

**POLICY TO ASSURE THE COMPETENCY OF ORGANIZATIONS
GENERATING ENVIRONMENTAL MEASUREMENT DATA UNDER
AGENCY-FUNDED ASSISTANCE AGREEMENTS OR INTERAGENCY
AGREEMENTS**

Agency Policy Directive Number FEM-2012-02

PURPOSE

This document establishes the U.S. Environmental Protection Agency's (U.S. EPA's or the Agency's) policy requiring organizations generating or using environmental data under Agency-funded assistance agreements or interagency agreements to submit documentation of their competency prior to award of the assistance agreement. This includes organizations performing environmental sampling, field measurements, and/or laboratory analyses under Agency-funded agreements. Required documentation includes a U.S. EPA-approved Quality Management Plan (QMP), Quality Assurance Project Plan (QAPP) and/or other quality documentation demonstrating conformance with U.S. EPA's quality program requirements.¹

EFFECTIVE DATE

This Policy is effective for 2 years from (*insert date*). The Policy shall be reviewed at the end of 2 years and will either be reissued without revision, reissued with revisions or rescinded.

DEFINITIONS

For purposes of this policy, the following definitions apply:

Accreditation – As defined in various International Organization for Standardization (ISO) publications and glossaries, accreditation is a procedure by which an authoritative body gives formal recognition that an entity is competent to carry out specific tasks.

Assistance agreement – As defined in the U.S. EPA Grants and Debarment Glossary, an assistance agreement is the legal instrument that the U.S. EPA uses to transfer money, property, services, or anything of value to a recipient to accomplish a public purpose. It is either a grant or a cooperative agreement and will specify: budget and project periods; the federal share of eligible project costs; a description of the work to be accomplished, and any terms and conditions/special conditions. Examples of assistance agreements are grants and cooperative agreements (CAs).

Competence – As defined in ISO 9000, competence is the demonstrated ability to apply knowledge and skills.

Certification – As similarly defined in various ISO publications and glossaries, certification is the recognition provided by an independent body related to products, processes, systems or persons.

¹ See www.epa.gov/quality

Environmental data – As defined in the U.S. EPA Quality Policy (CIO 2106.0; 10/20/08), environmental data include any measurements or information that describe environmental processes, location or conditions; ecological or health effects and consequences; or the performance of environmental technology.

Interagency/intergovernmental agreement/international agreement (IA) – As defined in the U.S. EPA Grants and Debarment Glossary, an interagency/intergovernmental agreement/international agreement (IA) is: (a) a written agreement between federal agencies under which goods and services are provided in exchange for funds, or where services are provided without payment; (b) a written agreement between a federal agency and a state, or local government under which the state, or local government reimburses the federal agency for the costs of providing a specific technical service (e.g., statistical studies and compilations, technical tests and evaluations, training, surveys, reports, documents, and data); or (c) a written agreement between a federal agency and a foreign government under which work will be conducted for, or services provided to, a foreign government or international organization.

APPLICABILITY

This policy applies to all U.S. EPA programs (e.g., Program Offices, Regional Offices, and Laboratories) and their sub-programs responsible for evaluating, issuing and/or managing Agency assistance agreements or interagency agreements that involve organizations generating environmental data through environmental sample collection, field measurements and/or laboratory analyses. This is an additional requirement to be implemented by the project officer(s) and overseen by the project officer(s) or their technical designee(s)². This policy does not replace any requirements (e.g., general information, quality system requirements documentation) or prohibit an Agency program from placing additional requirements or stipulations on an organization to meet the needs of the work being sought.

The scope of this Policy encompasses organizations that shall generate environmental data under:

- New assistance agreement solicitations (i.e., requests for proposals);
- New interagency agreements;
- Existing assistance agreements, when new terms and conditions can be established to address additional work; or
- Existing interagency agreements, when the U.S. EPA and the agreement holder deem it to be beneficial to both the Agency and the agreement holder for additional work.

² For large, regional multi-state, multi-program grants, technical designees are identified to ensure the proper oversight of the grant. These individuals report to the project officer for the overall grant package.

BACKGROUND/AUTHORITY

The U.S. EPA Science Policy Council (now U.S. EPA Science and Technology Policy Council) established the Forum on Environmental Measurements (FEM) as a standing committee of senior U.S. EPA managers who provide the Agency and the public with a focal point for addressing measurement, monitoring and laboratory issues with multi-program impact. Since the inception of the FEM in April 2004, an action item has existed for the FEM to assure the competency of organizations funded by the Agency under acquisition and/or assistance agreements to generate environmental data through measurement activities. The goal is to assure that, nationwide, organizations performing environmental data operations have effective quality management systems and technical competence, and thus have the capability to generate valid environmental data.

In 2004, the Agency issued a policy to assure the competency of U.S. EPA laboratories. In 2011, the Agency issued a second policy to assure the competency of organizations (e.g., laboratories, field sampling and measurement) generating environmental data under Agency-funded acquisitions (i.e., contracts).

This policy was developed to ensure the use of competent organizations for any environmental measurement or analysis work performed under Agency-funded assistance agreements and interagency agreements. As part of the solicitation package for an assistance agreement or negotiation of details to an interagency agreement, the project officer shall require documentation of competency. In addition, when the final package is prepared and an agreement is awarded, the terms and conditions shall reflect the policy requirements.

REQUIREMENTS

Organizations performing environmental sampling, field measurements and laboratory analyses under assistance agreements or interagency agreements shall provide the Agency with:

- Documentation of U.S. EPA quality system requirements that apply to grantees. Quality documentation such as a quality management plan (QMP), quality assurance project plan (QAPP), and/or other documentation that demonstrates conformance to U.S. EPA quality program requirements; and
- Demonstration of competency in the field(s) of expertise prior to performing such work.

Documentation of competency may include (but not be limited to):

- Current participation in accreditation or certification programs that are applicable to the environmental data generated under the Agency-funded assistance or interagency agreement;
- Ongoing participation by the organization in proficiency testing (PT) or round robin programs conducted by external organizations;
- Ongoing U.S. EPA accepted demonstrations and audits/assessments of proficiency; and
- Other pertinent documentation (e.g., statement of work [SOW], decision memorandum) as included in the U.S. EPA's Request for Proposals or other solicitation materials.

The terms and conditions of the assistance agreement or interagency agreement must reflect all requirements outlined above.

REFERENCES

- U.S. EPA Grants, <http://www.epa.gov/ogd/>
- U.S. EPA CIO 2106.0 *U.S. EPA Quality Policy*, October 20, 2008, <http://www.epa.gov/irmpoli8/policies/21060.pdf>
- U.S. EPA CIO 2105-P-01-0 *EPA Quality Manual for Environmental Programs*, May 5, 2000, <http://www.epa.gov/irmpoli8/policies/2105P010.pdf>
- U.S. EPA Agency Policy Directive *Assuring the Competency of Environmental Protection Agency Laboratories*, February 23, 2004, <http://www.epa.gov/fem/pdfs/labdirective.pdf>
- U.S. EPA Agency Policy Directive FEM-2011-01 *Policy to Assure Competency of Organizations Generating Environmental Measurement Data under Agency Funded Acquisitions*, March 28, 2011, <http://www.epa.gov/fem/pdfs/fem-lab-competency-policy.pdf>

DRAFT