

Department of the Interior

Orphaned Wells Program Office Energy Community Revitalization Program Tribal Grant Opportunities under the Infrastructure Investment and Jobs Act

Phase 2 Tribal Orphaned Well Site Plugging, Remediation, and Restoration Grants

Announcement: D-AQD-FA-24-013, Modification 001 *

1. Application Due Date

Applications must be submitted by no later than 11:59 p.m. ET on May 14, 2024. Financial assistance applications that fail to comport with instructions and deadlines imposed by this opportunity shall not be accepted or reviewed for funding unless there are extenuating circumstances (*e.g.*, natural disaster, GrantSolutions.gov (GrantSolutions) outage, or government error) that prevented the timely submission of a complete application.

2. Anticipated Period of Performance

Based on the type of award. Best practice is less than five years from the date of receipt of funds.

3. Authority

Awards are authorized per:

Public Law 117-58, Infrastructure Investment and Jobs Act, Division D, Title VI, Methane Reduction Infrastructure, Section 40601, Orphaned well site plugging, remediation, and restoration.

42 U.S.C. § 15907, Energy Policy Act of 2005, as amended

Awards are made under the Assistance Listing Number 15.018 (Energy Community Revitalization Program)

4. Program Background, Objectives, and Goals

On November 15, 2021, President Biden signed the Infrastructure Investment and Jobs Act (Public Law 117-58), also known as the Bipartisan Infrastructure Law (BIL), making a once-in-a-generation investment in the Nation's infrastructure and economic competitiveness. This landmark investment will rebuild America's critical infrastructure, tackle the climate crisis, address legacy polluted sites, advance environmental justice, and drive the creation of good-paying union jobs.

Section 40601 of the BIL, which is codified at 42 U.S.C. § 15907, marks a historic effort to confront the potent atmospheric pollution that orphaned oil and gas wells emit, while also accounting for the legacy impact that orphaned wells have on the environment around them. Section 40601 provides a total of \$4.7 billion for orphaned-well-related activities, including \$150 million for plugging, remediating, and reclaiming orphaned wells located on Tribal lands through grants or In Lieu of Grant assistance to Indian Tribes (Tribes).

The Department of the Interior (Department), Orphaned Wells Program Office (OWPO), was established under Secretary Order No. 3409 and is a program covered under the Justice40 Initiative, which was established in Executive Order 14008, Tackling the Climate Crisis at Home and Abroad. OWPO assumed responsibility for the administration of the Tribal Orphaned Wells Program (OWP) from the Office of

* Modified text highlighted in the body of this document.

Environmental Policy and Compliance, which issued guidance concerning the first phase of funding for grants and In Lieu of Grant assistance in 2023 (Phase 1).

5. Type of Assistance

This document describes application requirements for two types of grants to be awarded under the current opportunity (Phase 2):

- 1) **Tribal Implementation Grants** to fund plugging, remediation, and reclamation activities, including identification and assessment of orphaned wells on Tribal lands.
- 2) **Tribal Program Development Grants** to fund activities to develop and administer a Tribal program to carry out plugging, remediation, and reclamation activities for orphaned wells on Tribal lands including identification and assessment, training, and other capacity-building activities.

Tribes may request that the Secretary administer and carry out plugging, remediation, and reclamation activities related to eligible orphaned wells on behalf of a Tribe. A Tribe may request information [via email](#) regarding In Lieu of Grant assistance.

This directed announcement is administered by the U.S. Department of the Interior, Office of the Secretary, Interior Business Center (IBC), Acquisition Services Directorate (AQD), as part of the U.S. Government Interagency Agreement between the OWPO and IBC.

6. Federal Award Information

Estimated Total Funding: \$50,000,000

Maximum Award: Tribal Implementation Grant: \$15,000,000
Tribal Program Development Grant: \$1,000,000

Anticipated Award Date: August 30, 2024

Following completion of the applicable statutory and regulatory review, the Department's Financial Assistance Officer (FAO) will execute a grant agreement through GrantSolutions. Execution of grant agreements and the release of federal funding may take up to six months following the application deadline under this opportunity. Any pre-award costs incurred prior to the receipt of a signed agreement are at the applicant's own risk.

7. Eligibility Requirements and Restrictions

A. Eligible Applicants

Applicants are limited to Indian Tribes as defined under Section 40601(a)(3), which includes any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (85 Stat. 688), which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

Prior to award, the Department will conduct a review of the [SAM.gov Exclusions database](#) to determine if the applicant or any key project personnel are suspended or debarred from receiving federal funds under this program.

B. Relationship Among Grant Types and Phases

A Tribe that received a Phase 1 Program Development Grant may submit an application for a Phase 2 Program Development Grant, provided that the statement of work included with the Phase 2 application documents no duplication of costs from the Phase 1 award.

A Tribe may submit applications for Phase 2 assistance for both Program Development and Implementation Grant activities, provided that each request documents no duplication of costs from a Phase 1 award, if applicable, and across activities proposed under each Phase 2 project type.

A Tribe that applies for a grant under this opportunity may not apply for Phase 2 In Lieu of Grant (ILOG) assistance. Learn more about [guidance for ILOG assistance](#).

