are held accountable for achieving the outcomes and outputs set out in PPG work plans. States with PPGs continue to report information into national data systems and submit any other reports required by law or regulation.

A new EPA [environmental results order](#) seeks to ensure that each grant EPA awards is consistent with EPA's Strategic Plan and includes appropriate output and outcome measures. EPA regional offices are required to make sure that PPG and other state program grants comply with this requirement.

Part 35 requires states and EPA to conduct joint evaluations of state grants, including PPGs. (See 40 CFR [35.115](#).) The results are used -- along with other information about environmental conditions and program implementation needs -- to support joint planning and priority setting. In many programs, progress and accomplishments are reported in national and regional program databases and reports. Reporting, in whatever form, must include results (outputs and outcomes).

Section II. Implementing Performance Partnership Grants

2-1 What regulations govern Performance Partnership Grants (PPGs)?

- 40 CFR 35, Subpart A -- State and Local Assistance

EPA regulations at [40 CFR Part 35](#), Subpart A (commonly referred to as Part 35) govern all state environmental program grants, including PPGs. The rule was updated in 2001, in part, to reflect partnership principles in all state grants and to include the PPG program.

¹

Sections 35.100 to 35.118 contain requirements that apply to *all* state environmental program grants, including PPGs. The requirements address such topics as components of a grant application, grant work plans, funding periods, criteria for approving grant applications, timeframe for EPA action, amendments and other changes, evaluation of performance, and unused funds and unexpended balances.

Sections 35.130 to 35.138 contain the requirements that are unique to PPGs. The requirements address topics including the purpose of PPGs, grants eligible for inclusion in PPGs, eligible recipients, activities eligible for funding, cost-share requirements, application requirements, and competitive grants. These PPG requirements are *in addition to* the grant requirements in Sections 35.100 to 35.118 that apply to all state grants.

The remaining sections of Part 35, Subpart A contain the requirements that apply to each of the individual categorical environmental program grants to states. For each grant program, the rules cover topics such as the purpose, eligible activities, basis for funding allotment, and maximum federal share; some include a competitive grant process. These program-specific rules are relevant to PPGs, because they affect the composite cost-share amount as well as the activities that can be funded with the PPG.

[Exhibit 1](#) contains a summary of the 40 CFR 35, Subpart A, with links to the full text of the regulation.

- Part 31 -- Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments

In addition to Part 35, state grants, including PPGs, are subject to the requirements of [40 CFR 31](#). These administrative requirements address such topics as financial management, allowable costs, real property, procurement, cost-sharing, non-federal audits, monitoring and reporting program performance, financial reporting, and records.

¹ 40CFR Part 35, Subpart B contains regulations applicable to environmental program grants, including PPGs, for tribes.

2-2 What activities are eligible for funding under PPGs?

PPG funds can be used to carry out any activity that is allowable under at least one of the environmental program grants from which funds are combined in the PPG. The ability to fund a broad range of activities is one of the most flexible features of PPGs. The more program grants that are included in the PPG, the greater the range of activities that can be funded with the PPG. As long as any amount of funds from a particular grant program are combined in the PPG (sometimes called the "dollar in" rule), any activity that would have been allowable under the grant program can be funded by the PPG as long as all the work plan commitments are also satisfied.

- For example, a state may wish to conduct multi-media inspection inspections to assess compliance with air, water, and hazardous waste management requirements. If the PPG combines funds from Clean Air Act (CAA) Sec. 105, Clean Water Act (CWA) Sec. 106, and Solid Waste Disposal Act (SWDA) Sec. 3011(a) programs, these multi-media inspections could be funded through the PPG -- with the approval of the Regional Administrator.
- Under the "dollar in" rule, a state could decide to combine just a portion of its funds from the three programs in a PPG, and continue to receive the rest of their funds in individual grants. Since at least some funds from each of the programs are combined in the PPG, the multi-media inspections could be funded through the PPG, with the approval of the Regional Administrator. (*Important caution:* Due to unique maintenance of effort (MOE) requirements, special considerations are involved in combining only a portion of a state's CAA Sec. 105 funds in a PPG.)

In this same example, however, the state could not use the PPG-funded multi-media inspection program to inspect for compliance with underground storage tank (UST) requirements or polychlorinated biphenyl (PCB) rules under the Toxic Substances Control Act (TSCA) because no funds from those grant programs were included in the PPG.

2-3 What agreements should EPA and a state reach as part of a successful PPG negotiation?

A PPG should be the product of a joint planning and priority setting dialogue, and should reflect mutual agreement between the state and EPA. (See 40 CFR [35.130\(b\)](#).) The grant work plan associated with a PPG is the result of negotiations between EPA and state program managers. Successful PPG negotiations rely on a predictable process that fosters prompt resolution of issues, including elevation of issues to senior management if necessary.

In successful PPG negotiations, EPA and the state will reach mutual understanding and agreement on:

- State environmental conditions and program needs;
- Goals, indicators, and activities, along with state commitments for program deliverables;
- Funding allocation; and
- A process for joint evaluation.

In some states and regions, PPA and PPG negotiations occur at the same time. Other topics which might also be addressed in these broader negotiations include:

- Investments and disinvestments;
- Technical assistance for targeted programs;
- Joint ventures that EPA and the state will undertake;
- Future year activities; and
- Where federal actions are anticipated (i.e., interstate, regional, or national in scope).

2-4 What is the general planning cycle for development PPGs?

The schedule for developing PPG agreements will vary somewhat by state. In many cases, PPGs are developed concurrently with new or revised PPAs or comparable state-EPA agreements. This annual process for PPG work plan development should reflect the results of EPA and state participation in developing the *EPA Strategic Plan*, Regional Plans, and National Program Manager (NPM) guidance.

Winter: Generally, the PPG planning cycle begins in the winter. EPA and states develop preliminary priorities and assess state resources needs, based in part on the results from the previous year's grant. They review and comment on draft guidance from EPA's National Program Manager (NPM), which is usually issued in February. The region and state begin to develop mutual goals and priorities based on consideration of the NPM guidance, regional plans and guidance, and state priorities and needs.

Spring: In the spring, joint planning begins in full. Some regions develop their own regional or state-specific guidance. EPA and state program managers meet to discuss preliminary priorities, goals, and action items and begin developing the PPG. Unresolved issues are elevated to senior management.

Summer: The most interactive phase of negotiation occurs during the summer, when states submit their PPG (and state grant) applications. EPA regions and states review and comment on proposed Annual Performance Commitments. Unresolved issues are elevated to senior management, involving EPA headquarters as needed. Ideally, the PPG is signed by the end of September.

2-5 How do elements of EPA's planning process -- such as National Program Manager (NPM) guidance and Annual Performance Commitments -- affect PPGs?

Part 35 requires consideration of national, regional, and state priorities in the development of grant work plans. EPA's planning process was recently revised to provide increased opportunities for states to participate and influence EPA priorities and strategies at the national and regional levels. As these joint planning efforts mature, there should be few major conflicts between the national, regional, and state priorities. When states do have different priorities and strategies, however, provisions of Part 35 ensure that the state priorities are considered as grant work plans are negotiated.

There are several connections between EPA's planning processes and the negotiation of PPG and state grant work plans.

