INSTRUCTIONS FOR BROWNFIELDS REVOLVING LOAN FUND ANNUAL POST-CLOSEOUT REPORT FOR CLOSEOUT AGREEMENT

This collection of information is approved by OMB under the Paperwork Reduction Act, 44 U.S.C. 3501 et seq. (OMB Control No. 2050-0192). Responses to this collection of information are mandatory (2 CFR 200.328, 2 CFR 200.333, 2 CFR 200.335, 40 CFR 30-31). An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The public reporting and recordkeeping burden for this collection of information is estimated to be 6.6 hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates and any suggested methods for minimizing respondent burden to the Regulatory Support Division Director, U.S. Environmental Protection Agency (2821T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

Overview:

If specified in the closeout agreement (COA) terms and conditions, Revolving Loan Fund (RLF) cooperative agreement recipients (CARs) must report their COA performance to the Environmental Protection Agency (EPA) annually. This can be done by filling out the electronic version of this form for the RLF Annual Post-Closeout Report (APCR) within the Assessment, Cleanup, and Redevelopment Exchange System (ACRES) database. This Office of Management and Budget (OMB) and EPA approved reporting form (OMB Form 2050-0192, EPA Form 560F24201), serves as the CAR's APCR.

Reporting in the APCR in ACRES is optional for RLF CARs, unless otherwise indicated by their terms and conditions. ACRES Reporting is a term and condition requirement for use of post-closeout program income (PCPI) under all COAs signed after March 1, 2022 (i.e., COAs that are based on the FY22 or later COA Template). If your COA was signed prior to March 2022, consult your specific COA's terms and conditions regarding ACRES reporting requirements.

IMPORTANT NOTE: CARs who complete this APCR in ACRES are not required to also complete the Brownfields RLF Form in ACRES (OMB Form 2050-0192, EPA Form 560F22292) since all post-closeout program income (PCPI) information will have been entered via the APCR.

The RLF APCR is divided into three parts. Additional instructions and definitions for completing this report are provided below. Please contact your EPA Project Officer if you have any questions when completing this report.

When to Submit:

For CARs operating under a COA based on the FY22 (or later) COA Template (i.e., signed after March 1, 2022): You must submit an APCR annually by October 31st, with data accurate as of

September 30th. For example, for FY24 reporting, an APCR must be submitted by October 31, 2024 with a reporting period of October 1, 2023 – September 30, 2024. Therefore, in order to make sure information in the APCR covers the full reporting period, the FY24 APCR must be submitted anytime between October 1, 2024 – October 31, 2024.

For CARs operating under a COA signed prior to March 1, 2022: See the specific terms of the COA to determine when an APCR is required.

IMPORTANT: The APCR template will be available in ACRES for CAR use throughout the year. This will allow CARs to periodically make updates to parts of the APCR at any time (e.g., adding project progress in Part 1 or populating the Site-Specific Reporting table in Part III below). Note that while CARs can create and make edits to the APCR in ACRES at any time throughout the year, the CAR should not submit the completed APCR until the reporting timeframe specified in their COA as explained above.

How to Submit:
ACRES is available online. Unless required by the recipient's COA terms and conditions, ACRES is an optional method for all RLF CARs to enter and electronically submit their APCR. Any CAR who does not plan to utilize the ACRES system for submittal should contact their regional EPA Project Officer about submitting the APCR in hard copy or via e-mail.

To access the APCR in ACRES, go to your ACRES home page and look for the work card labeled "RLF Annual Post-Closeout Report (APCR)." Users can create and edit their APCR at any time throughout the Fiscal Year, but should only submit the completed APCR in the reporting timeframe specified in their COA.

To Whom to Submit:
CARs must submit their APCR to their EPA Project Officer identified in the terms and conditions of their COA. When the data is entered online via ACRES, it will automatically be delivered to the EPA Project Officer.