8. Eligible Activities

Funds awarded under this opportunity must be limited to planning and implementation activities for the plugging, remediation, and reclamation of orphaned wells and well sites located on Tribal land.

With respect to Tribal land, the term “orphaned well” means:

- 1) A well that is not used for an authorized purpose, such as production, injection, or monitoring; and
- 2) A well for which no operator can be located; or
A well for which a locatable operator is unable to plug the well and remediate and reclaim the well site.

Under this opportunity, an orphaned well generally is or was associated with oil and gas production; including wells and associated features whose design or uses were not directly related to production, such as injection, monitor, or disposal wells.

“Tribal land” is defined as any land or interest in land owned by a Tribe, the title to which is:

- 1) Held in trust by the United States; or
- 2) Subject to a restriction against alienation under Federal law.

This includes plugging, abandonment, and reclamation of wells drilled into minerals that are held in trust or restricted status for a Tribe, even if the surface estate is not; and remediation of surface that is held in trust or restricted status for a Tribe, even if the minerals are not.

Lands owned by individual Indians in trust or restricted status are not eligible. Applicants inquiring about plugging, remediating, and reclaiming orphaned wells on ineligible Indian lands are invited to contact the Department’s technical specialists to identify relevant funding opportunities. (See the Federal Awarding Agency Contacts for Assistance Section of this announcement for more information.)

9. Standards for Measurement, Plugging, and Remediation

Proposed plugging, remediation, and reclamation of orphaned wells or wells sites on Tribal land must follow Tribal standards, or, if a Tribe does not have established well-plugging standards, the “Drilling abandonment” standards that are found at [43 CFR 3172.12](#), at minimum.

Proposed plugging, remediation, and reclamation of orphaned wells or well sites on Tribal land also must include pre- and post-plugging inspection of each site to measure or estimate contamination of surface water and groundwater and to measure or estimate emissions of methane, hydrogen, and other gases. Methane measurement must follow the [Department methane measurement protocol](#).

Proposed plugging, remediation, and reclamation of orphaned wells and well sites **may not** include costs associated with conditioning wells as a water supply source.

10. National Historic Preservation Act (NHPA) Compliance

With limited exceptions, activities funded pursuant to this opportunity, in whole or in part, are “undertakings” that are subject to review under the NHPA, and its implementing regulations, 36 CFR part

800. This is because the activities have the potential to affect historic properties. As a condition for receipt of a grant, the recipient must conduct the initial steps of the Section 106 process, which includes identifying and evaluating historic properties within the area of potential effects associated with specific projects and assessing affects, 36 CFR 800.4-.5.

11. Endangered Species Act (ESA) Compliance

Under Section 7(a)(2) of the ESA, the Department is required to ensure that activities funded pursuant to this opportunity, in whole or in part, are not likely to: jeopardize species listed on the Federal List of Endangered and Threatened Wildlife and Plants, or result in the destruction or adverse modification of critical habitat designated for Federal Endangered and Threatened Wildlife and Plants. The Department will further coordinate with Tribes to ensure compliance with ESA Section 7(a)(2), including exploring whether a Tribe should be designated a non-federal representative (NFR) to assist with compliance, pursuant to the ESA Section 7 implementing regulations at 50 C.F.R. § 402.08.

12. Funding Restrictions

A. Administrative Cost Limits for Tribal Implementation Grants

Administrative costs for Tribal Implementation Grants shall be limited to no more than 10 percent of the federal funds received for each grant. This limitation does not apply to Tribal Program Development Grant proposals.

“Administrative costs” are those costs that cannot be directly attributed to well plugging and site reclamation projects, but instead to general grants management or program administration. Administrative costs can be expended for personnel or non- personnel costs, and can be direct or indirect, but should represent the costs to the Tribe for managing the overall grant-funded work rather than preparation for and execution of individual projects.

B. Pre-award Costs

Pre-award costs are those incurred prior to the effective date of the federal award or subaward directly pursuant to the negotiation and in anticipation of the federal award where such costs are necessary for efficient and timely performance of the scope of work. Such costs are allowable only to the extent that they would have been allowable if incurred after the date of the federal award and only with the written approval of the federal awarding agency. If charged to the award, these costs must be charged to the initial budget period of the award and described in required reports.

The Department waives the prior written approval requirements for pre-award project costs that were incurred within 90 calendar days before the federal award effective date. Applicants must obtain written approval from the Department’s FAO prior to incurring pre-award costs that were included in the application but more than 90 calendar days before the federal award effective date.

All costs incurred prior to the effective date are at the recipient's risk of non-reimbursement if the Department determines that the costs are not allowable, necessary, allocable, and reasonable.

C. Expenditure and Reimbursement

Recipients of grants under this announcement shall obligate all funding within five years of the date of the receipt of the funds (*i.e.*, the effective date of the award specified in the grant agreement) unless the Department approves an extension. Recipients must reimburse the Secretary for all funds that remain unobligated within five years of the effective date of the award or at the end of an approved period of performance, whichever is later. Obligated funds are those that are the subject to a definite commitment that creates a legal liability of the Tribe for an

immediate or future payment for goods or services ordered or received, including by contract or sub-contract award.