- Consideration of state priorities in National Program Manager (NPM) guidance. The [NPMs issue guidance](#) setting out national priorities and the strategies that regional offices will be expected to carry out to meet program goals in the coming three years. In EPA's [planning process](#), NPMs are expected to reflect regional and state priorities and needs in developing their national guidance.
- NPM guidance in grant work plans. EPA regions and states are required to consider the NPM guidance when they develop grant work plans, including PPG work plans (see 40 CFR [35.107\(a\)\(1\)](#)). To provide flexibility to address regional and state needs, the rule also requires states to develop work plans that reflect any jointly-identified priorities as well as state-specific environmental and programmatic needs.
- Consideration of state priorities in grant work plan development. The grant rule explicitly requires that state priorities and needs be considered, along with national program and regional supplemental guidance, in developing grant work plans. (See 40 CFR [35.107\(a\)\(1\)](#).)
- Process if a state proposes different goals and priorities. In keeping with the goals of performance partnerships, Part [35.107\(a\)\(1\)](#) provides flexibility for states to propose grant work plans that differ from the goals, objectives, and measures in the NPM guidance. If the state proposes a work plan that is *significantly* different from the NPM guidance, the Regional Administrator must consult with the affected NPM 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 NPM.
- Timing of the NPM guidance. Under EPA's revamped planning process, EPA issues all of the NPM guidance (or guidance updates) on or about the same date, typically in April, to affect the coming fiscal year. By issuing the NPM guidance all at the same time, EPA regions and states can get a comprehensive, cross-program view of priorities and proposed work. While EPA is committed to issuing these guidance documents on time, EPA wants to ensure that grant negotiations can move forward in

the event that a program office is late in issuing its NPM guidance. To address this issue, 40 CFR [35.107](#)(a)(3) says that a state may use the NPM guidance that is in place at the time the state prepares its grant application as the basis for its work plan.

- **Grants and Annual Performance Commitments.** Each year, the NPMs also propose Annual Performance Commitments they consider essential for the regions to accomplish so the Agency can achieve its strategic goals and objectives. EPA and states (critical partners in achieving many of these commitments) have an opportunity to review, comment, and propose adjustments to these commitments based on their priorities and strategies. The Annual Performance Commitments translate EPA goals and objectives into the actual work that will be performed at the operational level. Many of the regional commitments are for work that is actually performed by states. These commitments should be reflected in state grant work plans (including PPG work plans), which are essentially the operational plans between EPA regions and the states. *Note:* Some state grants have a period of performance longer than one year. In these cases, the work to be performed in a given work year under the grant is still negotiated annually based on the amount of funds that are available.

2-6 What are the roles and responsibilities of key state and EPA regional managers and staff in developing PPGs?

While the planning process for developing PPGs varies among states and regions, the basic roles and responsibilities of key EPA regional and state players are comparable. Ideally, PPG and other state grant work plans -- as well as PPAs and comparable state-EPA agreements -- should reflect the results of EPA-state joint planning.

The discussion of roles and responsibilities below shows managers and staff as well as the scope of functions typically involved in joint planning and the development of PPG grant agreements. Specific titles, process steps, and responsibilities may vary by region and state.

Important Notes

- This summary provides an overview of roles and responsibilities related to development of PPGs. It does *not* address roles and responsibilities after a PPG has been awarded.
- EPA project officers and grant specialists must comply with all policies in EPA Grants Administration Division's *Assistance Agreement [Manual](#)* (intranet link available to EPA employees only).

EPA Regional and State Senior Managers

(EPA Regional Administrator, Deputy Regional Administrator, Assistant Regional Administrator; State Environmental Commissioner, Deputy Commissioner)

EPA and state senior managers set the direction for the region and state. They consider individual and mutual priorities; develop strategies; allocate resources; and identify investments and disinvestments. They also resolve issues that are raised to them from

lower levels in their organizations, and if necessary, elevate issues to EPA headquarters for resolution.

EPA Regional Planners

(Managers and staff in the EPA region's planning office)

EPA Regional Planners coordinate development of Regional Plans and revisions. They foster meaningful involvement of states and serve as the liaison between EPA headquarters and the region and states for the Annual Commitment System.

EPA Regional and State Program Directors

(EPA and state program and compliance/enforcement program division directors or managers)

EPA and state program directors ensure that their program goals, priorities, and resource needs are considered in the planning process and adequately reflected in PPG work plans. To do this, they begin working together early in the planning process, exchanging EPA guidance and state directives, results of environmental and program assessments, and other information to be considered in developing the PPG work plan. They also coordinate with their compliance/enforcement counterparts who share in making PPG commitments related to their programs. Program directors elevate issues that cannot be resolved at their level to senior management.

EPA and State Program Staff Representatives

(Staff representatives of the programs whose grants are being combined in the PPG)

Program staff representatives of the individual EPA and state programs (including compliance/ enforcement programs) negotiate the work plan, conditions, and commitments in the PPG for their respective programs, and assure that EPA and state priorities are addressed during PPG negotiations. Program staff representatives elevate issues in a timely manner to their program directors if there is an impasse.

PPG Project Officers and State PPG Leads

(PPG Project Officer develops and manages the PPG for EPA; for purposes of this discussion, the State PPG Lead is the principal contact for PPG development for the state agency)

The PPG Project Officer coordinates development of the PPG for EPA. While they are not required to do so, in most cases states designate a principal contact to coordinate development of the PPG -- the "State PPG Lead" for this discussion. Working with senior management, the EPA Project Officer and State PPG Lead develop schedules, content, and format for negotiating and completing the PPG and assure that EPA and state priorities are addressed. They compile and exchange a record of relevant EPA and state guidance. They monitor negotiation progress and facilitate resolution of cross-program and cross-functional issues, elevating issues to senior management as needed. To assure PPG documents are consistent with PPG and other grant and financial requirements, they work with EPA grants specialists and state financial staff.

Grants and Financial Specialists

(Specialists in EPA and states who ensure adherence to administrative and financial requirements for grants)

Grants and financial specialists in EPA and states are responsible for ensuring that grant documents and financial aspects of the PPG are consistent with all requirements. They provide technical assistance to EPA and state senior managers, PPG Project Officers, and PPG State Leads on preparation of grant documents, status of funds, and grant obligations.

2-7 What responsibilities do states have with regard to PPGs?

PPGs offer states a special opportunity to direct environmental grant funding to their most important environmental problems and program needs. In turn, states are responsible for implementing core program requirements, thinking strategically, and setting priorities to identify optimum ways for using available federal resources. This vital role stems from one of the fundamental concepts underlying performance partnerships; that is, each state is different and each state-EPA partnership negotiation must take into account the specific interests, needs, and capacities of that state.

States are responsible for ensuring that their own legal requirements are factored into the PPG process. State agencies must operate in accord with their statutory and regulatory authorities, and the state's use of grant funds must be consistent with their appropriations authorities and applicable fiscal procedures. Grant work plans should be consistent with these requirements. States should first work to align federal and state priorities. If a state foresees a problem, it should advise the region as soon as possible so that joint action can be taken to address the situation.

With a PPG, states remain responsible for providing performance commitments in work plans that reflect the negotiated strategic agenda. The state, in cooperation with an EPA region, is also responsible for delivering the program achievements that are defined in the grant work plan and for providing appropriate reports. Implementing a PPG in accordance with all federal and state accountability requirements is an important way to demonstrate that greater flexibility can and will lead to better performance outcomes for a state.

The state should ensure that important program performance issues or concerns that arise during the year are communicated to the region in a timely manner. Such heads-up contact helps avoid troublesome “surprises” at the end of the year when the final performance accounting takes place and affords an opportunity for cooperative resolution of these matters, including taking any appropriate corrective action.