DETAILED INSTRUCTIONS FOR COMPLETING EACH ITEM ON THE ANNUAL POST-CLOSEOUT REPORT FOR CLOSEOUT AGREEMENT

Reporting Dates: Use the following format when asked to enter a date: mm/dd/yyyy.

Note: If completing the APCR within ACRES, the fields in items 1 to 6 below will be pre-populated. If completing the APCR as a hard copy (i.e., using the Word template posted on EPA's website), follow the instructions.

1. **Cooperative Agreement Recipient Name**. Enter the CAR Name associated with this APCR.

2. **COA Tracking Number.**
Applicable Cooperative Agreement (CA) Number(s).
- If COA became effective before March 1, 2022: Enter the brownfields CA number for both items above (i.e., the COA Tracking Number and the Applicable CA Number).
- If COA is based on the FY22 (or later) COA Template (i.e., became effective after March 1, 2022): Enter the COA Tracking Number from the top of page 1 of the COA for the first item above and all CA numbers that are listed in the COA Attachment (last page of COA) for the second item above.

3. **COA Start Date:** Enter the date the COA became effective (this will usually be the EPA signature date unless the CAR signature date is later).

4. **Reporting Period:** Enter timeframe – e.g., October 1, 2023 – September 30, 2024.

5. **Submitted By:** Enter name, address, phone number, and email of person or entity administering the program; this should be the CAR contact information, not a consultant.

6. **Date Submitted:** Enter date the APCR was submitted. Reports are due to be submitted in accordance with COA requirements. If COA is based on the FY22 (or later) COA Template, reports are due by October 31st with information accurate as of September 30th.

PART I – PROJECT PROGRESS

Progress and plans reported in this section will clearly identify only those activities that were undertaken, or will be undertaken, with post-closeout program income.

7. **Activities Performed During this Reporting Period for this COA.**

Describe the properties and work accomplished with post-closeout program income during the reporting period. Clearly identify the type of work performed: assessments completed, cleanups completed, pending or signed loans or subgrant agreements, community involvement activities, marketing (workshops, presentations, flyers developed), and other milestones and/or outcomes achieved.

8. **Plans for the Next Reporting Period.** Describe the work proposed for the next reporting period (i.e., expected projects and RLF marketing strategies). If none, please state so and why. Responses should consider the following:

1. If there is not enough available post-closeout program income to start a new project, provide the expected timing for receipt of additional post-closeout program income from future loan repayments.

2. If the CAR wishes to continue to operate the RLF under this COA but there are currently no projects in the pipeline, identify additional RLF marketing strategies that will be employed to expend available post-closeout program income during the next reporting period.

3. If the CAR does not wish to continue to operate the RLF under this COA, include a request to terminate the COA.

PART II – POST-CLOSEOUT PROGRAM INCOME REPORTING

Retained program income is a term used for the amount of undisbursed program income that remains at the end of the performance period of the cooperative agreement.

Post-closeout program income (PCPI) is a term used for program income earned after the cooperative agreement award period and includes any retained program income available at the end of the cooperative agreement that EPA authorizes the recipient to keep under the terms of a COA. Therefore, always include retained program income when reporting the information below for PCPI.

Note: If using the hard copy version of the APCR outside of ACRES (e.g., the Word template posted on EPA's website), the calculations described below will not be done for you and you will need to prepare a number of tables as shown in the Word template. In addition, the Brownfields RLF Form (OMB Form 2050-0192, EPA Form 560F22292) will not be auto-populated from the APCR so that PCPI information will still need to be entered separately into ACRES.

9. **As of this Date.** Provide the reporting date for this PCPI update. This will always be September 30th if operating under a COA executed after March 1, 2022.

10. **Beginning PCPI Balance.** Enter the PCPI balance as of the reporting period start date (should be either the retained program income amount if this is the first post-closeout report or the ending balance from the previous post-closeout report).

