

**ARKANSAS ASBESTOS
ABATEMENT GRANT PROGRAM**

PROCEDURES AND APPLICANT GUIDE



Arkansas Department of Environmental Quality

5301 Northshore Drive

North Little Rock, Arkansas 72118-5317

(501) 682-0744

www.adeq.state.ar.us

I. Asbestos Abatement Grant Program Summary

The Arkansas Legislature authorized the Arkansas Department of Environmental Quality (ADEQ) to award grants for certain activities relating to asbestos assessment, abatement, stabilization, and remediation. Arkansas Act 489 of 2013 created this grant program to provide funding assistance to eligible cities and counties for assessment, stabilization, and asbestos abatement activities of an *eligible structure*. Arkansas Act 456 of 2017 revised the population eligibility requirement, amended the definition of an eligible structure, and stipulated specific uses of grant funds.

Cities and counties are eligible to receive funding under the Asbestos Abatement Grant Program (AAGP). Proposal applications that are selected to be funded must engage in the removal of friable asbestos materials from a city or county owned structure that unexpectedly collapsed, is at imminent risk of collapsing, or has failed in its structural integrity.

II. Purpose of this Guide

The purpose of this guide is to assist Arkansas cities and counties in applying for and properly administering grant funds under the AAGP. This guide is for informational purposes only, and is not intended to be inclusive of all applicable state and federal laws. Further, reliance on this guide does not exempt applicants from compliance with such laws.

III. Eligibility

To be eligible to receive grant funds, a city or county must have a population of less than fifty thousand (50,000), according to the most recent federal decennial census, that meets the requirements under Ark. Code Ann § 20-27-1009. Additionally, to be eligible to receive grant funds, the city or county either has to have taken ownership of or owns the *eligible structure* since the structure collapsed, was at imminent risk of collapse, or failed in its structural integrity. *A structure is not eligible if the city or county caused or contributed to the collapse or failure of the structural integrity of the structure.*

An *eligible structure* is a structure that:

- (A) Contains friable asbestos materials;
- (B) Unexpectedly collapses, is at imminent risk of collapse, or fails in its structural integrity;
- and
- (C) Is not a single or multi-family dwelling.

In order to determine if the city or county structure is an *eligible structure*, an initial asbestos inspection should be conducted. The AAGP provides money for an initial asbestos inspection up to the funding amount outlined in Section V.

Abatement projects must be performed by asbestos consultants and contractors licensed in Arkansas. Upon review and approval of a submitted AAGP application, the Department shall distribute grant funds based on available moneys dedicated to the AAGP in the Asbestos Control Fund according to procedures established by the Director.

A city or county that receives AAGP funds from the grant program and cannot provide copies of original receipts for costs and/or cost reimbursements for funds associated with asbestos assessment, stabilization, and abatement shall immediately return the funds associated with these costs and/or cost reimbursements to ADEQ upon the completion of stabilization and abatement activities.

A city or county that receives AAGP funds from the grant program but does not use all the funds received shall immediately return to ADEQ the unused portion of the grant funds upon the completion of stabilization and abatement activities.

ADEQ shall deposit any unused grant funds that are returned to ADEQ into the Asbestos Control Fund to be used exclusively for the AAGP.

IV. Ineligible Structures

Ineligible structures are structures that are not eligible for AAGP funding, including but not limited to:

- 1) A structure(s) that does not contain friable asbestos materials;
- 2) A structure(s) that has not unexpectedly collapsed, was at imminent risk of collapse, or failed in its structural integrity;
- 3) A structure(s) within a city that contains a population of fifty-thousand (50,000) or greater according to the most recent federal decennial census (this applies to both city and county grant recipients);
- 4) A structure(s) in which its collapse or failure of its structural integrity was caused or contributed to by a city or county;
- 5) A structure(s) that is not owned by a city or county; or
- 6) Any structure(s) that is structurally sound and is not in imminent danger of collapsing.