2-8 What should be included in a PPG work plan?

- Role of work plans in ensuring accountability

Grant work plans document how grantees intend to use federal funds and what they will accomplish. In this era of the Government Performance and Results Act (GPRA), Program Assessment Rating Tool (PART) reviews by the Office of Management and Budget (OMB), and increased Congressional oversight of EPA grants, the overall quality of EPA work plans are receiving more scrutiny than ever before. Performance-driven grant agreements will link clearly to *EPA's Strategic Plan* and contain output and outcome measures.

- PPG work plan requirements

PPG work plans are subject to the same requirements as any other grant work plan, as set out in 40 CFR [35.107](#). An approvable work plan must specify:

- o The work plan components to be funded under the grant;
- o The estimated work years and the estimated funding amounts for each work plan component;
- o The work plan commitments for each work plan component and a time frame for their accomplishment;
- o A performance evaluation process and reporting schedule in accordance with 40 CFR 35.115, and
- o 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.

- PPA serving as a PPG/grant work plan

A Performance Partnership Agreement (PPA) -- or comparable negotiated agreement -- can serve as a grant work plan for a PPG or other state grants. A comprehensive PPA that serves as the PPG work plan can be the most strategic, flexible, and outcome-oriented option for states and regions.

The portions of the PPA that serve as a grant work plan must meet the same work plan requirements as for any state program grant (see discussion above). The portion(s) of a PPA that serve as a work plan must be clearly identified and distinguished from the rest of the PPA. 40 CFR [35.107](#)(c) states:

An applicant may use a Performance Partnership Agreement or a portion of a Performance Partnership Agreement as the work plan for an environmental program grant if the portions of the Performance Partnership Agreement that serve as all or part of the grant work plan: (1) Are clearly identified and distinguished from other portions of the Performance Partnership Agreement; and (2) Meet the requirements in §35.107(b).

The work plan portion must include specific work plan commitments and is subject to audit. Other parts of the PPA, such as parts that are a strategic overlay or that set out other aspects of the state-EPA working relationship, are not subject to specific requirements. Grant-related accountability attaches only to those sections of the PPA that are designated as a grant work plan.

- Grant budget period

The length of a grant period is flexible, and can be negotiated between EPA and the state. EPA strongly encourages states to keep the budget period to a maximum of five years, because longer budget periods are more difficult from a management and accountability standpoint. With a multi-year budget period and multi-year work plan, specific work plan commitments are negotiated annually based on the amount of funding that is available.

- Output and outcome measures

The preamble to Part 35 states that a work plan should have commitments and a time frame for accomplishing them. 40 CFR [35.102](#) defines outputs and outcomes:

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.

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.

While the rule's preamble encourages use of outcome measures, the rule does not specify what the mix of output and outcome measures should be. The EPA national and regional guidance and state priorities and objectives will provide direction for the mix of output and outcome measures that should be included in the grant work plan.

It is well recognized that it will usually take longer than a typical grant funding period to achieve an environmental or public health outcome. Part 35 does not require that an outcome must be accomplished within the funding period for a grant. Outputs, however, must be measurable within the grant funding period.

2-9 What information do states need to support their proposals for funding or program flexibility or alternate strategies?

Flexibility available in individual state program grants

When negotiating a grant work plan, regions are expected to consider state priorities and strategies that are different from those in the EPA's National Program Managers (NPMs)

guidance. (See 40 CFR [35.107](#)(a)(2).) Part 35 allows states to propose alternative state priorities and approaches both within a single grant program or, if the state combines its grants in a PPG, across and among programs.

In either case, the state should explain the basis for its proposed priorities and how the state's alternative approach will be effective in addressing the state's needs. This information will help EPA officials in determining whether to accept the alternative priority or approach in the proposed work plan.

The Regional Administrator is the decision-official regarding requests for flexibility in state grants. However, if a state's proposal deviates significantly from the NPM guidance, the Regional Administrator must consult with the appropriate NPM(s) before agreeing to the state's proposal.

- Rationale for programmatic flexibility in PPGs

PPGs provide the most flexibility, because states can propose work plans that shift the amount of work to be performed in a lower priority program area to a higher priority program. States can also propose to aggregate funds from across multiple programs to support an important cross-cutting project.

To maintain support for the PPG program, EPA must be able to explain to the Office of Management and Budget (OMB), Congress, and others how and why PPG flexibility is being used and its value in helping states meet environmental and public health goals. EPA must ensure that all core programs will nonetheless continue to be adequately implemented if the work plan proposes shifts in emphasis among the programs.

To that end, Part 35 contains a specific requirement for states to explain the reasons and expected benefits of proposed work plans that involve programmatic flexibility. 40 CFR [35.137](#) (a)(4) requires that a grant application contain:

A rationale, commensurate with the extent of any programmatic flexibility (i.e., increased effort in some programs and decreased effort in others) indicated in the work plan, that explains the basis for the applicant's priorities, the expected environmental or other benefits to be achieved, and the anticipated impact on any environmental programs or program areas proposed for reduced effort.

The Regional Administrator and state agency will mutually determine the information needed to support the rationale for flexibility. (See 40 CFR [35.137](#)(b).) Information useful in supporting a state's proposal for programmatic flexibility may already exist, such as in a Performance Partnership Agreement (PPA) or comparable negotiated strategic document, a recent water quality report, a previous joint grant evaluation, and other environmental and program data sources. To minimize duplication of effort, such information should be used to the extent possible.

2-10 How can PPG work plan components be organized to provide flexibility?

State grant work plans are organized primarily by work plan component. Part 35 defines a work plan component as a “negotiated set or group of work plan commitments as

established in the grant agreement." A work plan may have one or more work plan components. (See 40 CFR [35.102](#).)

Under the Government Performance and Results Act, EPA must show how grants funds support the achievement of the goals and objectives in EPA's *Strategic Plan*. To do this for PPGs, EPA project officers perform a crosswalk, estimating the amount of funds in a PPG to assign to each goal and objective. While EPA may ask a state for help in developing these estimates, EPA cannot require the state to provide the estimates.

States and EPA have several options for organizing PPG work plan components, and current practice reflects the range of these options. The best option for a given state and region depends on the circumstances. Operational flexibility can be achieved using any of these approaches to organizing work plan components.

- Some states have adopted multi-media work plan components in their PPGs. In this approach, commitments are grouped under categories such as permits, monitoring, inspections, and enforcement. This approach requires EPA project officers to estimate the relative amount of the budget for each component that should be assigned to the goals and objectives in EPA's *Strategic Plan*.
- Other states organize the work plan components in accord with the individual program grants included in the PPG. In this approach, total work years for a whole program are specified in the PPG. An advantage to this approach is that there is no need to negotiate about how to assign specific work years to detailed program activities. This approach also tends to make it easier for EPA project officers to perform the crosswalk with EPA's *Strategic Plan* structure.
- Some states use more specific program elements as their program components. In this more detailed approach, they estimate work years for inspections, monitoring, permitting, enforcement, etc., within a program area. This approach may provide managers with less flexibility to allocate work on an as-needed basis because adjustments may involve changes in grant or program commitments.

2-11 How is the state's match amount for a PPG determined?

The minimum cost share amount for a PPG is the sum of the non-federal cost share that is required under each of the environmental program grants combined in the PPG.

When an environmental program included in the PPG has both a matching and maintenance of effort requirement, the greater of the two amounts is used to calculate the minimum cost share attributed to that environmental program. (See 40 CFR [35.136](#)(b).)

