



RHODE ISLAND  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

March 26, 2009

Mr. Henry Burrell  
Chief, Grants Management Section  
Office of Administration & Resource Management (MGM)  
US Environmental Protection Agency Region I  
1 Congress Street, Suite 1100  
Boston, MA 02114-2023

Dear Mr. Burrell;

Enclosed are an original and two signed copies of Rhode Island's Cooperative Agreement Application for Leaking Underground Storage Tank Program funding under the American Recovery and Reinvestment Act of 2009.

If you have any questions or concerns regarding this application, please contact me at (401) 222-2797 ext 7116.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kevin Gillen".

Kevin Gillen  
Supervising Engineer

Cc: T. Gray, Asst. Dir  
L. Hellested, Chief, OWM  
L. Keller, OMS  
K. Schweisberg, EPA  
S. Parikh, EPA

**Application for Federal Assistance SF-424**

Version 02

* 1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	* 2. Type of Application: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision	* If Revision, select appropriate letter(s): _____ * Other (Specify): _____
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* 3. Date Received: Completed by Grants.gov upon submission.	4. Applicant Identifier: 367601272
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5a. Federal Entity Identifier: _____	* 5b. Federal Award Identifier: _____
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**State Use Only:**

6. Date Received by State: _____	7. State Application Identifier: _____
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**8. APPLICANT INFORMATION:**

\* a. Legal Name: RI Department of Environmental Management

* b. Employer/Taxpayer Identification Number (EIN/TIN): 05-60000522	* c. Organizational DUNS: 111441213
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**d. Address:**

\* Street1: 235 Promenade Street  
Street2: \_\_\_\_\_  
\* City: Providence  
County: \_\_\_\_\_  
\* State: Rhode Island  
Province: \_\_\_\_\_  
\* Country: USA  
\* Zip / Postal Code: 02908-5767

**e. Organizational Unit:**

Department Name: Department of Environmental Management	Division Name: Office of Waste Management
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**f. Name and contact information of person to be contacted on matters involving this application:**

Prefix: \_\_\_\_\_ \* First Name: Kevin  
Middle Name: \_\_\_\_\_  
\* Last Name: Gillen  
Suffix: \_\_\_\_\_  
Title: \_\_\_\_\_  
Organizational Affiliation: \_\_\_\_\_  
\* Telephone Number: 401 222-2797 ext 7116 Fax Number: 401 222-3813  
\* Email: KEVIN.GILLEN@DEM.RI.GOV

Application for Federal Assistance SF-424

Version 02

9. Type of Applicant 1: Select Applicant Type:

State

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

\* Other (specify):

\* 10. Name of Federal Agency:

US EPA

11. Catalog of Federal Domestic Assistance Number:

66.805

CFDA Title:

Leaking Underground Storage tank Program

\* 12. Funding Opportunity Number:

\* Title:

13. Competition identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Statewide - All Counties

\* 15. Descriptive Title of Applicant's Project:

LUST American Recovery and Reinvestment Act of 2009

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424

Version 02

16. Congressional Districts Of:

\* a. Applicant

\* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:

\* a. Start Date:

\* b. End Date:

18. Estimated Funding (\$):

* a. Federal	<input type="text" value="\$1,200,000.00"/>
* b. Applicant	<input type="text"/>
* c. State	<input type="text" value="\$0.00"/>
* d. Local	<input type="text"/>
* e. Other	<input type="text"/>
* f. Program Income	<input type="text"/>
* g. TOTAL	<input type="text" value="\$1,200,000.00"/>

\* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?

- a. This application was made available to the State under the Executive Order 12372 Process for review on .
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E.O. 12372.

\* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)

Yes  No

21. \*By signing this application, I certify (1) to the statements contained in the list of certifications\*\* and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances\*\* and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)

\*\* I AGREE

\*\* The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix:  \* First Name:   
Middle Name:   
\* Last Name:   
Suffix:

\* Title:

\* Telephone Number:  Fax Number:

\* Email:

\* Signature of Authorized Representative:  \* Date Signed:

**BUDGET INFORMATION -- Non-Construction Programs**

SECTION A - BUDGET SUMMARY 04/01/09 - 03/31/11

Grant Program Function Or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		Total (g)
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	
1. Stimulus LUST - Trust Coop. Agreement		\$	\$	\$ 1,200,000	\$	\$ 1,200,000
2.						
3.						
4.						
5. TOTALS		\$	\$	\$	\$	\$

SECTION B - BUDGET CATEGORIES

Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total
	04/01/07 - 03/31/09	(1) CORE/CORE SUPPL.	(2)	(3) Levels of Effort (3)	
a. Personnel		\$ 78,324			\$78,324
b. Fringe Benefits		41,017			41,017
c. Travel		2,750			2,750
d. Equipment					
e. Supplies		2,000			2,000
f. Contractual		1,052,274			1,052,274
g. Construction					
h. Other		2,750			2,750
i. Total Direct Charges (sum of 6a - 6h)		1,179,115			1,179,115
j. Indirect Charges		20,885			20,885
k. TOTALS (sum of 6i and 6j)		1,200,000			1,200,000
7. Program Income					

PERSONNEL

NAME	POSITION/TITLE	PROFESSION	YEARLY SALARY	PROJECT TIME	FUNDING
L. HELLESTED	CHIEF OWM	ENGINEERING / ADM	91,783 4,589 (5%)	5	FEDERAL
K. GILLEN	ASSOCIATE SUPERVISING ENGINEER	ENGINEERING / ADMINISTRATION	82,672 8,267 (10%)	10	FEDERAL
M. COTE	PRINCIPAL ENVIRONMENTAL SCIENTIST	HYDROGEOLOGY	73,602 11,040 (15%)	15	FEDERAL
P. THERRIEN	PRINCIPAL ENVIRONMENTAL SCIENTIST	CHEMISTRY / GEOLOGY	75,076 3,753 (5%)	5	FEDERAL
J. PROULX	SANITARY ENGINEER	ENGINEERING / FUND	51,268 7,690 (15%)	15	FEDERAL
G. MOURADJIAN	ENVIRONMENTAL SCIENTIST	HYDROGEOLOGY	56,631 5,663 (10%)	10	FEDERAL

P = 41,002

F = 41,002 x .5237 = 21,472

Total Personnel costs X 52.37% = 21,472

P + F = 62,474

FRINGE BENEFITS

PERSONNEL

NAME	POSITION/TITLE	PROFESSION	YEARLY SALARY	PROJECT TIME	FUNDING
L. HELLESTED	CHIEF OWM	ENGINEERING / ADM	91,783 4,589 (5%)	5	FEDERAL
K. GILLEN	ASSOCIATE SUPERVISING ENGINEER	ENGINEERING / ADMINISTRATION	82,672 8,267 (10%)	10	FEDERAL
M. COTE	PRINCIPAL ENVIRONMENTAL SCIENTIST	HYDROGEOLOGY	73,602 7,360 (10%)	10	FEDERAL
P. THERRIEN	PRINCIPAL ENVIRONMENTAL SCIENTIST	CHEMISTRY / GEOLOGY	75,076 3,753 (5%)	5	FEDERAL
J. PROULX	SANITARY ENGINEER	ENGINEERING / FUND	51,268 7,690 (15%)	15	FEDERAL
G. MOURADJIAN	ENVIRONMENTAL SCIENTIST	HYDROGEOLOGY	56,631 5,663 (10%)	10	FEDERAL

P = 37,322

F = 37,322 x .5237 = 19,545

Total Personnel costs X 52.37% = 19,545

P + F = 56,867

FRINGE BENEFITS

**BUDGET DETAIL**  
FY 4/1/09 – 03/31/10

TRAVEL

- # OF MILES; RATE PER MILE

1,500

OTHER

Vehicle Maintenance, Phones: Office  
Phones: Cellular, Pagers, Utilities  
Postage, Photocopying

1,500.

SUPPLIES:

1,000.

**BUDGET DETAIL**  
FY 4/1/10 – 03/31/11

TRAVEL

- # OF MILES; RATE PER MILE

1,250.

OTHER

Vehicle Maintenance, Phones: Office  
Phones: Cellular, Pagers, Utilities  
Postage, Photocopying

1,250.

SUPPLIES:

1,000.