V. Funding

The total amount available for funding is \$150,000 each fiscal year. ADEQ awards funds based upon eligibility, proposal approval, and availability of grant funds. It is the goal to award all available grant funds each fiscal year, however, once all grant funds have been awarded for the fiscal year no further funds are available until the next fiscal year. *If a proposal application is submitted and funds are no longer available, the applicant must re-submit the proposal application the following year based upon guidelines provided in the "Deadlines" section of this guide. Please note: Per Act 456, the grant must be funded before money is available to fund awards.*

Funding awards will be used for the initial asbestos inspection and asbestos assessment, stabilization, and abatement activities. *This grant does not cover costs associated with demolition activities or activities not related to asbestos assessment, stabilization, and abatement.*

The following represents costs for which grant funds may be used:

- 1) Not more than fifty percent (50%) of the total cost of asbestos abatement activities; and
- 2) Not more than two thousand dollars (\$2,000) for the initial asbestos inspection; or

- 3) The costs associated with the stabilization and remediation of the emergency asbestos conditions, if ADEQ determines that an asbestos emergency exists that constitutes an immediate threat to human health or the environment.

Funds must go directly to the city or county that owns the property. Upon receiving grant funds, the city or county must notify ADEQ by email at abatementgrant@adeq.state.ar.us. The email must provide the date the check was received along with an attachment of a PDF copy of the check.

VI. Funding Restrictions

No funds awarded under this program shall be used on projects or sites in which Brownfield grant funds are currently being used.

No funds awarded under this program shall be used for fees or services associated with waste disposal in a landfill in which a city or county grant applicant operates.

No funds awarded under this program shall be used for payment of services that are not in the normal course and customary practice of stabilization and abatement activities performed by the grant applicant for an eligible structure.

No funds awarded under this program shall be used for payment of services not related to asbestos assessment, stabilization, and abatement activities.

VII. Insurance Requirements

If the eligible structure was insured at the time of the collapse, proof of coverage must be submitted. The city or county will use any and all insurance proceeds from the claim toward the asbestos abatement of the structure.

VIII. Compliance with State Procurement Laws

The use of AAGP funds are subject to all state procurement laws for counties and municipalities. It is the award recipient's responsibility to ensure compliance with such laws.

IX. Deadlines

Completed applications and associated documents are due to ADEQ no later than June 1st of each year by 4:30 p.m. CST with award notifications occurring on or about October 15th. If sufficient funds still exist on or about December 1st, then further award notifications will occur in early spring.

If an application is submitted and funds are no longer available, then the applicant must resubmit the application the following year prior to the grant application deadline. All electronic and hard copies of the application and associated documents must be received by ADEQ as described above in order to be considered for funding. Applicants should only provide information that appropriately addresses the requirements and contents for the application. *Incomplete applications may not be accepted.*

If applications are submitted by email, then all emails and attachments must be less than 10 megabytes in size and attachments should be in PDF format. ADEQ is not responsible for server, fax, or other delivery delays.

X. Award Notices

All applicants will be notified following the evaluation of applications. An applicant whose application meets the requirements of the grant-applicant guide will be informed of the amount of the grant award through an award-notice letter. The award-notice letter will be signed by the Director and mailed to the applicant through postal mail. *This award notification is not an authorization to begin the project.*

Upon release of the warrant that provides the grant funds, a second letter signed by the Director will be mailed to the applicant. This letter will have a check enclosed for the amount of the grant award. *Receipt of this letter is authorization to begin the project.*

XI. Application Content

Applicants must follow instructions carefully and submit all documents required by the closing date and time. *In regard to formatting, applications should be 12 point, Times New Roman font, and each page of the application should be numbered.* In addition, applications will be subject to the Freedom of Information Act. Please include the following information in your proposal:

1) Cover Page

- Government entity
 - Name of city or county and mailing address.
- City or county official
 - Name of authorized local government official, signature, title, phone number, and email address
- Funding Amount
 - The funding amount requested from ADEQ