Cost share requirements for the individual environmental programs are described in [40 CFR 35](#), from Sections 140 to 418.

2-12 How are competitive grants managed in a PPG?

The following PPG-eligible environmental program grants are awarded competitively -- that is, the state must win a competitive process in order to receive the funds.

- o State and Tribal Response (Brownfields) (CERCLA Sec. 128)
- o Multi-Media Sector Grants (compliance/enforcement)
- o National Environmental Information Exchange Network
- o Pollution Prevention State Grants (PPA Sec. 6605)
- o Water Quality Cooperative Agreements (CWA Sec.104(b)(3))
- o State Wetlands Development Grants (CWA Sec. 104(b)(3))

Competitive grants pose special management challenges for PPGs.

- o The state (and EPA) will not know at the time that strategic planning and priority setting is underway whether or not the state will receive funds for the competitive program. This presents a challenge for developing comprehensive plans and priorities and a fully integrated PPG work plan.
- o Grant cycles for competitive grants often do not coincide with the major program grants and the awarding of a PPG. Competitive grants are typically awarded later in the year than a PPG. To incorporate a competitive grant, the PPG must be formally amended.
- o Reporting requirements for some competitive grants exceed those of the program grants.

Nevertheless, many states add their competitive grants to their PPGs because they believe the benefits exceed any additional effort that may be involved.

- EPA grant competition policy

Award of competitive grants must adhere to the requirements of EPA's [grant competition policy](#). This policy ensures that grant competitions are conducted according to accepted government-wide principles. The Agency's policy assures fair competition while giving programs the flexibility they need to customize a competition to maximize program results. Each of the competitive grants has its own regulations as well as guidance and criteria for the award of grants.

- Adding a competitive grant to a PPG

If the state does receive a competitive grant, the grant can be folded into the PPG. However, the PPG work plan must be amended to include the specific work plan commitments that were the basis for the award. This requirement assures fairness in the competition as well as accountability. (See 40 CFR [35.138](#).)

The process for adding a competitive grant is straightforward. There are two approaches: the competitive grant work plan can simply be "stapled" to the PPG, or the work plan can be fully integrated into the PPG work plan.

- Integrating competitive grants into PPAs and PPGs

EPA's policy is to promote comprehensive joint planning and priority setting as a way to maximize program effectiveness and environmental results. Although competitive grants pose certain practical issues for comprehensive planning, EPA and states are urged to consider ways to integrate competitive grant programs in the development of their PPAs and PPGs.

- Recent policy decisions on PPG-eligible competitive grants

During 2004, EPA's Performance Partnership Steering Committee addressed questions about whether four of the PPG-eligible competitive grants should continue to be awarded competitively. The Steering Committee developed a set of principles and criteria for determining whether these grants should be awarded via competition, allocation, or some hybrid approach.

The Steering Committee made the following decisions regarding the four programs:

- Toxic Substances Compliance Monitoring. In 2005, EPA issued a deviation from Part 35 to allow the toxics program to establish base allocations for state programs that meet established requirements. (A rule change to make base allocations permanent is expected to be in place in 2006.)
- Wetlands: The wetlands program will conduct a three-year pilot to demonstrate that federal support of state programs produces better results.
- Water Quality Cooperative Agreements: The water quality program will remain fully competitive. Region 1 is conducting a pilot of base program allocations.
- Pollution Prevention: The pollution prevention program will continue exploring creative competition options with the regions and states.

2-13 What policies and procedures ensure that grants are awarded in a timely manner?
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Ensuring timeliness of grant awards is critical issue for state-EPA relations. Many states operate on a cash basis, and delays in grant awards can threaten program continuity or cost them funds because they must borrow from their state treasury, with interest, to keep the program going. In addition, delayed awards can reduce work plan accomplishments and impact environmental or program results. A state-EPA work group examining the issue characterized two types of problems: delays in making initial grant awards, and delays in awarding some of the program grant funds after EPA has received its appropriations.

Some of the obstacles that can delay the award of grants are beyond EPA's direct control. Congress must first enact EPA's appropriation bill, and then the Office of Management and Budget (OMB) must approve EPA's operating plan before EPA can use its budget. Other potential obstacles originate within EPA, such as delays in allocating the grant budget to the National Program Managers (NPMs) and regions or administrative delays with budget reprogramming and grant processing. Stalled or tangled work plan negotiations are another potential source of delay.

EPA distributed the findings and recommendations of the state-EPA work groups, which were endorsed by the Performance Partnership Steering Committee, as an attachment to a memorandum on "[Timely Award](#) of State and Tribal Continuing Environmental Program Grants" (December 23, 2005). Most of the recommendations can be implemented without additional authorities or resources. To monitor progress, OCIR will work with the Office of Grants and Debarment (OGD) to produce and distribute reports on grant timeliness. An EPA work group, which will also involve state and tribal partners, is developing a formal EPA Order to address the recommendations.

EPA has the tools needed to award grants in a timely manner. Under current policies, project officers can improve the timeliness of state grant awards, including PPG awards, even when the Agency is funded by continuing resolution.

- Agency policy on timely grant awards. Existing Agency policy governing the timely award of grants states: "It is EPA's policy to award assistance funds for continuing environmental programs as quickly as possible after funds become available." 40 CFR [35.110](#) describes timeframes for regional action on a grant application. For more information on the current EPA policy, see Grants Policy Issuance [GPI 92-6](#), "Policy on the Timely Award of Assistance," linked here on EPA's Intranet or available from EPA's Grants Administration Division. Regions, NPMs, and project officers will be notified formally when the Agency issues any policy that supplements or supersedes existing policy on timely awards.
- Conditional approval if minor changes needed. Using conditional approvals can prevent situations where unresolved work plan issues in one program hold up the entire PPG award. If only minor changes are necessary to have a complete application, 40 CFR [35.111](#) allows the Regional Administrator to conditionally approve an application, thus allowing a grant to be made on the condition that certain changes are made to the work plan or application. The approval should include the condition that the remaining portions of the work plan must be approved in order for the state to receive additional, specified funding increments.
- PPG award for programs with approved work plans; amend the PPG later to add unresolved programs. If the work plan has been approved for other programs, but there are significant issues in a specific program work plan that cannot be resolved in a timely manner, the PPG can be awarded without that program. Once the issues are resolved, amend the PPG to include the work plan (and funds) for that program. (See 40 CFR [35.114](#).)

- Prompt elevation of issues. For the obstacles that are internal to EPA, resolution often involves staff from all offices in a region and/or an NPM. In these cases, the issues can only be resolved with the attention of the senior executives. It is important that such issues be elevated in a timely manner so they can be resolved as quickly as possible.
- Timely grant awards under a continuing resolution. It is more difficult for EPA to make timely awards while the Agency operates under a series of short continuing resolutions, but it is still possible. Under continuing resolutions, regions receive the portion of all STAG accounts, including Clean Water and Drinking Water State Revolving Funds (SRF), that the Agency is allowed to spend while the continuing resolution is in effect. The Agency can make initial state grant awards with these funds. For PPGs, current policy allows regions to pool all STAG funds, if necessary, to make initial PPG awards.

Project officers, by working closely with their budget officers and grants management officers, can determine how much money is available for each state and prepare a funding recommendation for this amount once the PPG work plan is approved or conditionally approved. Since many STAG awards are normally not made until later in the year, a region may use these initial allocations to make timely PPG awards, and then re-balance all their STAG accounts (that is, “pay back” the other accounts) when the Agency receives its appropriation for the year. Grants Policy Issuance [GPI-92-6](#) provides detailed instructions for making continuing environmental grant awards under continuing resolutions; to individuals without access to EPA's intranet, the policy is available from EPA's Grants Administration Division.