13. System for Award Management Unique Entity Identifier and Entity Registration

All applicants must register in the [System for Award Management](#) (SAM.gov) to do business with the federal government as a financial assistance recipient. Entities receiving federal awards MUST complete the SAM.gov “Financial Assistance General Certifications and Representations” as part of their entity registration. Once registered in SAM.gov, recipients must maintain an active registration by renewing their registration at least annually through the life of their federal award(s). The Department is prohibited from making an award until the anticipated recipient’s required SAM.gov registration is complete. Entities already registered in SAM.gov should review their registration to confirm they are registered as a financial assistance recipient and have completed the SAM.gov “Financial Assistance General Certifications and Representations”.

Before registering in [SAM.gov](#), all entities must obtain a unique entity identifier (UEI). For more information, see the [SAM.gov Entity Registration](#) web page.

Please note there is no cost to obtain a UEI or register in SAM.gov. While there are third-party vendors who will charge a fee for assisting you with meeting these requirements, please be aware that you can obtain a UEI and register in [SAM.gov](#) for free. We recommend using the links in this document to access and bookmark the [SAM.gov website](#). Using a web browser keyword search to find these sites could lead you to an unofficial third-party website made to look like the official site.

14. Grants Management System (GrantSolutions) Registration

The Department uses [GrantSolutions](#) to manage financial assistance applications and awards. Applicants must register in and conduct award business with the Department in GrantSolutions. To apply, your organization and organization officials must be established in GrantSolutions.

Prior to starting the registration process for GrantSolutions access, please contact the Department’s FAO [via email](#). The FAO can advise on current GrantSolutions access to prevent duplication of accounts.

The GrantSolutions entity user roles are: Authorizing Official (ADO); Principal Investigator/Program Director (PI/PD); Support Specialist (GSS); Financial Officer (FO); and Financial Support Staff (FSS). All roles can do the following: enter applications, amendments, and reports, view awards, and view and create notes. The ADO and the PI/PD roles can also submit applications, amendments, and reports. The FO role can also submit reports. At a minimum, registered organizations must assign someone to the ADO and PI/PD roles. For more information, see the [GrantSolutions Recipient Training and FAQs](#) web page. For GrantSolutions registration, submission, and other assistance contact their Customer Support by telephone at 1-866-577-0771 or [by email](#).

15. Grants Payment System Registration Requirement

Domestic recipients are required to register in and receive payment through the [U.S. Treasury’s Automated Standard Application for Payments \(ASAP\) system](#). The Department cannot obligate award funds until this registration is complete.

16. Application Content Requirements

Applications must include the required standard forms, information, documentation, and statements, as described below. The Department will provide all required forms in the GrantSolutions announcement application kit. Submission in GrantSolutions of forms requiring signature is the equivalent of a wet or digital signature. In addition to the required application components listed below, an applicant may provide other documentation supporting the application by uploading file attachments or identifying “mail-in” documents as part of a GrantSolutions submission.

A. SF-424, Application for Federal Assistance Form

All applicants must submit the Standard Form (SF)-424, Application for Federal Assistance. The Authorized Representative’s submission of this form in GrantSolutions represents their certification to the Department that the entity’s financial management system meets [Title 2 of the Code of Federal Regulations \(CFR\) 200.302](#) financial management requirements. The entity’s financial management system must be sufficient to:

- 1) Permit the preparation of required reports,
- 2) Trace funds to a level of expenditures adequate to establish that the entity has used such funds per federal statutes, regulations, and terms and conditions of the federal award,
- 3) Provide for the requirements in [2 CFR 200.302\(b\)](#), and
- 4) Comply with the records retention and access requirements in [2 CFR 200.334-337](#).

If this application requests more than \$100,000 in federal funds, the Authorized Representative’s signature on or submission of the SF-424 form in GrantSolutions also represents their certification of the statements in [43 CFR part 18, Appendix A-Certification Regarding Lobbying](#).

When completing the SF-424 Application form, enter only the amount requested from this Federal program in Box 18a, Estimated Federal Funding. Include any other Federal sources of funding in Box 18e. Estimated Other Funding and identify any such sources and amounts in the required [Budget Narrative](#).

B. SF-424A, Budget Information for Non-Construction Programs Form

Applicants must submit the SF-424A, “Budget Information for Non-Construction Programs” form. Federal award recipients and subrecipients are subject to [Federal award cost principles in 2 CFR 200](#). Show funds requested from this Federal program separately from any other Federal sources of funding. In “Section A - Budget Summary”, enter the funding requested from this Federal program in the first row. Enter funding requested or received from any other Federal program(s) for this project in subsequent row(s). Enter each Federal program’s Assistance Listing Number in the corresponding fields on the form. For this program’s Assistance Listing Number, see the [Program Authority](#) section of this document. Provide a separate description and total estimated costs for both contractual and subaward costs in the required Budget Narrative (see below). For assistance with completing this form, see the [Completing the Budget Information for Non-Construction Programs \(SF-424A\) Video](#).

C. Key Contacts Form (OMB 4040-0010)

Applicants must submit the Key Contacts form and provide the required information for at least one contact who will exercise a fiscal or project management role in administration of the proposed project.