**American Recovery & Reinvestment Act of 2009**  
**LUST Trust Work Plan**  
**Rhode Island Department of Environmental Management**

The Rhode Island Department of Environmental Management, Office of Waste Management, Underground Storage Tank Management Program will implement the LUST Trust Grant under the American Recovery & Reinvestment Act of 2009 (Recovery Act). The Program has prepared this work plan to identify how grant funds would be used to the benefit of the local economy as well as human health and the environment.

**Site Selection:**

The focus will be on existing LUST sites whose investigation and/or remediation has stalled mainly due to the owner's lack of resources. Included are projects at sites that are either not in the UST Financial Responsibility Reimbursement Fund or those that are in the Fund, but whose owners cannot afford the \$20,000 deductible or cannot afford to up front significant costs before reimbursement months later. Most of these sites have "mom and pop" type owners or are municipal sites.

Specific sites have been identified for inclusion in this economic stimulus program by the LUST Project Managers who have already worked on these sites and have knowledge of the circumstances of the sites and the sites' owners. Consideration was given to the probability of site closure after the proposed activities are conducted. These are sites that for instance may need just a few more ideally located sampling points or limited soil removal in isolated areas of persistent soil contamination. Acknowledging that all sites may not fully achieve closure status, these stalled sites will at least be moved towards closure, so that even if additional monitoring will be required after site work is completed, the term of the monitoring will hopefully be shortened.

The tables below identify the sites, from many different areas of the state, that are proposed to be included in this economic stimulus project.

**LUST Sites Not In Fund:**

<b><u>LS #, Site</u></b>	<b><u>Town/City</u></b>	<b><u>Work Needed</u></b>
3238 Kingston Hill Store	South Kingstown	wells, monitoring, maybe CAP
3413 Warren Dairy Mart	Warren	soil removal, maybe CAP, monitoring
1080 former gas station	East Providence	soil removal, maybe CAP, monitoring
0209 Franco Brothers	Bristol	bedrock wells, monitoring
2260 Pump Station	Newport	monitoring
2270 Fresch Bakery	Newport	monitoring
2609 Frontline	Pawtucket	SIR, maybe CAP, monitoring
28120 Coro Building	Providence	one well, monitoring
2906A Chariho Middle Sch	Wood River Junc	supplemental SIR, monitoring
0512 JR's Gas Station	Charlestown	CAP, monitoring

1081A PFS Dev gas station	East Providence	monitoring, ORC
1647 INA Petroleum	Johnston	monitoring
2102 Pennington Sprague	New Shoreham	monitoring, ORC
2106 Ballards	New Shoreham	monitoring, ORC
35110 Davies Station	Warwick	monitoring, ORC
2817 Admiral St Shell	Providence	new wells, monitoring
3435A CMC Gas	Warren	monitoring, ORC
2023 West Lake Garage	Narragansett	monitoring, ORC
0779 Tony's	Cranston	monitoring, ORC
3917 Allam Oil	Woonsocket	soil removal, monitoring, ORC
3318 former Gas Station	Tiverton	soil removal, monitoring, ORC
1208 Supreme Pool	Foster	soil removal, monitoring, ORC

#### LUST Sites In Fund:

<u>LS#, Site</u>	<u>Town/City</u>	<u>Work Needed</u>
1203 Foster Texaco	Foster	monitoring, maybe CAP
1635 Johnston Gas	Johnston	monitoring
3133 Cory's	Smithfield	monitoring, maybe CAP
1409 Edward's	Hopkinton	monitoring, CAP
0782 Mom's Sunoco	Cranston	monitoring, CAP
1074 Wood's Service	East Providence	monitoring, CAP
0325 Chapel Sunoco	Burrillville	monitoring, ORC

#### Expected Benefits:

Benefits to human health and the environment will result from the acceleration of investigation and clean up at multiple sites with soil and groundwater contamination that do or could pose risks to human and environmental receptors. The project will enhance the UST Program's goal of increasing the rate of closure of existing LUST sites. Economic stimulus will result from the work being conducted by multiple local consultants and contractors as well as the financial support this project will provide to the facilities themselves.

