

Delaware Emerging Contaminants– Small or Disadvantaged Community Grant Program

**Notice of Intent Instructions and Form
Federal Fiscal Year 2022-2026**



**Delaware Department of Health &
Social Services**

Revised May 2023

INSTRUCTIONS TO REQUEST FINANCIAL ASSISTANCE

Notice of Intent Instructions

What you need to know now:

The materials contained in this package provide instructions and forms for a Notice Of Intent (NOI) pre-application to the Delaware [Emerging Contaminants – Small or Disadvantaged Community Grant Program](#) (EC-SDC). The information provided for the NOI will be the basis for decisions made by the Delaware Department of Health and Social Services, Division of Public Health (DPH), Health Systems Protection (HSP) as it applies to the US Environmental Protection Agency (EPA) for the federally funded grant program. HSP reserves the right to request additional information once the federal award is granted and during subsequent and full application reviews.

EC-SDC funding is eligible for small (serves 10,000 or less persons) or disadvantaged public water systems, as defined by the Safe Drinking Water Act (SDWA) and the [Delaware Drinking Water State Revolving Fund's Intended Use Plan](#). EC-SDC funding is eligible for workforce development, environmental resource scoping, testing, sampling, planning, source water protection, and private well owner testing as it relates to potential incorporation into or creation of a public water system, among other activities.

To be eligible to receive EC-SDC grant program funds, a project must be otherwise eligible, and the primary purpose must be to address one or more emerging contaminants in drinking water. Projects that address any contaminant listed on any of EPA's [Contaminant Candidate Lists](#) (CCL) are eligible (i.e., CCL1, 2, 3, 4, and the draft and the final CCL5 when completed).

If EPA has promulgated a [National Primary Drinking Water Regulation \(NPDWR\)](#) for a contaminant, then a project whose primary purpose is to address that contaminant is not eligible for funding under this appropriation, with PFAS chemicals as the exception.

For example, a project for which the primary purpose is to address arsenic or nitrate in drinking water is not eligible because arsenic and nitrate are regulated under the NPDWRs. EPA expects to establish a NPDWR for PFOA and PFOS. The Agency is also evaluating additional PFAS and groups of PFAS. Given stated Congressional intent of this appropriation, PFAS-focused projects will be eligible for funding under this appropriation, regardless of whether EPA has established a NPDWR for a particular PFAS or group of PFAS.

In accordance with the statutory eligibilities under Section 1459A of SDWA, these actions may include but are not limited to, the following categories for addressing emerging contaminants:

- Scoping and identification
- Testing or sampling for baseline assessment
- Research and testing
- Planning and design
- Treatment
- Source

- Storage
- Water system restructuring, consolidation, or creation
- Providing households access to drinking water services
- Technical assistance
- Public communication, engagement, and education

This list is not intended to represent all types of activities.

Consistent with the statutory provisions for the [WIIN Act SUDC grant program](#) and the DWSRF program, funding for bottled water is not eligible under this EC-SDC grant program. Examples of additional ineligible uses of grant funds are listed below. Please note that this list is intended to be illustrative and is not all inclusive.

Grant funding may not be used for the following activities:

- Projects whose primary purpose is not to address emerging contaminants
- Remediation of contaminated groundwater or underlying aquifers
- Operations and maintenance costs (prohibited by statute)
- Lead service line replacement.
- Replacement of premise plumbing
- Construction or rehabilitation of dam.
- Activities needed primarily for fire protection
- Activities needed primarily to serve future population growth
- Activities that have received assistance from the tribal allotment for Indian Tribes and Alaska Native Villages
- Costs that are unallowable (e.g., lobbying and alcoholic beverages) under 2 CFR 200 Subpart E – Cost Principles

Programmatic priorities will align with the principal objective of providing funding opportunities to small or disadvantaged communities to effectively address emerging contaminants in drinking and/or source water, and to minimize potential public health risks from emerging contaminants in the future. A secondary objective is to enable water systems to achieve compliance with standards for regulated contaminants.

All projects must adhere to the applicable provisions of this award. These are identified in [Appendix A. Other Applicable Provisions of the EC-SDC Grant Program: Grant Implementation Document](#), starting on page 29. These include, but are not limited to:

- Build America, Buy America Act
- Federal Flood Risk Management Standards
- Environmental Reviews
- Federal Civil Rights Responsibilities
- Additional cross-cutting federal authorities:
 - Environmental Authorities
 - Economic and Miscellaneous Authorities
 - Civil Rights, Nondiscrimination, Equal Employment Opportunity Authorities

What needs to happen next:

The completed notice of intent application and all supporting documentation must be received by **July 8, 2023**.