D. Project Abstract Summary

Applicants must submit a Project Abstract Summary in the corresponding screen in GrantSolutions. For all funded projects, the Project Abstract Summary submitted with your application to the Department will be made available to the public on USASpending.gov. In the Project Abstract Summary, applicants must provide a brief award description. The description must be in plain language that the public can understand without viewing the full project proposal. It should include a brief, simple description of the project purpose, activities to be performed, deliverables and expected outcomes, intended beneficiaries, and subrecipient activities, if known at the time of submission. Do not include personally identifiable, sensitive, or proprietary information in the Project Abstract Summary. Use only English characters, numbers, punctuation, and standard symbols. Use of non-English, non-standard characters (also referred to

as special or extended ASCII characters) will result in the award description failing to be reported correctly to USASpending.gov. Award descriptions are limited to 4,000 characters or less. Applicants should check the length of the award description and proofread for grammar and spelling.

E. Project Narrative

A Project Narrative (or, hereafter, Workplan) must include sufficient information to determine whether the proposed activities are consistent with requirements described in this announcement. While there is no prescribed form or format for the Workplan, the Department encourages applicants to use the optional Workplan Template included with the GrantSolutions announcement application kit or to organize narrative responses under headings corresponding to the numbered elements, listed below, for the specific grant type. The work proposed in the Workplan should be supported by the Budget Narrative.

A Workplan may include a brief introduction and should identify the proposal as either a Tribal Program Development Grant or a Tribal Implementation Grant. A Tribe may request both types of awards during Phase 2 by submitting separate applications for each request.

Workplans are limited to 10 numbered pages, inclusive of all text and references, with at least 1-inch margins on all sides and 11-point font. Supporting documents may be submitted as separate attachments.

For a **Tribal Implementation Grant**, a Workplan must provide all the following:

- 1) A description of:
 - The Tribal program for orphaned well plugging, remediation, and reclamation/restoration, including legal authorities, processes used to identify and prioritize orphaned wells, procurement mechanisms, and other program elements; and
 - The activities to be carried out with the grant funding, including identification of the estimated health, safety, habitat, and environmental benefits of plugging, remediating, or reclaiming orphaned wells.
- 2) An estimate of:
 - The number of wells and/or well sites that will be plugged, remediated, and/or reclaimed under the proposed project;
 - The unemployment rate of the Tribe at the time of application;
 - The amount of projected costs that will be offset by the forfeiture of financial assurance instruments, the estimated salvage of well site equipment, or other proceeds from the orphaned wells and adjacent land;
 - The number of jobs that will be created or saved through the activities to be funded under this grant; and
 - The activities and costs associated with administration of the project. (Note: Administrative costs must not exceed ten percent of the total costs for the project proposal. See Section 12 A of this announcement for a detailed explanation of administrative costs and limitations.)
- 3) A description of the **plugging standards** to be applied, including planning procedures and witnessing requirements (*e.g.*, qualifications of witness(es)),

documentation/certification of work to standards). The plugging standards to be applied must be included as an attachment or a link within the Workplan.

- A Tribe with established and documented well-plugging standards and regulations must ensure that employees and contractors meet those requirements.
 - A Tribe that does not have established well-plugging standards must meet or exceed Bureau of Land Management (BLM) standards for “Drilling abandonment,” which can be found at [43 CFR 3172.12](#).
- 4) A description of the methodology to be used to **measure and track methane and other gases** associated with orphaned wells, including how the Tribe will evaluate and document the effectiveness of plugging activities in reducing or elimination such emissions. Specifically, a Tribe must address:
 - Pre-plugging inspection of each well or well-site included in this proposal to measure or estimate current emissions of methane, hydrogen sulfide, and other gases according to the [Department’s methane measurement protocol](#).
 - Post-plugging inspection of each well or well-site included in the Tribe’s proposal that will measure and verify the lack of gaseous emissions.
 - Pre- and post-plugging inspection and measurement documentation as a verifiable record of activities and the efficacy of the work completed as part of the project.
 - 5) A description of the methodology to be used to **measure and track ground- and surface-water contamination** associated with orphaned wells, including how the Tribe will evaluate and document the effectiveness of plugging activities in reducing or eliminating such contamination.
 - 6) A description of the methodology to be used and standards applied to decommission or remove associated pipelines, facilities, and infrastructure and to remediate soil and habitat that has been degraded due to the presence of orphaned wells and associated infrastructure.
 - A Tribe with established and documented standards and regulations for well-plugging and abandonment, including activities required to complete surface reclamation and revegetation, must ensure that employees and contractors meet those requirements.
 - A Tribe that does not have established and documented standards and regulations for well-plugging and abandonment, including activities required to complete surface reclamation and revegetation, must meet requirements, such as an applicable State standard, that *meet or exceed* the Bureau of Land Management Reclamation and Abandonment Standards to be considered plugged and fully abandoned, such that it can be reported as a completed unit. [Learn more about Abandonment Standards](#).
 - 7) A description of methods for identifying and inventorying undocumented orphaned wells.
 - 8) A description of any plans to engage third parties (*e.g.*, state agencies, other federal bureaus, etc.) in partnerships around well plugging and site remediation, or any existing comparable partnerships to which the Tribe currently belongs.
 - 9) A description of how the Tribe will comply with all applicable federal statutes, regulations, and executive orders and with all applicable Tribal, state, and local statutes and regulations to ensure that potential impacts to the environment are considered before undertaking any grant-funded action with the potential to impact the environment;

including resources and personnel who may assist with NHPA Section 106 and ESA Section 7 reviews.