2) Statements of Certification

- A completed statement of certification *signed by the authorized local government official and notarized* that:
 - There is an eligible structure located in the city or county including the physical address of the eligible structure.
 - The city or county did not cause or contribute to the collapse or failure of the structural integrity of the eligible structure.
 - The eligible structure was insured or not insured at the time of the collapse. (If insured, proof of coverage must be submitted.)
 - All abatement work will be conducted by a currently licensed Arkansas asbestos contractor/consultant.
- Complete and sign the appropriate certification form (city or county) provided at the end of this proposal guide. This form must be *signed by the authorized local government official and notarized*.

3) Population and Ownership Documentation

- Provide documentation indicating that the city or county either:
 - Owned the eligible structure at the time the eligible structure collapsed or failed in its structural integrity; or
 - Has taken ownership of the eligible structure since the eligible structure collapsed or failed in its structural integrity.
- Provide documentation of the population of the city in which the structure is located using the most recent federal decennial census. This information can be found at <http://www.census.gov/>.

4) **Narrative Discussion**

- Explain why this structure poses a potential threat to public health or the environment, and why it is in need of asbestos activities such as abatement, stabilization, and/or remediation.
- Describe how this project will reduce asbestos related environmental risks in your city or county.

5) **Inspection Report**

- Submit a copy of the thorough asbestos inspection report completed by a current, certified, Arkansas asbestos inspector that assesses and verifies that the friable asbestos materials in the eligible structure pose a potential threat to public health.

6) **Work Plan**

- Submit a proposed work plan completed by a current, certified, Arkansas asbestos-abatement consultant and/or asbestos-abatement contractor that provides a detailed description on how the presence of asbestos will be addressed and the tasks and activities that will be conducted to accomplish the objectives of the project. This information may include, but is not limited to, the methods of abatement and remediation; schedule for project completion; the project team of Arkansas-licensed contractors that will perform the work; the level of compliance with exposure and action criteria; and waste collection, shipment, and disposal location. *Please submit information for the total project, and the appropriate breakdown of information if the project will be undertaken in phases.*

7) **Project Design**

- Submit a proposed project design completed by a current, certified, Arkansas project designer that describes the layout, functional placement, and appropriate amount of the negative air machines. Drawings submitted should clearly depict specifications for stabilization, abatement, and/or remediation locations, and other applicable design features for the project. *Please submit information for the total project, and the appropriate breakdown of information if the project will be undertaken in phases.*

8) **Budget Cost**

- Provide a quote of the anticipated costs associated with, and any costs already incurred for, each assessment, stabilization, and abatement activity. The anticipated cost and/or costs already incurred should quantify total project cost in a detailed, line item format (see the “Final Report Requirements and Content” section below for format example). *Please submit information for the total project, and the appropriate breakdown of information if the project will be undertaken in phases.*

9) **Cost Reimbursement**

- Cost reimbursement must be included in the detailed, line item budget cost. Copies of *original invoices* must be submitted with the application if you are requesting reimbursement for the initial asbestos inspection report and asbestos abatement activities. Be sure that invoice copies are clearly labeled to coincide with the detailed, line item cost reimbursement. Cost must be described in a reasonable enough detail to link its necessity back to the project proposal.

10) **Photos and Illustrations**

- Provide color photos and illustrations depicting the eligible structure BEFORE the abatement, stabilization, and/or remediation work has started.

When providing content information for your application, information provided for each section above should be clearly marked or tabbed with the appropriate, corresponding section number. Applications that are received and do not provide content information as outlined above in “Application Content” may be returned, and will be reviewed upon appropriate submittal of all information.

XII. Final Report Requirements and Content

Within thirty (30) days of receiving AAGP funds, a city or county shall provide a written report to ADEQ that includes the following information:

1) Narrative Discussion

- Provide a written, detailed account of the manner in which the grant funds were expended by the city or county.

2) Progress of Results

- Provide a written detailed account of the results produced or the progress made using the grant funds.