2-14 What steps should be taken to ensure prompt resolution of issues that could delay award of a PPG?

Appropriate elevation is the key to achieving timely resolution of issues that arise within a region or between a region and a state. It is critical that both states and EPA staffs elevate issues up their chains-of-command when necessary. Often, delays in resolving a specific program issue or work plan item can delay an entire PPG award, stall negotiation of a PPA, or disrupt program operations.

In recent years, many regions have implemented explicit issue resolution procedures that call for the orderly elevation of issues until resolution is achieved. Ideally, the process should include clear steps and timeframes. Staff negotiating PPGs should check within their region on specific procedures. Within the region, the Regional Administrator is the final decision-maker on all PPG issues.

As discussed in [Question 2-16](#), the Office of Congressional and Intergovernmental Relations (OCIR) should be notified if there is a PPG-related disagreement between EPA offices that the offices involved have been unable to resolve in a timely manner. These issues are then addressed through the Performance Partnership Steering Committee and elevated to the Deputy Administrator if necessary.

2-15 Can a PPG be awarded if some programs have not yet reached agreement on the work plan?

It is EPA policy to award continuing environmental grant funds as soon as possible after funds are available to distribute. It is not acceptable to delay the award of the whole PPG based on unresolved issues in specific programs. In most cases, a region should be able to make a PPG award expeditiously, even if the work plan for one or more of the programs combined in the PPG has not been approved.

- Establish process to elevate and resolve issues promptly. The most important way for regions to ensure that unresolved issues do not hold up the award of PPGs is to establish and use a clear process, including timeframes, for elevating and resolving issues. For more information about the process for resolving issues, see Questions [2-14](#) and [2-16](#).

In the event that issues within specific program areas cannot be resolved within a reasonable timeframe, the region can still award the PPG. The appropriate approach for making the award depends on how significant the remaining issues are.

- If the unresolved issues are minor, the region can make a conditional PPG award. As set out in 40 CFR [35.111](#)(b)1, the Regional Administrator may:
 - conditionally approve the application if only minor changes are required, with grant conditions necessary to ensure compliance with the criteria.
- If the unresolved issues in a program's portion of the work plan are significant, the region can award the PPG for the programs with approved work plans and amend it later to add the unresolved program. EPA must ensure that states receiving PPGs are not unfairly treated in receiving their grant funds if there is a major disagreement about the work plan in a specific program that prevents approval of that program's part of the PPG work plan. In these circumstances, the region should award the PPG for the programs that do have approved work plans, and amend the PPG later to include the other program once the work plan has been approved.
- Reimbursement for pre-award costs. If there are delays in reaching final agreement on the content of the work plan, pre-award costs may be reimbursed if certain conditions are met. However, states face some risks if they incur expenses before an award is made. As set out in 40 CFR [35.113](#):
 - (a) Notwithstanding the requirements of 40 CFR 31.23(a) and OMB cost principles, EPA may reimburse recipients for pre-award costs incurred from the beginning of the funding period established in the grant agreement if such costs would have been allowable if incurred after the award and the recipients submitted complete grant applications before the beginning of the budget period. Such costs must be identified in the grant application EPA approves.

(b) The applicant incurs pre-award costs at its own risk. EPA is under no obligation to reimburse such costs unless they are included in an approved grant award.

Once the issues have been resolved, the work plan must be amended to reflect the changes. An amendment is required in either situation -- conditional approval or adding a program into a PPG after it has been awarded. Post-award amendments are governed by the requirements of 40 CFR [35.114](#).

2-16 What is EPA's process for resolving policy and implementation issues when a National Program Manager (NPM) does not agree with a regional office's decision about a PPG?

Sometimes, the National Program Manager (NPM) and the Regional Administrator may be unable to resolve a PPG-related issue within a reasonable time frame. For example, an NPM may disagree with a Regional Administrator's decision to accede to a state request for flexibility in a grant work. When such an impasse occurs, the offices should notify the Office of Congressional and Intergovernmental Relations (OCIR) to begin a process to achieve resolution of the issue.

Once notified of the issue, OCIR will:

- Bring the interested parties, including the program and regional offices, Office of Grants and Debarment (OGD), and Office of General Counsel (OGC) together to discuss issues and possible resolutions. OCIR will help facilitate an informal resolution if possible.
- If informal resolution is not possible within a reasonable time frame, OCIR will, after consultation with the involved offices, place the issue on the agenda for the Performance Partnership Steering Committee to discuss. The Steering Committee may either resolve the issue by consensus or elevate it to the Deputy Administrator.
- If the issue is elevated to the Deputy Administrator, OCIR will work with the involved offices to coordinate development of appropriate briefing materials, including any advice or position(s) from the Steering Committee.
- Decisions of the Deputy Administrator will be final.
- OCIR will work with the Deputy Administrator's office and other involved offices to document and communicate the decision.

Note on resolving disputes involving EPA and external parties. External disputes, such as those between states or other parties and EPA, are ultimately resolved through the EPA Disputes Resolution Process described at [40 CFR 31, Subpart F](#). States and regions should make every effort to resolve issues through direct communication and negotiation, involving EPA headquarters where appropriate. The formal dispute resolution process should be regarded as a last resort option. When a state appeals the decision of the

Regional Administrator, an Assistant Administrator or the Deputy Administrator will be the discretionary review official, as appropriate.

2-17 What are the requirements for joint evaluation of PPGs?

- Purposes of joint evaluation

Joint evaluations of state grants serve several important purposes. Evaluations assure compliance with state grant rules (40 CFR Parts 31 and 35). They also produce valuable performance information to support state and EPA program planning and decision making and provide assurance to officials and the public that EPA and the states are carrying out their environmental program responsibilities. These evaluations are also of interest to the EPA National Program Managers (NPMs), as they may help in gauging the results being achieved with state program grants.

Although the primary purpose of the joint evaluation of grants -- including PPGs -- is to assess progress in accomplishing the commitments in a grant agreement, this evaluation is also essential to planning, priority-setting, and continuous improvement efforts. Periodic program-wide reviews are also important tools in the joint evaluation process. These reviews may include review of delegation and other program requirements not found in a grant agreement.

All PPG and other state grant work plans must contain a binding set of commitments in the form of program goals, objectives, and performance measures. If a PPA also serves as a grant work plan the grant evaluation requirements apply only to those portions of a PPA that are the actual grant work plan. The information found in other sections of the PPA -- such as priorities, roles, and funding allocations -- can also be used as supporting documentation in the joint evaluation.

- o The 2002 Massachusetts PPA/PPG progress report shows progress in meeting goals and objectives with environmental indicators and other performance measures. (Scroll [here](#) to the 2002 PPA Annual Report.)

- State grant/PPG evaluation requirements

Part 35 recognizes the importance of the state partnership in evaluating results, and establishes a joint evaluation requirement at 40 CFR [35.115](#). These evaluation requirements apply to all state grants, including PPGs. The evaluation process must include:

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

40 CFR [31.40](#) provides additional detail on requirements for a satisfactory evaluation of state grant agreements.

- EPA response to state annual performance report

By regulation, states are required to submit an annual performance report for their grants or PPGs. (See 40 CFR [31.40](#)(b) and 40 CFR [35.115](#).) These reports show progress made during the grant period and document performance relative to program commitments made in the work plan. Typically, considerable effort goes into development of these reports by participating states. Thus, it is important for a region that receives a report to conduct a complete review and to respond to the state either in writing or by direct contact (e.g., via conference call) in a timely manner. This response completes the communication cycle and maintains the utility of the reporting process.