#### Project Staffing:

The Underground Storage Tank Management Program of the Rhode Island Department of Environmental Management is a small program of eleven full time employees that comprise the entire UST, LUST and UST Financial Responsibility Fund staff. This work plan will be implemented in large part by the four LUST Project Managers who will be responsible for overseeing all aspects of these projects from planning to completion. The UST and FUND staff will provide any assistance that is found to be necessary, such as conducting site inspections, processing submittals to the Fund Board, etc. Any inspections conducted to aid in locating an on-going leak or insuring compliant operation would also help fulfill the federal and state requirement of an on-site inspection every three years.

The State of Rhode Island has in place Technical Assistance Contracts that are Master Price Agreements with multiple consultants and contractors that qualified for specific types of work. The Program will apportion the work on the proposed sites among the many contractors and consultants that were awarded contracts for Petroleum Assessment and Remediation. The contracts were written to last three years followed by three annual renewals. The three year contract is up June 30, 2009, when the first of the annual renewals will begin.

**QA/QC:**

The Quality Assurance Program Plan (QAPP) for the LUST Program will be followed to ensure the quality of environmental data generated during all work proposed in this plan. The latest revision of our QAPP was approved by EPA in July 2008.

**Cost Estimates:**

The table below provides rough estimations of the anticipated costs of completing the proposed work. (If higher than anticipated costs are incurred, it may not be possible to do the proposed work on every site identified above.)

<u>Activity</u>	<u>Number of sites x Cost per site</u>	<u>Total</u>
<b>Investigation:</b>		
Monitoring	29 x \$4,000	\$116,000
Supplemental SIR/New wells	5 x \$20,000	\$100,000
SIR	1 x \$25,000	\$ 25,000
<b>Remedial Action:</b>		
Soil Removal & Disposal	6 to 10 sites	\$171,274
ORC	11 x \$20,000	\$220,000
CAP & maybe CAP(assume ½ will need CAP)	7 x \$60,000	\$420,000
<b>RIDEM Project Management Labor:</b>		
Equivalent One Full Time Project Manager		\$ 78,324
Benefits		\$ 41,017
Overhead		\$ 28,385
	<b>TOTAL COST</b>	<b>\$ 1,200,000</b>

### **Cost Recovery:**

As one of the important criteria for site selection is the owners inability to fund required site work, aggressive attempts at cost recovery that would result in creation of extreme financial hardship to the owner is not warranted or desired. As part of this project, the Program will take no actions that would force any RP out of business. However, cost recovery will be sought for the Trust Fund monies spent on the proposed sites that are in the Fund. Claims will be prepared and submitted to the UST State Fund Board for reimbursement to the LUST Program.

### **Enforcement:**

In light of the economic benefit that participation in this project would afford to site owners, cooperation in obtaining the necessary site access agreements is anticipated. However, if voluntary access agreements cannot be obtained, the Program may issue Notices of Intent to Enforce to encourage cooperation. If access still is not granted, sites may be referred to the DEM Office of Compliance and Inspection for issuance of a Notice of Violation with Order and Penalties.

### **Record-keeping and Reporting:**

In keeping with the transparency, oversight and accountability required under the Recovery Act, the DEM will establish record-keeping procedures so that information on how Recovery Act funds were spent on specific sites will be readily available and accessible.

Within 10 days of the end of each calendar quarter, the DEM will report to the EPA, all information required by the American Recovery and Reinvestment Act of 2009 and in accordance with final EPA guidance.

**ASSURANCES - NON-CONSTRUCTION PROGRAMS**

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

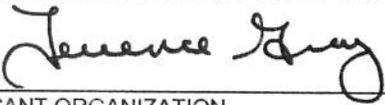
**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

**NOTE:** Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 	TITLE
APPLICANT ORGANIZATION	DATE SUBMITTED 3/26/09

\_\_\_\_\_  
EPA Project Control Number

**CERTIFICATION REGARDING LOBBYING**

**CERTIFICATION FOR CONTRACTS, GRANTS,  
LOANS AND COOPERATIVE AGREEMENTS**

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-contracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31 U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

\_\_\_\_\_  
Typed Name & Title of Authorized Representative

 3/26/09  
Signature and Date of Authorized Representative



Washington, DC 20460  
 Preaward Compliance Review Report for  
 All Applicants Requesting Federal Financial Assistance

FORM Approved  
 OMB No. 2090-0014  
 Expires: 4-30-99

Note: Read Instructions before completing form.