3) Invoice Copies

- Provide a copy of each original contract, invoice, purchase order, check, and other supporting documentation associated with the expenditures of the grant funds for each assessment, abatement, stabilization, and remediation activity. *Be sure that invoice copies are clearly labeled to coincide with the detailed, line item cost reimbursement (see item 5 below).*

4) Photos and Illustrations

- Provide color photos and illustrations depicting the eligible structure AFTER the abatement, stabilization, and/or remediation work is complete.

5) Line Item Costs

- Provide a cost breakdown of ALL expenses associated with asbestos assessment, stabilization, and abatement activities, including project specific details. The cost breakdown should be a detailed, line item of the total amounts. Cost must be described in reasonable detail to link its necessity back to the project proposal. Be sure that invoice copies are clearly labeled to coincide with the detailed, line item cost reimbursement. The only costs applicable for funding and/or cost reimbursement under this grant are those activities related to asbestos assessment, stabilization, and abatement. A format similar to the example below should be used. *The budget items listed below are only examples and not all inclusive. Therefore other budget items should be added as appropriate.*

BUDGET ITEM	TOTAL AMOUNT (\$)
Asbestos Inspection	\$
Project Design	\$
Work Plan	\$
Asbestos Abatement	
Fees (city permit, county permit, etc.)	\$
Labor—all services to the project must be broken down by number of employees, number of hours worked, and rate of pay	\$
Materials — all materials used (e.g., polyethylene sheeting, disposal bags, labels, signs, etc.) should be listed and assigned specific total costs and rates	\$
Equipment —all equipment used (e.g., ventilation units, PPE, respirators, etc.) should be assigned specific total costs and rates (e.g., hourly, daily, weekly, etc.)	\$
Waste Disposal — all waste disposals costs should	\$

be assigned specific total cost and rates (e.g., cost per ton for disposal, cost per roll-off container, copies of waste disposal tickets, etc.)	
Hauling — all hauling costs should be assigned specific total costs and rates (i.e., cost per load, cost per container, etc.)	\$
Other	\$
TOTAL PROJECT COST	\$

If the stabilization and/or abatement activity is not completed within thirty (30) days of receiving AAGP funds, then the city or county shall:

- 1) Provide a written notification to ADEQ of the reasons why the stabilization and/or abatement activity has not been completed, and the date the city or county expects the stabilization and abatement activity to be completed.
- 2) Provide a report that continues notification of stabilization and/or abatement activity progress to ADEQ every fourteen (14) days until the approved stabilization and abatement activity is complete and the requirements of Ark. Code Ann. § 20-27-1011 are met.
- 3) Provide a written report, upon completion of the project, submitted to ADEQ that provides the information listed above in items 1–4 under “Reporting Requirements.”

When providing content information for the final report, information provided for each section above should be clearly marked or tabbed with the appropriate, corresponding section number.

XIII. Work Practices and Procedures

All stabilization and abatement activities must comply with APC&EC Regulation 21 including, but not limited to, scope of work, notifications, and proper disposal.

All asbestos-abatement inspectors, consultants, contractors, and project designers must comply with the licensing and/or certification requirements of APC&EC Regulation 21.

XIV. Application Submittal

Please direct all questions regarding the Asbestos Abatement Grant Program to the Administrative Analyst at (501) 682-0842. You may also go to <http://www.adeq.state.ar.us/air/asbestos/asbestos.htm> for additional information. You may submit your completed application to the address below or send via email to abatementgrant@adeq.state.ar.us. All emails must be less than 10 megabytes and attachments should be in PDF format. ADEQ is not responsible for server, fax, or other delivery delays.

Arkansas Department of Environmental Quality
Office of Air Quality
Asbestos Abatement Section—AAGP
5301 Northshore Drive
North Little Rock, AR 72118-5317

XV. Grant Close Out

Within thirty days of completion of asbestos-abatement activities, all grant awardees will submit a written report to ADEQ that provides all applicable administrative actions and application deliverables under the “Final Report Requirements and Content” section.