- Documenting the joint evaluation

Part 35 requires that EPA and states produce a documented joint evaluation within 90 days of the end of the grant period. This evaluation can be made up of several ingredients, including information in program data systems, informal and formal program reviews, and reports.

PPG project officers *must* maintain a document file of joint evaluations of PPG grant agreements. Though regions and states conduct many types of program evaluations and interactions during the year, the regulations require a documented joint evaluation, at least annually.

- Ongoing evaluation to improve the planning process

While Part 35 sets out requirements for a formal, documented annual joint evaluation for grants, EPA and states recognize that joint evaluation occurs throughout the entire year. Evaluation is carried out in a variety of contexts. Over the course of the year, such as during mid-year meetings between EPA and the state, much more substantial joint reviews will take place that can produce a deeper understanding of environmental and program conditions.

EPA and the states strongly benefit from these more in-depth interactions, as they provide the feedstock for successful joint planning and priority setting. While it is important to satisfy regulatory requirements, it is more important to do so in a way that maximizes use of information and draws upon the knowledge of state and EPA program staff to produce meaningful evaluations that feed an effective state-EPA planning process.

The result of a robust, year-around joint evaluation process is that regions and states have real data on environmental and program conditions. Ideally, evaluation results should inform the regional plans and set the stage for the next round of state-EPA planning and the negotiation of PPG and grant work plans. Because evaluation information comes from a variety of sources -- including formal reports from program data systems, informal and formal program reviews, site visits, and most importantly, ongoing EPA-state staff

relationships -- it is a challenge to assure that this information does feed into the joint planning and priority setting process.

2-18 What is the relationship between EPA's reporting under the Government Performance and Results Act (GPRA) and state performance reporting?

Since the early 1990s, Congress, the Office of Management and Budget (OMB), state and local governments, and the public have increasingly focused on results-based management. The 1993 [Government Performance and Results Act \(GPRA\)](#) – and similar laws and executive policies in many states – hold agencies accountable for using resources wisely and achieving program results.

Under GPRA, EPA must set out strategic goals and objectives and the measures that will be used to assess progress towards meeting them. EPA's budget and accounting systems are also tied to the GPRA goals and objectives. States are vital partners in achieving these goals, so EPA has revamped its processes to increase opportunities for states to engage in and influence EPA's plans, strategies, and performance measures.

Since EPA awards a large percentage of its budget to states in the form of grants, EPA is accountable for ensuring that grants support the achievement of EPA's goals and objectives (see discussion of EPA's environmental results order in [Question 2-19](#)).

- GPRA architecture and grant work plans

States do not need to use EPA's GPRA architecture in their work plans, budgets, or performance reports. EPA will use budget and work plan information that states provide in their grant applications as the basis for linking grant expenditures with commitments and accomplishments and with the GPRA architecture. EPA may ask states to help in making these links during grant negotiations.

Part 35 does require grant recipients to specify the estimated work years and the estimated funding for each work plan component (defined as a set or group of commitments in the grant agreement). A work plan component might be a traditional media program, such as Air Quality, or it might be a goal that is comprised of parts of many programs.

- GPRA and state performance reporting

Much of the information EPA reports under GPRA is drawn from state data. Some states have expressed concern that they will be required to report additional information to EPA so that EPA can report under GPRA. However, most of the data states report is the same information they have been reporting to the national environmental databases all along, under long-standing regulatory and statutory requirements. The performance measures for categorical grants and PPGs are the same. The performance measures in grant work plans commonly rely on the same data. Therefore, states do not have to spend additional resources gathering new data to report on grant performance or for other GPRA-related reporting.

- GPRA and environmental indicators

Under GPRA, EPA develops planning and accountability measures linking program activities and environmental results, and reports on them periodic, regular basis. Since states are often responsible for implementing these programs, these measures may be translated into commitments in grant work plans. EPA is also developing environmental indicators that are examined and tracked over the long-term to provide a better understanding of environmental conditions and potential impacts to human health. These indicators inform both EPA's broad mission and individual programs. However, these indicators by themselves cannot fulfill all planning and accountability requirements under GPRA. Because indicator trends are affected by complex factors, reports on indicators should not be considered s a "report card" on the specific results of EPA programs.

2-19 How does the EPA environmental results order affect PPGs and other state grants?

Approximately one-half of EPA's budget is awarded through assistance agreements (grants and cooperative agreements) to states and tribes and to educational, nonprofit, and other organizations. To meet its obligations under the Government Performance and Results Act (GPRA), EPA must be able to link the work that is performed with grant funds to the achievement of the goals and objectives in the *EPA Strategic Plan*.

To do this, a 2005 EPA [environmental results order](#) requires project officers to link proposed assistance agreements to EPA's Strategic Plan. Project officers must ensure that outputs and outcomes are appropriately addressed in work plans, solicitations, and performance reports. They must also consider how the results from completed assistance agreement projects contributed to the Agency's goals and objectives.

The environmental results order recognizes that PPGs and other state environmental program grants are among the primary mechanisms through which the nation's environmental programs are implemented. Part 35 already requires state grant (including PPG) work plans to include performance measures (outcomes and outputs) and requires joint evaluation of progress. Consequently, the only additional requirement for state grants is that project officers must list on the funding documents the EPA Strategic Plan goals, objectives, and sub-objectives that the grant supports.

- Environmental results/strategic plan crosswalk. Region 2 has developed a crosswalk that other regions may find useful in meeting the requirements of the new order. The crosswalk allows project officers to associate categorical grant funds and budget program resource codes (PRCs) with EPA's strategic planning goals, objectives, and sub-objectives. (See [Exhibit 2](#)).

2-20 How can changes be made to the list of PPG-eligible grants?

The list of grants eligible for inclusion in PPGs in FY 2006 is included in [Question 1-3](#). Under 40 CFR [35.133](#)(b), the Administrator has the authority to add, delete, or change

the programs eligible for PPGs if a new grant program is authorized in the appropriate line item in the State and Tribal Assistance Grants (STAG) appropriations account.

EPA policy on adding new PPG-eligible grants. EPA policy presumes that any new State and Tribal Assistance Grant (STAG) program will be approved for inclusion in a PPG unless there is specific legislative language or an Administration policy determination to the contrary. (Note: All STAG grant programs are grouped together in one STAG earmark, which Congress has determined to be PPG-eligible.)

Procedure for adding new PPG-eligible grants. For each new PPG-eligible grant program in the STAG appropriation, the Administrator makes the final decision whether that grant is approved for inclusion in PPGs. The Office of Congressional and Intergovernmental Relations (OCIR) will coordinate with the appropriate offices to develop a decision package for the Administrator's signature approving new programs for PPG eligibility. If an EPA office believes a new STAG program should be excluded from PPGs, the office must notify OCIR. OCIR will convene meetings with interested offices, develop the issue for deliberation by the Performance Partnership Steering Committee, and raise the issue to the Deputy Administrator or Administrator as necessary.

2-21 What are the responsibilities of the Office of Congressional and Intergovernmental Relations as lead office for performance partnerships?