I. A. Applicant (Name, City, State) Rhode Island Department of Environmental Mgt. Providence, RI	B. Recipient (Name, City, State) RI Department of Environmental Management Providence, RI	C. EPA Project No.
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II. Brief description of proposed project, program or activity.  
 LUST funding under the American Recovery and Reinvestment Act of 2009

III. Are any civil rights lawsuits or complaints pending against applicant and/or recipient? If yes, list those complaints and the disposition of each complaint. Submitted upon request.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
---	--

IV. Have any civil rights compliance reviews of the applicant and/or recipient been conducted by any Federal agency during the two years prior to this application for activities which would receive EPA assistance? If yes, list those compliance reviews and status of each review.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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V. Is any other Federal financial assistance being applied for or is any other Federal financial assistance being applied to any portion of this project program or activity? If yes, list the other Federal Agency(s), described the associated work and the dollar amount of assistance.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
--	--

VI. If entire community under the applicant's jurisdiction is not served under the existing facilities/services, or will not be served under the proposed plan, give reasons why.

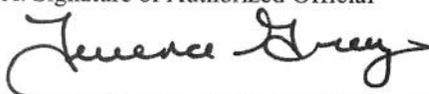
VII. Population Characteristics	Number of People
1. A. Population of Entire Service Area	1,067,610
B. Minority Population of Entire Service Area	217,792
2. A. Population Currently Being Served	1,067,610
B. Minority Population Currently Being Served.	217,792
3. A. Population to be Served by Project, Program or Activity	1,067,610
B. Minority Population to be Served by Project, Program or Activity	217,792
4. A. Population to Remain Without Service	0
B. Minority Population to Remain With Service	0

VIII. Will all new facilities or alterations to existing facilities financed by these funds be designed and constructed to be readily accessible to and usable by handicapped person? If no, explain how a regulatory exception (40 CFR 7.70) applies.	<input type="checkbox"/> Yes <input type="checkbox"/> No <b>Not applicable</b>
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IX. Give the schedule for future projects, programs or activities (or of future plans), by which services will be provided to all beneficiaries within applicant's jurisdiction. If there is no schedule, explain why.

Refer to LUST funding under the American Recovery and Reinvestment Act of 2009

X. I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

A. Signature of Authorized Official 	B. Title of Authorized Official Assistant Director for Air, Waste and Compliance	C. Date 3/26/09
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<b>For the U.S. Environmental Protection Agency</b>		
<input type="checkbox"/> Approved	Authorized EPA Official	Date
<input type="checkbox"/> Disapproved		

# Certification Form

State: RHODE ISLAND

## Grant Requirement (check the appropriate box for meeting or developing the requirement)

Requirement	Met	Developing Requirement
Secondary Containment or Financial Responsibility (after 2/8/07)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Delivery Prohibition (after 8/8/07)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2-Year Inspections (after 8/8/07)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
State Compliance Report to EPA (after 8/8/07)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Public Record (after 9/30/07)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Operator Training (after 8/8/09)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3-year Inspections (after 8/8/10)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Certification (check the appropriate certification box)

- All grant requirements checked above have been met**  
I hereby certify that I meet all grant requirements checked as being met above in accordance with the grant guidelines published by EPA.
- Some grant requirements checked above have been met**  
I hereby certify that I meet the requirements checked as being met above in accordance with the grant guidelines published by EPA. In addition, I also certify that I am developing the requirements checked as being developed above in accordance with grant guidelines published by EPA. A detailed description of our current and planned activities and the date by which we will meet the requirement(s) are described below.
- All grant requirements checked above are under development**  
I hereby certify that I am developing the requirements checked as being developed above. The requirements being developed are in accordance with grant guidelines published by EPA. A detailed description of our current and planned activities and the date by which we will meet the requirement(s) are described below.

## ATTACHMENT A

### Current Activities:

We are currently working on amending the UST Regulations, so we will have the Owner/Operator training requirement in place by August 2009.