11. **Total, Committed, and Uncommitted PCPI Balances under this COA.**

- **Total PCPI Balance.** If operating under a COA after the cooperative agreement has ended, enter the balance of PCPI in the CAR's post-closeout RLF account as of the reporting date.

  PCPI includes:
  - Principal repayments,
  - Interest earned on outstanding loan principal,

- Interest earned on account holding RLF PCPI not needed for immediate lending,
- All loan fees and loan-related charges received from borrowers and other income generated from RLF operations including proceeds from the sale, collection, or liquidations of assets acquired through defaults of loans.

At a minimum, the PCPI balance should be updated whenever a progress report is submitted to EPA (i.e., annually or as specified by the COA).

- **Committed PCPI Balance.** Enter the amount of PCPI funds that are committed as of the reporting date. Committed funds refers to funding designated for:

  - Pending loans and subgrants which are defined as loans/subgrants that have been approved through the applicant's decision process (e.g., board or committee) but have not been awarded with a fully-signed agreement as of the reporting date;
  - Unreimbursed costs for a cleanup that is completed or underway through an executed loan or subgrant, which is defined as a loan/subgrant with a fully-signed agreement and award date that precedes the reporting date;
  - Estimated costs for personnel, travel, contracts, or other programmatic costs necessary to maintain the RLF for the next five years; and,
  - Other eligible uses of funds as defined by the COA that have been approved through the applicant's decision process (e.g., board or committee), such as direct cleanups, assessments, etc.

  NOTE: Do not include potential loans and subgrants that have not been approved through the applicant's decision process (e.g., board or committee). To count as committed PCPI funds, the loan or subgrant must be executed or pending, as defined above.

- **Committed PCPI Task (Optional).** This bullet and the next bullet are optional UNLESS Total PCPI Balance is over $500,000.

  Dropdown task options include:

  - Pending loans and subgrants (i.e., loans/subgrants that have been approved through the applicant's decision process, but not yet executed)
  - Unreimbursed costs for a cleanup that is completed or underway through an executed loan or subgrant
  - Other eligible uses of funds as defined by the COA (must have been approved through the applicant's decision process)
  - Personnel costs (include costs for up to 5 years)
  - Travel costs (include costs for up to 5 years)
  - Contract costs (include costs for up to 5 years)

- Other programmatic costs (include costs for up to 5 years)

- **Committed PCPI Amount (Optional).** Enter the amount of PCPI funds that are committed for each task. The total sum of these amounts must equal the Committed PCPI Balance entered above.

- **Uncommitted PCPI Balance.** ACRES will calculate the Uncommitted PCPI based on the following equation: "Total PCPI Balance" - "Committed PCPI Balance."

12. PCPI Earned and Expended in the Last 12 Months under this COA.

- **Total PCPI Earned in last 12 months.** Enter the amount of PCPI earned in the last 12 months from repayment of loans, interest earned, etc. This will be PCPI earned from October 1st to September 30th if operating under a COA executed after March 1, 2022.

- **Total PCPI Expended in last 12 months.** Enter the amount of PCPI expended in the last 12 months for payments to borrowers, subgrantees, contractors, etc. This will be PCPI expended from October 1st to September 30th if operating under a COA executed after March 1, 2022.

- **Expended PCPI Task.**
  Dropdown task options include:
  - Program Oversight (to include marketing)
  - Site Assessments
  - Area-wide Planning for Assessment/Cleanup/Reuse
  - Loans
  - Subgrants
  - Direct Cleanups
  - Health Monitoring
  - Institutional Control/Engineering Control Monitoring
  - Cost share requirement of another EPA Brownfields grant (only if using PCPI generated from interest and fees, not principal repayments)
  - Other (explain)

- **PCPI Expended for the Task in the last 12 months.** Enter the amount of PCPI funds that are expended for each task in the last 12 months. The total sum of these amounts must equal the Total PCPI Expended in last 12 months entered above.