Upon review and approval of the final report requirements and content, ADEQ will determine whether all applicable administrative actions and application deliverables have been completed. If all requirements are met, then a close out letter will be sent to the grant awardee. If all applicable requirements are not met, then the grant awardee will continue to provide further information until all applicable administrative actions are completed and application deliverables are provided.

XVI. Communication

1) ADEQ Communication

All communications regarding the AAGP should be addressed to the Asbestos Abatement Section—AAGP via phone at (501) 682-0842 or email at abatementgrant@adeq.state.ar.us, or at the address below.

Arkansas Department of Environmental Quality
Office of Air Quality
Asbestos Abatement Section—AAGP
5301 Northshore Drive
North Little Rock, AR 72118-5317

2) Applicant Communication

All communications regarding proposal applications and documentation submitted for review under the AAGP will be made through the authorized local government official, unless authorization to communicate with a third party is provided on the Certification Form provided at the end of this guide.

Arkansas Asbestos Abatement Grant Proposal Application Checklist

ELIGIBILITY REQUIREMENTS

- 1. You are an authorized representative of an Arkansas CITY or COUNTY.
- 2. The population of the city/county is less than fifty-thousand (50,000).
- 3. The city/county has taken ownership of or owns a structure that has collapsed or is in imminent risk of collapse.
- 4. The city/county has not caused or contributed to the collapse or failure of the integrity of the structure.
- 5. The structure contains friable asbestos materials.
- 6. The structure is not a single or multi-family dwelling.
- 7. The structure unexpectedly collapsed, is at imminent risk of collapse, or has failed in its structural integrity.

PROPOSAL APPLICATION

- 1. The abatement project is being performed by asbestos consultants and contractors licensed in Arkansas.
- 2. If the eligible structure was insured at the time of the collapse, proof of coverage must be submitted.
- 3. Proposal application submitted starting June 1st until 4:30 CST on the last day of the month in June. Proposal applications will be accepted until all available funds have been awarded.
- 4. Proposal application emailed is less than 10 megabytes.
- 5. Proposal application includes (a breakdown of each item can be found in application guide):

a. <input type="checkbox"/> Cover Page	e. <input type="checkbox"/> Inspection Report	i. <input type="checkbox"/> Cost Reimbursement
b. <input type="checkbox"/> Statements of Certification	f. <input type="checkbox"/> Work Plan	j. <input type="checkbox"/> Photos and Illustrations (color photos/illustrations BEFORE abatement activities start)
c. <input type="checkbox"/> Population and Ownership Documentation	g. <input type="checkbox"/> Project Design	
d. <input type="checkbox"/> Narrative Discussion	h. <input type="checkbox"/> Budget Cost	

FINAL REPORT CHECKLIST

- 1. A city or county shall immediately return to the ADEQ any unused portion of the grant funds.
- 2. Grant funds are to only be used for asbestos assessment, abatement, stabilization, and remediation activities.
- 3. Grant funds will not cover costs associated with demolition activities.
- 4. Grant funds are awarded directly to the city or county that owns the property.
- 5. Upon receiving grant funds, the city or county must provide the date the check was received and a PDF copy of the check to the Department by email to Iris Pennington at abatementgrant@adeq.state.ar.us.
- 6. No grant funds awarded under this program shall be used on projects or sites in which Brownfield grant funds are currently being used.
- 7. No grant funds awarded under this program shall be used for fees or services associated with waste disposal in a landfill in which a city or county grant applicant operates.
- 8. No grant funds awarded under this program shall be used for payment of services in which a city or county grant applicant controls, operates, and/or owns.
- 9. No grant funds awarded under this program shall be used for payment of services that are not in the normal course and customary practice of stabilization and abatement activities performed by the grant applicant for an eligible structure.
- 10. Within thirty (30) days of receiving AAGP funds, a city or county shall provide a written report to ADEQ that includes the following information:
 - a. A detailed account of the manner in which the grant funds were expended by the city or county;
 - b. The results produced or the progress made using the grant funds, and
 - c. Color Photos AFTER abatement stabilization and/ or remediation work completed.
 - d. A copy of each original contract, invoice, purchase order, check, and other supporting documentation associated with the expenditures of the grant funds for each assessment, abatement, stabilization, and remediation activity.
 - e. An estimated cost breakdown of ALL expenses, including project specific details. The cost breakdown should be a detailed, itemization of the total amounts.
 - f. Provide content information for the final report, in a manner where information provided for each section is clearly marked or tabbed with the appropriate, corresponding section number provided by the AAGP proposal application guide.