### Planned Activities:

Once the Regulations are in place for the Owner/Operator training requirements in August 2009, we will begin to implement the training process so all facilities will have trained Class A, B, and C operators by August 2012.

### Date(s) by which requirement(s) have or will be met;

- Secondary Containment and/or Financial Responsibility – Completed August 13, 2007
- Delivery Prohibition – Completed August 13, 2007
- 2-year Inspections – Completed May 10, 2007
- State Compliance Report to EPA – Completed August 7, 2007
- Public Record – Completed December 2008
- Operator Training – On schedule – We plan on have regulations in place by August 2009.
- 3-year Inspections – On Schedule - Inspections will be completed within 3 year limit.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

August 7, 2008

Terrence Maguire, Associate Director  
Management Services  
Rhode Island Department of  
Environmental Management  
235 Promenade Street  
Providence, Rhode Island 02908

RECEIVED D.E.M.  
2008 AUG 13 P 2:31  
MANAGEMENT SERVICES  
OFFICE OF  
ADMINISTRATION  
AND RESOURCES  
MANAGEMENT

Dear Mr. Maguire:

Enclosed is a negotiation agreement reflecting an understanding reached with you regarding the indirect cost rates to be used on grants and contracts with the Federal Government.

I have already signed the agreement. Please have the agreement countersigned by a duly authorized representative of your organization. Photocopy the agreement for your files and mail the original to me. Please give this matter your immediate attention.

Mail the countersigned original agreement as follows:

Jackie Smith, Rate Negotiator (3802R)  
Financial Analysis & Oversight  
Service Center  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460-0001

If you have questions, please contact me at (202) 564-5055.

Sincerely yours,

Jackie Smith, Rate Negotiator  
Financial Analysis and  
Oversight Service Center

Enclosure



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Department of Administration  
DIVISION OF TAXATION  
One Capitol Hill  
Providence, RI 02908-5800  
Fax: (401) 222-6006

EXEMPTION CERTIFICATE

I HEREBY CERTIFY THAT THE STATE OF RHODE ISLAND

IS EXEMPT FROM THE RHODE ISLAND SALES OR USE TAX PURSUANT TO THE RHODE ISLAND SALES AND USE TAX ACT. THIS GOVERNMENTAL AGENCY IS SPECIFICALLY EXEMPTED UNDER SECTION 44-18-30(8).

"THERE ARE EXEMPTED FROM THE TAX IMPOSED BY THIS CHAPTER THE FOLLOWING GROSS RECEIPTS:

"\*\*\*.

- "8. STATE AND POLITICAL SUBDIVISIONS. FROM THE SALE TO, AND FROM THE STORAGE, USE OR OTHER CONSUMPTION BY THIS STATE, ANY CITY, TOWN, DISTRICT, OR OTHER POLITICAL SUBDIVISION OF THIS STATE. EVERY REDEVELOPMENT AGENCY CREATED PURSUANT TO CHAPTER 31 OF TITLE 45 SHALL BE DEEMED TO BE A SUBDIVISION OF THE MUNICIPALITY WHERE IT IS LOCATED."

TANGIBLE PERSONAL PROPERTY PURCHASED, LEASED OR RENTED FROM ANY VENDOR WILL BE USED BY SAID AGENCY.

GOVERNMENTAL AGENCIES ARE NOT ISSUED EXEMPTION CERTIFICATE NUMBERS, BECAUSE THEY ARE NOT SUBJECT TO THE QUALIFICATION STIPULATION ESTABLISHED BY THE DIVISION OF TAXATION FOR OTHER EXEMPT ORGANIZATIONS AND INSTITUTIONS.

THIS BLANKET EXEMPTION CERTIFICATE UNDER THE RHODE ISLAND SALES AND USE TAX ACT SHALL APPLY TO ALL FUTURE PURCHASES FROM THE ABOVE MENTIONED RETAILER. THIS CERTIFICATE DOES NOT EXPIRE AS LONG AS HOLDER IS IN EXISTENCE.

AUTHORIZED R.I. TAX DIVISION SIGNATURE

PETER J. MCVAY  
CHIEF REVENUE AGENT  
FIELD AUDIT SERVICE

RECEIVED APR 27 2005

DATE: APRIL 25, 2005