- For all applications that do not contain engineering or construction project costs (ie. Technical assistance, workforce development, research, sampling, monitoring and feasibility studies) complete **Part I. General Information, only**.
- For all applications that do contain an engineering and/or construction project, complete **Parts I through IV**.
- Upon completing the Application Form, submit one (1) signed copy of the application and supporting documentation electronically to the email below:
DHSS_DPH_EC_SDC@Delaware.gov

Part I. General Information

This part provides general information about the applicant, the proposed project, and the amount of funding sought. Be sure to sign the certification. This part is required for all applicants.

The following Parts, II, III, and IV are required of all applicants with public drinking water system engineering and drinking water construction project costs.

Part II. Financial Information

This part provides financial information which enables the HSP to perform an analysis of the applicant's financial capacity. If additional space is needed, provide it on additional sheets indicating the part and the question and attach it to the application. If the responses are found in your annual report or other document, make a reference to the specific section(s) and include a copy thereof with the application. Please include electronic formats of the following documents with your application:

1. Current user rate schedule, current within the last 2 years.
2. The three (3) most recently completed financial audits, current within the last 2 years. If audited financial records are not available, explain why not, how long it would take to acquire them and how much it would cost to do so.

Part III. Statistical Data

This part provides statistical data about current service areas and the impact of the proposed project. Answer the questions in the spaces provided. If extra space is needed attach additional sheets with the information (indicating the part and the question) to the application.

Part IV. Planning and Engineering Information

This part provides information about the status of the proposed project and the readiness of the applicant to proceed. Answer the questions in the space provided and be prepared to submit additional supporting documentation required for the specific project category type that funding is being requested for, such as the Preliminary Engineering Report (PER), Drinking Water Capacity Development Report and Environmental Information Document (EID), with the application. Please refer to the documents listed below for guidelines in the preparation of the PER, Drinking Water Capacity Report, the EID, selection of the project category type, and the Environmental Screening Checklist during the full application solicitation this fall.

Be prepared to submit these documents in the fall during full application solicitation:

- A. [Preliminary Engineering Report \(PER\) Guidelines](#)
- B. [Drinking Water Capacity Development Report Guidelines](#)
- C. [Environmental Information Document \(EID\) Guidelines](#)
- D. [Project Category Types](#)
- E. [Environmental Screening Checklist](#)

DELAWARE DIVISION OF PUBLIC HEALTH APPLICATION FORM

PART I. GENERAL INFORMATION

1. Applicant Information

Name of Entity: _____
 Address: _____
 City, State & Zip: _____
 Phone Number: _____
 Fax Number: _____
 EIN#: _____ UEI#: _____
 Type of Organization (State, Municipal, County, Other): _____

2.

Project Title: _____

3. Project Category

Category	<u>(Choose all applicable Categories EC SDC, Appendix D, Starts on page 35)</u>	✓
Category 1	Research and Testing	<input type="checkbox"/>
Category 2	Planning and Design to Address Emerging Contaminant(s)	<input type="checkbox"/>
Category 3	Treatment of Emerging Contaminant(s)	<input type="checkbox"/>
Category 4	Source Water Activities Related to Emerging Contaminant(s)	<input type="checkbox"/>
Category 5	Storage	<input type="checkbox"/>
Category 6	Water System Restructuring, Consolidation, or Creation	<input type="checkbox"/>
Category 7	Providing Households Access to Drinking Water Services	<input type="checkbox"/>
Category 8	Technical Assistance	<input type="checkbox"/>
Category 9	Public communication, engagement, and education	<input type="checkbox"/>

4. Project Description Attach separate sheet, if necessary.

5. Project Schedule (Month and Year)

Start: _____ Completion: _____

6. Project Costs

- a. Amount of Funding Requested \$ _____
- b. Funding from other Sources
 - i. Source: _____ \$ _____
 - ii. Source: _____ \$ _____
 - iii. Source: _____ \$ _____
- c. **Total** \$ _____

7. Project Budget

a. Administration Total	\$ _____
i. Land, Right of Way	\$ _____
ii. Legal	\$ _____
b. Engineering Total	\$ _____
i. Basic	\$ _____
ii. Project Inspection	\$ _____
iii. Other	\$ _____
c. Construction Total	\$ _____
i.	\$ _____
ii.	\$ _____
iii.	\$ _____
iv.	\$ _____
d. Other Total	\$ _____
i.	\$ _____
ii.	\$ _____
iii.	\$ _____
e. Contingencies (must be separate from construction line and at least 10% of construction total)	\$ _____
Total	\$ _____

8. Primary Contact for Entity

Name: _____
Title: _____
Email: _____
Address: _____
City, State, & Zip: _____
Phone Number: _____