- 10) A description of training programs, registered apprenticeships, and local and economic hiring agreements for workers engaged in well plugging or site remediation as part of the proposed project.
- 11) A description of plans to support opportunities for all workers, including workers underrepresented in well plugging or site remediation, to be trained and placed in good-paying jobs directly related to the project.
- 12) A description of procedures and/or plans to coordinate with federal and/or State agencies to determine whether efficiencies may exist by combining field survey, plugging, or surface remediation work across private, State, federal, and Tribal land.
- 13) A description of the Tribe's authority to enter private property, or procedures to obtain landowner consent to enter private property, in the event that any wells to be plugged will be accessed from privately owned surface properties.
- 14) A work schedule providing a description and date ranges for key milestones and activities in the accomplishment of the proposed project.
- 15) Required data elements, including well identification number, name, type, latitude/longitude, and location accuracy, and any other available well information, such as pre-plugging emissions and contaminants measurements, for each well or well site to be plugged, remediated, or reclaimed under the proposed project. Applicants must submit data elements using the Tribal Grant Program Data Reporting template included in the GrantSolutions announcement application kit. At minimum, applicants must complete columns A through H under the Implementation tab of the template.

For a **Tribal Program Development Grant**, a Workplan must provide all the following:

- 1) The Tribe's current unemployment rate.
- 2) A description of known orphaned wells on Tribal land including a numerical estimate, or of evidence that points to the likelihood of orphaned wells on Tribal land that have not yet been identified and/or assessed.
- 3) A description of the number and purpose of each personnel supported under this grant.
- 4) A description of training and equipment to be received by each personnel and how they relate to an orphaned well program.
- 5) A description of the methodology for conducting and reporting inventory and assessment of undocumented orphaned wells.
- 6) A description of how the Tribe will comply with all applicable federal statutes, regulations, and executive orders and with all applicable Tribal, state, and local statutes and regulations to ensure that potential impacts to the environment are considered before undertaking any grant-funded action with the potential to impact the environment; including resources and personnel who may assist with NHPA Section 106 and ESA Section 7 reviews, as applicable.
- 7) A description of how the Tribal Program Development Grant will evolve into a Tribal Implementation Grant proposal or other orphaned well plugging, remediation, and reclamation actions within 2 years of the effective date of the developmental project.

- 8) A description of how the Tribe plans to fund personnel to be hired under proposed activities after Phase 2 grant funds are expended and/or the window to obligate funds within five years of receipt of funds (or, the effective date of the award) expires.

F. Budget Narrative

Applicants must include a budget narrative that describes and justifies requested budget items and costs. In your budget narrative, describe how the SF-424 Budget Information, “Object Class Category” totals were determined. Describe any proposed [items of cost that require prior approval](#) under the [Federal award cost principles](#), including any anticipated sub-awarding, transferring, or contracting out of any work under the award. Provide a separate description and total estimated costs for both contractual and subaward costs. If equipment previously purchased with federal funds is available for the project, provide a list of that equipment and identify the federal funding source. Please note the prohibitions on certain telecommunications and video surveillance services or equipment in [2 CFR 200.216](#). The Department’s [Unmanned Aircraft web page](#) provides a list of approved unmanned aircraft and related equipment and software.

There is no page limit or required format for the Budget Narrative. Applicants may use the optional Budget Narrative template included in the GrantSolutions announcement application kit and/or adhere to the following clarifications:

- A) Personnel: Provide the title, unit of time, quantity, cost per unit of time and resultant dollar amount for each of the personnel included in the total line-item dollar amount. (Example: J. Smith, Curator, 40 hours per week for 50 weeks at \$20.00 per hour = \$40,000). Note: Personnel are part of the applicant’s organization. Consultants and independent contractors should be listed under F. Contractual.
- B) Fringe Benefits: Provide the fringe benefits rate and dollar amount for each position identified under Personnel.
- C) Travel: Provide the unit of measure, quantity, cost per unit, and resultant dollar amount for each of the following travel details: airfare; lodging; per diem; ground transportation; housing stipend; and transportation stipend. Indicate if the proposed travel costs comply with the Tribe’s written travel policy or with [current maximum federal rates](#).
- D) Equipment: List any equipment, defined in 2 CFR 200.1 as “tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds \$5,000,” to be purchased or leased with federal funds. Provide quotes or estimates obtained to support the cost amount and include a written justification for the planned acquisition(s).
- E) Supplies: Provide a description, quantity, cost per unit, and resultant dollar amount for any consumable supplies, raw materials, and expendable equipment (items costing less than \$5,000 and/or having an estimated useful life of less than one year). “General office supplies” or “miscellaneous supplies” are not acceptable line items.
- F) Contractual: Provide the contract/sub-award description, unit of time, quantity, cost per unit of time and resultant dollar amount for each contract/sub-award. Describe market research undertaken to determine an accurate budgetary estimate. Describe how contract services will be obtained.
- G) Construction: For the purpose of budgeting, construction is defined as all types of work done on a particular building, including erecting, altering, or remodeling. Construction conducted by the award recipient is entered under this category. Any construction work that is performed by a vendor or subrecipient should be entered under F) Contractual.