The Office of Congressional and Intergovernmental Relations (OCIR) was named lead office for performance partnerships in 2003. As lead office, OCIR is responsible for strengthening state-EPA partnerships and facilitating the resolution of policy and implementation issues associated with performance partnerships. In doing so, OCIR will involve all interested program offices -- including the Office of General Counsel (OGC), Office of Grants and Debarment (OGD), and the Office of the Chief Financial Officer (OCFO).

The process that OCIR will use to resolve internal performance partnership issues involving several EPA offices -- such as when a Regional Administrator and an Assistant Administrator disagree over a state request for flexibility -- is described in [Question 2-16](#).

[OCIR's responsibilities](#) as lead office for performance partnerships also include coordinating the Agency's PPA and PPG development process; assuring that EPA program and grant guidance materials do not inappropriately limit the flexibility available in PPGs; maintaining a clearinghouse of information on performance partnerships; coordinating the work of the Performance Partnership Steering Committee; and developing guidance to advance performance partnerships.

2-22 What techniques have been used to engage the public in developing PPAs and PPGs?

One of the principal objectives of performance partnerships is to improve public understanding of environmental conditions, what the government is doing to address environmental problems, and the results of these efforts. Engaging the public can help

ensure that PPAs or comparable strategic documents -- as well as the PPG and other state grant work plans associated with them -- reflect the priorities, concerns, and interests of a wide range of stakeholders.

EPA and state staff working on implementing performance partnerships around the country have used a range of techniques to gain public views on priorities, which are then reflected in PPAs and PPGs. Experts in engaging the public recognize that different outreach techniques and methods of participation work for different groups; no one approach works equally well for all audiences.

Informed stakeholders -- such as representatives of environmental groups, business organizations, and local governments-- are most likely to be interested in participating in the state-EPA priority setting process. They may also be concerned about other aspects of a state-EPA partnership, such as arrangements regarding compliance and enforcement or performance measures.

When engaging stakeholders, it is important to set realistic expectations about whether and how the views that are expressed will be used in making decisions. Stakeholders will quickly lose trust if their views are not reflected in final products. An effort should also be made to ensure that a balance of interests is represented in whatever participation process is used.

EPA and state staff working on implementing performance partnerships around the country say they have been successful in gaining public views on priorities using the techniques described below.

Briefing legislators and other elected officials. Legislators and elected officials are perhaps the most important stakeholders. Not only do they represent their constituents, engaging them can help assure understanding of and support for the environmental priorities that are ultimately selected as well as for the measures of performance that will be used for accountability purposes.

Convening advisory panels. Options for panels include establishing a special performance partnership advisory panel or using an existing advisory panel or panels to review and comment on priorities and strategies. Panels should include representatives of different stakeholder categories to assure balance (e.g., business associations, environmentalists, local governments, civics groups).

Holding or participating in public meetings. This category includes a range of activities such as holding special public meetings or hearings on environmental priorities, conducting environmental fairs, and making presentations or holding seminars as part of meetings by other organizations (municipal leagues, civic associations, environmental organizations, community groups, etc.).

- o For example, one state has conducted annual focus group sessions to promote involvement of environmental, business, and local government interests. Each of these sessions brings together senior state and regional managers and leaders from an interest group for informal discussion of a proposed PPA. Issues and concerns

are raised and addressed, as appropriate, at these sessions and participants are afforded an opportunity to submit written comments. This arrangement has proven more useful and generated more meaningful dialogue than the traditional public hearings conducted for a proposed grant work plan.

Conducting surveys. Public surveys, conducted periodically, can help agencies understand the public's priorities as well as perceptions about environmental quality and government programs. Organizations representing various stakeholder categories may also be willing to poll their members to determine their priorities and issues.

Meeting with opinion leaders. When time and resources are limited, meeting with key opinion leaders – such as officers of environmental, business, and local government organizations – can help gauge the priorities and interests of the stakeholders they represent.

Educating the media. The media can play an important role in educating the public. Background materials can be used to educate the media (and others) about environmental conditions, proposed strategies, and performance measures. Press releases can announce draft and final strategies and how the public can find out more.

Exhibit 1

**SUMMARY OF KEY REQUIREMENTS
40 CFR 35, Subpart A --
Financial Assistance for Continuing Environmental Programs**

General Requirements for All Environmental Program Grants

35.102 Definitions

- **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 the grant budget period.
- **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 budget period.
- **Performance Partnership Agreement:** A negotiated document signed by the EPA Regional Administrator and an appropriate official of a state agency and designated as such. These agreements typically set out jointly developed goals, objectives, and priorities, and include work plan commitments that are the basis for grants; the strategies to be used in meeting them; the roles and responsibilities of the state and EPA; and the measures to be used in assessing progress.
- **Performance Partnership Grant:** A single grant combining funds from more than one environmental program. 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. Each Performance Partnership Grant has a single, integrated budget and recipients do not need to account for grant funds in accordance with the funds' original environmental program sources.
- **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 grouping of activities, outcomes, and outputs included in a grant work plan.

35.105 Time Frame for Submitting an Application

- 60 days before the beginning of the proposed budget period

35.107 Work Plan

- Work plan requirements:
 - Work plan components to be funded
 - Estimated work years and funding amounts for each work plan component
 - Work plan commitments for each work plan component and time frame for accomplishment
 - Performance evaluation process and reporting schedule
 - Roles and responsibilities of the recipient and EPA in carrying out the work plan commitments
 - Must be consistent with applicable federal statutes, regulations, circulars, executive orders, and delegation or authorization agreements
 - Authorizes use of Performance Partnership Agreement as work plan, if it identifies grant work plan components approved for grant funding and meets all other work plan requirements

35.108 Budget Period

- Authorizes negotiation for length of budget period (multi-year)

35.110 Time Frame for EPA Action

- Requires approval, conditional approval or disapproval within 60 days of receipt of a complete application
 - Provided funds are available
 - Provides for extension of time

35.112 Factors Considered in Determining Award Amount

- Work plan must justify the level of funding relative to the proposed work plan components

35.113 Reimbursement for Pre-award Costs

- Authorizes approval of allowable pre-award costs if included in the grant application

35.114 Amendments and Other Changes

- Requirements of 40CFR 31.30 do not apply
- Prior written approval in the form of a grant amendment required for significant changes in work plan commitments
- Recipient must request written approval for increases and extensions in the budget period
 - Grant amendment is required.

35.115 Evaluation of Performance

- Requires negotiation of a joint process for evaluating and reporting progress and accomplishments under the grant work plan
- Work plan must include a description of evaluation process and evaluation schedule; schedule must require recipient to report at least annually

- Evaluation process must provide for:
 - Discussion of work plan accomplishments as measured against work plan commitments
 - Discussion of cumulative effectiveness of work performed under all work plan components
 - Review of existing and potential problem areas
 - Suggestions for improvement and schedules for improvements
- Regional Administrator and recipient will negotiate a resolution if evaluation reveals sufficient progress has not been made under the work plan
- Requires Regional Administrator to ensure evaluations are performed according to negotiated schedule and evaluation reports are provided to the recipient

35.117 **Reallotment**

- Clarifies the Regional Administrator's discretion in use of unobligated funds

35.118 **Unexpended Balances**

- Clarifies that Regional Administrator's discretion in the use of carryover funds

Requirements for Performance Partnership Grants (PPGs)