9. Consulting Engineer, if applicable *if not applicable, type "N/A" on the "Firm" line

Firm: _____
Name: _____
Title: _____
Email: _____
Address: _____
City, State, & Zip: _____
Phone Number: _____

10. Legal Counsel, if applicable *if not applicable, type "N/A" on the "Firm" line

Firm: _____
Name: _____
Title: _____
Email: _____
Address: _____
City, State, & Zip: _____
Phone Number: _____

11. Applicant's Authorized Official's Contact Information and Certification

I certify the information that is contained in this application and on all attachments to this application are true and correct to the best of my belief and knowledge. I certify that I am legally authorized to sign, date and submit this application on behalf of the applicant. I understand that the State may verify the information provided and that untruthful or misleading information may be cause for rejection of this application. The undersigned also agrees to clarify or supplement information pertaining to this application upon request.

Name (First and Last): _____
Title: _____
Email Address: _____
Address: _____
City, State & Zip: _____
Phone Number: _____
Fax Number: _____

Signature*: _____ Date: _____

**IMPORTANT- add Authorized Official's signature LAST. Adding and saving a signature renders this fillable form no longer fillable.*

PART II. FINANCIAL INFORMATION

1. Estimated Annual Costs of Proposed Facilities

Annual Estimated Costs for the Proposed Facilities	Cost in dollars
a. Labor	\$
b. Utilities	\$
c. Materials/Equipment	\$
d. Contractual Services	\$
e. Miscellaneous Expenses	\$
Total	\$

2. Estimated Annual Costs of Facilities

Total Estimated Annual Facility Costs	Cost in dollars
a. Annual Operation, Maintenance and Repair (O, M & R) for Existing Facilities	\$
b. Existing Annual Debt Service	\$
c. O, M & R Costs for New Facility	\$
d. Debt Service for the New Facility	\$
Total Estimated Annual Costs	\$

3. Source of Revenue to Cover Cost of Facilities (average annual cost per household)

Type of charge	Cost in Dollars
a. Service Charge (Water Only)	\$
b. Impact Fees (Water Only)	\$
c. Other	\$
Total Estimated Annual Revenue	\$

4. Provide the amount of limited indebtedness (if any) and the conditions for the limitation and verification of any conditional debt limitation.

Example: Charter state Bonded indebtedness shall not exceed xx% of the assessed valuation of the assessable real estate subject to taxation" \$ _____

5. Provide current outstanding debt. \$ _____

PART III. STATISTICAL DATA

1. Water System and Service Area

- a. Provide a map of the service area for the intended project, as an attachment.
- b. Provide service connection data below:

Question	Answer
• What is the Water System ID number (DEXXXX)?	
• Service Connections (Number)?	
• Does the service area include 10,000 or less persons (Yes or No)?	
• Is this a small public drinking water system (if “c.” above is “Yes”, the answer here is “Yes”)?	

2. Does the Service Area meet the [Delaware Drinking Water State Revolving Fund \(DWSRF\) definition of a disadvantaged community](#)?

Yes No

A disadvantaged community is one that:

- 1. Meets the Affordability Criteria; or
- 2. Is identified by [EPA EJScreen](#) tool at 90% (USA) percentile or higher for Environmental Justice Indexes or for “Low Income” under the Socioeconomic Indexes; or
- 3. Is identified as disadvantaged by the [White House Climate and Economic Screening Tool](#); or
- 4. Is underserved.

3. Median Household Income Project Service Area

Year:	2023	Median Household Income
Census Tract:		
Town:		
County:		
State:	Delaware	

PART IV. PLANNING AND ENGINEERING INFORMATION

1. Project Status

Question	Answer
a. Status of Plans and Specifications (% Complete)?	
b. Status of CPCN Rights (Acquired or Not)?	
c. Permits and Permit Status (Name and Status – not applied for, applied for, permitted, etc.)	Permit Status
c.1. <i>Fill in Permit Name Here</i>	
c.2. <i>Fill in Permit Name Here</i>	
c.3. <i>Fill in Permit Name Here</i>	

2. Does this project location have baseline raw or drinking water emerging contaminant testing results? If yes, please provide.
3. Describe briefly public health, environmental and safety problems which exist; and explain how the project addresses the problem. Attach separate sheet if necessary.
4. Describe briefly how the project will provide environmental and/or public health protection. Attach separate sheet if necessary.
5. Will this project encourage consolidation of small systems or a regional approach to the treatment and distribution of drinking water?

6. Proposed Schedule

Item	Date (MM/YYYY)
Submittal of Engineering Documents	_____
Submittal of Final Plans	_____
Plans and Specs Approval	_____
Advertise for Bids	_____
Award Contracts	_____
Start Construction	_____
Complete Construction	_____
Initiate Operations	_____