List all proposed construction costs, providing a basis of cost such as engineering estimates, prior construction, etc., and briefly justify each cost's need as it applies to the Workplan.

- H) Other Costs: Provide the description, quantity, cost per unit and resultant dollar amount for each item that does not fit within one of the other budget categories. Please identify all Training costs under this heading. "Miscellaneous," "overhead," and "contingency" are not acceptable line items.
- I) Total Direct Charges: Sub-total of items A through H.
- J) Indirect Costs: Provide the indirect cost rate percentage, type (negotiated or 10% de minimis), associated base, and resultant indirect amount. Please attach a copy of the current negotiated indirect cost rate agreement, or elect the 10% de minimis rate, and apply the approved rate accordingly.
- K) Total Federal Funding Request: List the total amount of Federal funds requested. Check that this amount matches those listed on the SF-424 and SF-424A before submitting the application.
- L) Administrative Costs (Tribal Implementation Grants only): List the total amount of administrative costs, as well as the component costs—both direct and indirect—comprising the total. Verify that administrative costs do not exceed ten percent of the proposed budget.

G. Indirect Costs Information and Statement

Applicants must submit the applicable statement from the list of options below and attach required documentation, as described in the applicable statement. Please contact the Department's FAO if none of these statements apply.

- We have a current negotiated indirect cost rate, dated [insert date]. In the event we receive an award, we will charge indirect costs per our current negotiated rate agreement. Attached is a copy of our current rate agreement.
- We have a negotiated indirect cost rate that has expired. Attached is copy of our most recently negotiated rate agreement. If we receive an award, we will submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after the award date. We understand we must provide the Department's FAO with a copy of our approved rate agreement before charging indirect costs to the federal award.
- We request to allocate costs per a current Federal Agency-approved Cost Allocation Plan (CAP) pending approval of a negotiated indirect cost rate. We will ensure any changes from the CAP to the actual approved rate in the negotiated indirect cost agreement align with the amounts reimbursed during the award period and will reconcile any charges to the actual rate approved for the time period.
- We will charge all costs directly.

H. Uniform Audit Reporting Statement

All U.S. states, local governments, Indian tribes, institutions of higher education, and non-profit organizations expending \$750,000 USD or more in federal award funds in the entity's fiscal year must submit a Single Audit report for that year through the [Federal Audit Clearinghouse's Internet Data Entry System](#), in accordance with [2 CFR 200, subpart F](#). U.S. state, local government, Indian tribes, institutions of higher education, and non-profit applicants must include in their application a statement indicating if your organization was or was not required to

submit a Single Audit report for the most recently closed fiscal year. If your organization was required to submit a Single Audit report for the most recently closed fiscal year, provide the Employer Identification Number (EIN) associated with that report and state if it is available on the [Federal Audit Clearinghouse website](#).

17. Submission Instructions

Applications must be submitted by no later than 11:59 p.m. ET on **May 14**, 2024. Financial assistance applications which fail to comport with instructions and deadlines imposed by this opportunity must not be accepted or reviewed for funding unless there are extenuating circumstances (*e.g.*, natural disaster, Grants.gov or GrantSolutions outage, or government error) which prevented the timely submission of a complete application.

Applicants must apply electronically in GrantSolutions. To apply, your organization and organization officials must be established in GrantSolutions. For information on how to establish your organization and organization officials in GrantSolutions, see the [Grants Management System \(GrantSolutions\) Registration section](#) of this document. For step-by-step system application instructions, see the GrantSolutions [Apply for a Directed Announcement Quick Sheet](#).

In extraordinary circumstances, the Department's FAO may approve submission of an application outside of GrantSolutions. Applicants requesting a waiver to submit an application outside of GrantSolutions must submit [an email request](#) to the Department's FAO prior to the due date for applications.

18. Application Review

The Department will conduct and document an intake review of applications submitted by the deadline to confirm applicant eligibility and to ensure applications include all required components and information. In accordance with Section 40601(d)(3) of the BIL, the Department will take into consideration the following factors in determining whether to provide to a Tribe a grant under this opportunity:

- 1) The unemployment rate of the Tribe on the date on which the Tribe submits an application; and
- 2) The estimated number of orphaned wells on the Tribal land of the Tribe.

Consistent with 2 CFR 200.403, the Department will review any applicant statement regarding potential duplication between the project to be funded and any other funded or proposed project in terms of activities, funding, or time commitment of key personnel. Depending on the circumstances, we may request modification to the application, other pending applications, or an active award, as needed to eliminate any duplication of costs.

Following intake of applications, the Department will conduct and document review of applications to determine if (1) all mandatory requirements of this opportunity announcement are satisfied and (2) the proposed project is responsive to the program objectives described in this announcement.