35.130 **Purpose**

- Provides ability to combine funds from more than one designated program into a single grant with a single budget
- Recipient need only account on the total PPG expenditures, not the original source of the funds
- PPGs are designed to:
 - Strengthen partnership through joint planning and priority setting and better deployment of resources
 - Provide recipient programmatic flexibility to direct resources based on environmental and public health priorities
 - More effectively link program activities with environmental and public health goals and program outcomes
 - Foster development and implementation of innovative pollution prevention, multi-media permitting and enforcement, ecosystem management, and community-based strategies
 - Provide savings by streamlining administrative requirements

35.133 **Programs Eligible for Inclusion**

- Identifies programs eligible for inclusion in PPGs
- Provides for changes in the list of eligible programs

35.134 **Eligible Recipients**

- Must be eligible to receive funds from more than one of the identified programs
- Must meet the award requirements for each program from which funds are combined into the PPG

35.135 Activities Eligible for Funding:

- Any activity eligible for funding under at least one of the programs which contributed funds to the PPG
- Multi-media activities for any activities eligible under programs which contributed funds to the PPG
- Must include funds to perform activities allowable from only one specific program

35.136 Cost Share Requirements

- Requires cumulative minimum cost share of the programs reprogrammed into the PPG
- If a program has both a match and an Maintenance of Effort requirement, the greater of the two will be used to calculate the match

35.137 Application Requirements

- Unique PPG requirements:
 - List of grant programs and amount from each program
 - Consolidated budget
 - Consolidated work plan which addresses each program included in the PPG
 - Rationale commensurate with the extent of programmatic flexibility indicated in the work plan, including
 - Basis for applicant's priorities
 - Expected environmental or other benefits to be achieved
 - Anticipated impact on any programs proposed for reduced effort

35.138 Competitive Grants

- Work plan commitments that were the basis for award must be included in PPG work plan
- Regional Administrator and recipient to agree as to how program commitments and funding will be carried over into future work plans

Requirements for Specific Environmental Program Grants**35.140** Air Pollution Control (CAA Section 105)**35.160** Water Pollution Control (CWA Section 106)**35.170** Public Water System Supervision (SDWA Section 1443(a))**35.190** Underground Water Source Protection (SDWA Section 1443(b))**35.210** Hazardous Waste Management (RCRA Section 3011(a))**35.230** Pesticide Cooperative Enforcement (FIFRA Section 23(a)(1))**35.240** Pesticide Applicator Certification and Training (FIFRA Section 23(a)(2))**35.250** Pesticide Program Implementation (FIFRA Section 23(a)(1))**35.260** Nonpoint Source Management (CWA Section 319(h))**35.270** Lead-Based Paint Program (TSCA Section 404(g))

- [35.290](#) State Indoor Radon Grants (TSCA Section 306)
- [35.310](#) Toxic Substances Compliance Monitoring (TSCA Section 28)
- [35.330](#) State Underground Storage Tanks (RCRA Section 2007(f)(2))
- [35.340](#) Pollution Prevention State Grants (PPA Section 6605)
- [35.360](#) Water Quality Cooperative Agreements (CWA Section 104(b)(3))
- [35.380](#) State Wetlands Development Grants (CWA Section 104(b)(3))
- [35.400](#) State Administration (CWA Section 205(g))
- [35.410](#) Water Quality Management Planning (CWA Section 205(j)(2))

Exhibit 2

**Performance Partnership Grant (PPG) and Program Resource Code (PRC)
Linkages to EPA Strategic Plan/Government Performance and Results Act (GPRA) Architecture**
(Sample from a Region 2 State)

PPG Program	PRC #	Goal	Objective	Sub-objective	NPM	Program/Project
CAA §105 Radon	101A04E 102A05E	Goal 1: Clean Air and Global Climate Change	Objective 1.1: Healthier Outdoor Air PRC # 101A04E	Sub-objective 1.1.1: More People Breathing Cleaner Air	A	04-Categorical Grants: State and Local Air Quality Management
				Sub-objective 1.1.2: Reduced Risk from Toxic Air Pollutants		
			Objective 1.2: Healthier Indoor Air PRC # 102A05E	Sub-objective: None	A	05- Categorical Grants: Radon
PWSS UIC CWA §319(h) CWA §104b3 CWA §106	201B03E 201B08E 202B01E 202B02E 202B06E	Goal 2: Clean and Safe Water	Objective 2.1: Protect Human Health PRC # 201B03E PRC # 201B08E	Sub-objective 2.1.1: Water Safe To Drink	B	03-Categorical Grants: Public Water Systems Supervision
					B	08-Categorical Grants: Underground Injection Control
			Objective 2.2: Protect Water Quality PRC # 202B01E PRC # 202B02E PRC # 202B06E	Sub-objective 2.2.1: Improve Water Quality on a Watershed Basis	B	01-Categorical Grants: Nonpoint Source (Section 319)
					B	02-Categorical Grants: Water Quality Cooperative Agreements
					B	06-Categorical Grants: Pollution Control (Section 106)

continued

NPM:

A = Office of Air and Radiation (OAR)

B = Office of Water (OW)

C = Office of Prevention, Pesticides and Toxic Substances (OPPTS)

D = Office of Solid Waste and Emergency Response (OSWER)

E = Office of Enforcement and Compliance Assurance (OECA)

PPG Program	PRC #	Goal	Objective	Sub-objective	NPM	Program/Project
RCRA (program) UST RCRA (corrective action)	301D11E 301D16E 302D11E	Goal 3: Land Preservation and Restoration	Objective 3.1: Preserve Land PRC # 301D11E PRC # 301D16E	Sub-objective 3.1.1: Reduce Waste Generation and Increase Recycling	D	11-Categorical Grants: Hazardous Waste Financial Assistance
				Sub-objective 3.1.2: Manage Hazardous Wastes and Petroleum Products Properly	D	16 - Categorical Grants: Underground Storage Tanks
			Objective 3.2: Restore Land PRC # 302D11E	Sub-objective 3.2.2: Clean Up and Reuse Contaminated Land	D	11- Categorical Grants: Hazardous Waste Financial Assistance
Pesticide (Certification)	401C09E	Goal 4: Healthy Communities and Ecosystems	Objective 4.1: Chemical, Organism, and Pesticide Risks PRC # 401C09E	Sub-objective 4.1.1: Reduce Exposure to Toxic Pesticides	C	09- Categorical Grants: Pesticides Program Implementation
Pesticide (enforcement)	501E12E	Goal 5: Compliance and Environmental Stewardship	Objective 5.1: Improve Compliance PRC # 501E12E	Sub-objective 5.1.3: Monitoring and Enforcement	E	12- Categorical Grants: Pesticides Enforcement

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LIST OF ACRONYMS

CAA	Clean Air Act
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act
CFR	<i>Code of Federal Regulations</i>
CWA	Clean Water Act
ECOS	Environmental Council of the States
FIFRA	Federal Insecticide, Fungicide and Rodenticide Act
GPRA	Government Performance and Results Act
NEPPS	National Environmental Performance Partnership System
NPM	National Program Manager
OCIR	Office of Congressional and Intergovernmental Relations
OMB	Office of Management and Budget
PART	Program Assessment Rating Tool
PO	Project Officer
PPA	Performance Partnership Agreement
PPA	Pollution Prevention Act
PPG	Performance Partnership Grant
PRC	Program Resource Code
SDWA	Safe Drinking Water Act
SWDA	Solid Waste Disposal Act
STAG	State and Tribal Assistance Grant
TSCA	Toxic Substances Control Act

Also note: In this text, Part 35 means the regulations at 40 CFR 35, Subpart A.