Additional PCPI under this COA and Use of PCPI as Cost Share

13. Is additional PCPI expected? Is additional PCPI expected in the future (e.g., due to an

executed loan which has not yet been repaid in full)? Select yes or no.

14. Do you anticipate using PCPI from Interest/Fees for Cost Share for other Brownfield Grant(s)? Select yes or no.

If "yes" was selected for Question 14, complete questions 15a-15d.

15a. Cumulative PCPI Generated from Interest and Fees. Enter the cumulative amount of PCPI that was generated from interest and fees; this should include PCPI earned from the post-closeout grant start date to this reporting period end date.

15b. Cumulative PCPI Generated from Principal Repayment. Enter the cumulative amount of PCPI that was generated from principal repayment; this should include PCPI earned from the post-closeout grant start date to this reporting period end date.

15c. Amount of Cumulative PCPI from Interest/Fees used for Cost Share for other Brownfield Grant(s). Based on the terms and conditions, repayments of principal for loans made all or in part with CA or COA funds shall not be used for cost share for any other Brownfield Grants (i.e., only program income from interest/fees can be used for that purpose).

15d. CA Numbers for these Other Brownfield Grant(s). Enter the CA numbers for any grants covered by the amount in 15c.

PART III – SITE-SPECIFIC REPORTING

16. Site-Specific Reporting for Activities Underway or Completed during Post-Closeout. Include a listing of site-specific products that are completed or underway during post-closeout. Examples include site investigation/assessment reports, sampling and analysis plans, remediation plans and designs, community involvement plans, final cleanup documentation, etc. Reporting your activities and accomplishments in ACRES, including previous and current sites, is required for most COAs that require reporting and should be completed by the due date for submission of this report (ask your PO if you are uncertain if this is required).

Unlike previous tabs in this report that are providing information for the reporting period only, this tab should be a cumulative compilation of activities underway or completed in post-closeout. Inclusion of ongoing activities below is required, while inclusion of completed activities is encouraged. Also include any loans from applicable CAs under this COA that are still in Ongoing Status because repayment is not complete (e.g., specify $0 PCPI used but include the property name and loan info to indicate a loan executed under a previously open CA is still being paid off during post-closeout).

- **Property Name.** Enter the Name of the property.

- **Amount of PCPI Used.** Enter the amount of PCPI used for this activity.

- **Activity.** Enter Loan, Subgrant, Phase I, Phase II, etc.

- **Status.** Select Ongoing or Complete. Select 'Ongoing' if loan repayments have started but are not complete, and 'Complete' if the loan has been fully paid off. Note: If the CAR believes the borrower has defaulted or will be defaulting on the loan, report the loan as 'Ongoing' and discuss the default situation with your EPA Project Officer, to include whether collateral has been sought/collected (provide details as appropriate in the Notes).

- **For Loans: Interest Rate.** Enter the interest rate for an executed loan.

- **For Loans: Repayment Period (start & end date).** Enter the repayment period which indicates the date when loan repayment has started (or is expected to start) to the last payment date (e.g., May 2018 – April 2028).

- **Property & Information in ACRES?** Select yes or no. Property & Information in ACRES? Each of these items has to be entered in a Property Profile Form (PPF) for that property. To do this, either Edit an Existing Property (if one already exists) or Add a New Property.

  NOTE: The APCR does not interface directly with the PPF, but items should still be entered in the PPF as required by the COA's terms and conditions.

- **Notes on this Site.** Enter any additional notes for each property.

PART IV – REVIEW & SUBMIT

If using ACRES to submit the APCR, the final tab is titled "Review & Submit." This tab provides a summary of all the entries on the previous tabs as well as an area at the bottom to provide Notes to Reviewer. The Notes to Reviewer will stay in that version of the APCR, but will not auto-load in the next quarter's APCR. If you need to change other information in this tab, you'll need to make the changes in the previous tab(s) and then the change will automatically show up in the "Review & Submit" tab. When finished, don't forget to click on "Submit for Review."