The Department also will conduct and document a review of the proposed budget to ensure figures are calculated correctly, proposed costs are clearly linked to project narrative and seem necessary and reasonable, no unallowable costs are included, costs requiring prior approval are identified and described, indirect costs are applied correctly, and any program match or cost share requirements are addressed.

The Department will complete initial review and request additional information, if needed, in an email addressed to the Authorized Representative identified in the applicant's OMB Form 4040-0010 Key Contacts Form. The Department may also request that the applicant discuss the application and request for additional information in a virtual meeting with technical specialists to facilitate revisions. The applicant is required to submit a revised application, addressing all comments, within 30 days of the Department's request for information.

If an applicant fails to meet OWP requirements or objectives described in this announcement or does not provide sufficient information for review by the established deadline(s), the applicant may be considered non-responsive. The Department will invite applicants who cannot complete an application that meets OWP requirements or objectives described in this announcement to resubmit their proposal during a subsequent funding opportunity. The Department will continue to offer technical assistance to all applicants to facilitate completion of grant applications.

19. Review of Risk Posed by Applicants

Prior to award, the Department will evaluate risk posed by applicants selected for funding per [2 CFR 200.206](#). Prior to approving awards for federal funding above the simplified acquisition threshold (currently \$250,000), we must review and consider any information about or from the applicant found in the [Federal Awardee Performance and Integrity Information System](#). We will consider this information when completing the risk review. The Department uses the results of the risk evaluation to establish monitoring plans, recipient reporting frequency requirements, and to determine if one or more specific award conditions in [2 CFR 200.208](#) should be applied to the award.

20. Award Terms and Conditions

The [Department of the Interior Standard Award Terms and Conditions](#) apply to awards under this program.

The Department will describe all program-specific or special terms and conditions in the Notice of Award.

A. Buy America Provision for Infrastructure: Required Use of American Iron, Steel, Manufactured Products, and Construction Materials

As required by Section 70914 of the Infrastructure Investment and Jobs Act ([Public Law 117-58](#)), on or after May 14, 2022, none of the funds under a federal award that are part of a federal financial assistance program for infrastructure may be obligated for a project unless all the iron, steel, manufactured products, and construction materials used in the project are produced in the United States, unless subject to an approved waiver. Recipients conducting infrastructure projects under the award must include related requirements all subawards, including all contracts and purchase orders for infrastructure work or products under this program.

Learn more about the [Buy America](#) preference.

Additional information can also be found at the [White House Made in America Office website](#).

On September 1, 2023, the Department issued a one-year general applicability waiver of the requirements of the Buy America Preference for Federal Financial Assistance agreements in accordance with 2 CFR part 184 awarded to federally recognized Tribes, having determined such waiver to be in the public interest.

B. Financial Reports

Recipients must use the [SF-425, Federal Financial Report Form](#) to submit financial reports to the Department. All recipients must submit a final financial report no later than 120 calendar days after the award period of performance end date or termination date. If the award period of performance is longer than 12 months, recipients must also submit interim financial reports on the schedule established by the Department in their Notice of Award. The Department will describe

all financial reporting requirements in the Notice of Award. For assistance with how to complete the SF-425, see the [Completing the Federal Financial Report \(SF-425\) Video](#).

C. Performance Reports

Recipients must submit a final performance report no later than 120 calendar days after the award period of performance end date or termination date. If the award period of performance is longer than 12 months, recipients must also submit interim performance reports on the schedule established by the Department in their Notice of Award. The recipient's interim performance report should provide a narrative summary that includes: (1) total known and inventoried orphaned wells on tribal land; (2) total number of jobs created or saved through the funded activities; (3) a comparison of actual accomplishments with the established goals and objectives of the award; and, (4) a description of reasons why established goals was not met, if appropriate; (5) a summary forecast of future activities and how they will be accomplished; and (6) any other pertinent information relevant to the project results.

The Department will describe all performance reporting requirements in the Notice of Award.

D. Data Reporting Requirements for Program Development Grants

In addition to narrative performance reports, the recipient's performance reports must report new inventory and assessment data to the Department beginning 12 months from the effective date and new data reported with each performance report thereafter for the duration of the grant to demonstrate progress in program development. The recipient shall provide the required data to the Department the Tribal Grant Program Data Reporting template included in the GrantSolutions announcement application kit and on the [OWP website](#).

The following data elements are required for each well in the inventory and assessment:

- 1) Well identification number (ID)
- 2) Well ID source (*e.g.*, API)
- 3) Well name
- 4) Well type: oil, gas, condensate, injection, other, unknown
- 5) Latitude/longitude
- 6) Location accuracy: estimated or actual
- 7) Pre-plugging methane emissions (grams per hour).
- 8) Methane measurement method
- 9) Surface water contamination present
- 10) Groundwater contamination present
- 11) Population living within 1/2 mile of well
- 12) Total Estimated Cost of Complete P&A
- 13) Well status: unplugged, plugged and "incomplete", or plugged and "complete" P&A

E. Data Reporting Requirements for Implementation Grants

In addition to narrative performance reports, the recipient's performance reports must track and report the data elements listed below for all actions under this award. The recipient shall provide the required data to the Department the Tribal Grant Program Data Reporting template included in the GrantSolutions announcement application kit and on the [OWP website](#).