ADEQ ASBESTOS GRANT CONTACT INFORMATION

Iris Pennington • 5301 Northshore Drive • North Little Rock, AR 72118 • (501) 682-0842 • abatementgrant@adeq.state.ar.us

CERTIFICATION PAGE FOR CITY APPLICANT

The City of _____ certifies that the submission of this application is true and correct.

The City of _____ certifies that within thirty (30) days of receiving funding, the city shall provide a report to the ADEQ that includes the following information:

- 1) An explanation of how the grant funds were used;
- 2) An explanation of the outcome of the project or the progress made using the grant funds;
- 3) Copies of each contract, invoice, purchase order, check(s), and all other supporting documentation associated with the expenditures of the grant funds for each stabilization and abatement activity; and
- 4) A cost breakdown of all expenses incurred.

If the stabilization and abatement activity for which grant funds are approved is not complete within thirty (30) days, the City of _____ shall:

- 1) Notify the ADEQ of the date the city expects the stabilization and abatement activity to be complete; and
- 2) Continue to report its progress to the ADEQ every fourteen (14) days until the approved stabilization and abatement activity is complete and the requirements of Ark. Code Ann. § 20-27-1011 are met.

The City of _____ will immediately return to ADEQ any unused portion of the grant funds when the stabilization and abatement activity is complete.

The City of _____ authorizes _____ (contractor/consultant) to communicate with and provide documentation to ADEQ as it relates to the proposal submitted to the Asbestos Abatement Grant Program.

State of _____

County of _____

I, _____, swear and affirm that the information contained in this certification is true and correct to the best of my knowledge, information, and belief.

Signature of Authorized Government Official Title Date

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____ 20 _____

NOTARY PUBLIC

MY COMMISSION EXPIRES

CERTIFICATION PAGE FOR COUNTY APPLICANT

_____ County certifies that the submission of this application is true and correct.

_____ County certifies that within thirty (30) days of receiving funding, the city shall provide a report to the ADEQ that includes the following information:

- 1) An explanation of how the grant funds were used;
- 2) An explanation of the outcome of the project or the progress made using the grant funds;
- 3) Copies of each contract, invoice, purchase order, check(s), and all other supporting documentation associated with the expenditures of the grant funds for each stabilization and abatement activity; and
- 4) A cost breakdown of all expenses incurred.

If the stabilization and abatement activity for which grant funds are approved is not complete within thirty (30) days of receiving funds, _____ County shall:

- 1) Notify the ADEQ of the date the city expects the stabilization and abatement activity to be complete; and
- 2) Continue to report its progress to the ADEQ every fourteen (14) days until the approved stabilization and abatement activity is complete and the requirements of Ark. Code Ann. § 20-27-1011 are met.

_____ County will immediately return to ADEQ any unused portion of the grant funds when the stabilization and abatement activity is complete.

_____ County authorizes _____ (contractor/consultant) to communicate with and provide documentation to ADEQ as it relates to the proposal submitted to the Asbestos Abatement Grant Program.

State of _____

County of _____

I, _____, swear and affirm that the information contained in this certification is true and correct to the best of my knowledge, information, and belief.

Signature of Authorized Government Official _____ Title _____ Date _____

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____ 20 _____

NOTARY PUBLIC

MY COMMISSION EXPIRES

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