The following is required for each well plugged, remediated, and/or reclaimed in the funded project:

- 1) Well identification number (ID)
- 2) Well ID source (*e.g.*, API)
- 3) Well name
- 4) Well type: oil, gas, condensate, injection, other, unknown
- 5) Latitude/longitude
- 6) Location accuracy: estimated or actual
- 7) Pre-plugging methane emission measurement or estimate (grams/hour)
- 8) Methane measurement method
- 9) Post-plugging methane emission measurement or estimate (grams/hour)
- 10) Habitat restored (acres)
- 11) Habitat restoration date of completion
- 12) Surface water contamination present
- 13) Surface water contamination remediated
- 14) Surface water remediation date of completion
- 15) Groundwater contamination present
- 16) Groundwater contamination remediated
- 17) Groundwater remediation date of completion
- 18) Population living within one-half mile of well
- 19) Actual total cost per well of plugging and/or surface reclamation (dollars)
- 20) Well status: unplugged, plugged and “incomplete”, or plugged and “complete” (P&A)
- 21) Witness name and certification
- 22) Witness date

F. Significant Development Reports

Events may occur between the scheduled performance reporting dates which have significant impact upon the supported activity. In such cases, recipients are required to notify the Bureau in writing as soon as the recipient becomes aware of any problems, delays, or adverse conditions that will materially impair the ability to meet the objective of the federal award. This disclosure must include a statement of any corrective action(s) taken or contemplated, and any assistance needed to resolve the situation. The recipient should also notify the Department in writing of any favorable developments that enable meeting time schedules and objectives sooner or at less cost than anticipated or producing more or different beneficial results than originally planned.

G. Real Property Reports

Recipients and subrecipients are required to submit reports on the status of real property acquired under the award in which the federal government retains an interest. Submission of real property reports to the Department is an annual requirement and must include the following information for each article of real property: (1) make; (2) model; (3) serial number or Vehicle Identification

Number; (4) purchase price; (5) purchase date; (6) current location of property; (7) percentage of vested federal interest in title.

The Department will provide disposition instructions after the end of period of performance or when the equipment is no longer needed.

21. Mandatory Disclosures

Failure to make required disclosures may result in any of the remedies for noncompliance described in [2 CFR 200.339](#), including suspension or debarment (see also [2 CFR part 180](#) and [2 CFR 1400](#)).

A. Conflicts of Interest

Per [2 CFR 1402.112](#), non-federal entities and their employees must take appropriate steps to avoid conflicts of interest in their responsibilities under or with respect to federal financial assistance agreements. In the procurement of supplies, equipment, construction, and services by recipients and by subrecipients, the provisions in [2 CFR 200.318](#) apply. Non-federal entities, including applicants for financial assistance awards, must disclose in writing any conflict of interest to the Department's awarding agency or pass-through entity in accordance with [2 CFR 200.112](#). Recipients must establish internal controls that include, at a minimum, procedures to identify, disclose, and mitigate or eliminate identified conflicts of interest. The recipient is responsible for notifying the Department's FAO identified in their notice of award in writing of any conflicts of interest that may arise during the life of the award, including those that reported by subrecipients. The Department will examine each disclosure to determine whether a significant potential conflict exists and, if it does, work with the applicant or recipient to develop an appropriate resolution. Failure to resolve conflicts of interest in a manner that satisfies the government may be cause for termination of the award.

B. Lobbying

If the federal share of the award is more than \$100,000, recipients must disclose making or agreeing to make any payment using non-appropriated funds for lobbying in connection with the award. To make such disclosures, recipients must complete and submit the [SF-LLL "Disclosure of Lobbying Activities" form](#) to the Department. For more information on when additional submission of this form is required, see [43 CFR 18](#). These restrictions and disclosure requirements are not applicable to such expenditures by Indian tribe, tribal organization, or any other Indian organization that are specifically permitted by other federal law.

C. Other Mandatory Disclosures

Recipients and subrecipients must disclose, in a timely manner, in writing to the Department's FAO identified in their notice of award or pass-through entity all violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Non-federal entities subject to the [2 CFR 200, Appendix XII—Award Term and Condition for Recipient Integrity and Performance Matters](#) are required to report certain civil, criminal, or administrative proceedings to [SAM](#).

22. Federal Awarding Agency Contacts for Assistance

For technical assistance, including questions concerning Workplans and technical requirements, for all activities associated with plugging, remediation, and reclamation of orphaned wells and well sites, contact:

DOI Orphaned Wells Program Office
Mike Morden
202-219-3283
[DOI Orphaned Wells Tribal email](#)

Indian Energy Service Center (BIA)
Johnna Spriggs
720-595-2000
[Indian Energy Service Center email](#)

For grants administration (financial) assistance, including downloading application materials, questions about grant requirements, and requests for approval of pre-award costs, contact:

DOI Interior Business Center
Eleni Sarris (Financial Assistance Officer)
571-513-3033
[DOI Interior Business Center email](#)

23. Paperwork Reduction Act Statement

For information concerning the Paperwork Reduction Act, as it pertains to this announcement, please see OMB Control Number: 1093-0012.