



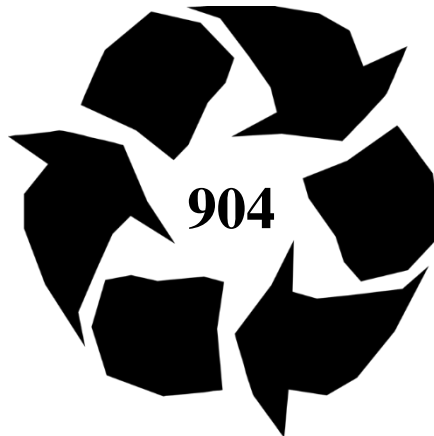
pennsylvania

**DEPARTMENT OF ENVIRONMENTAL
PROTECTION**

MUNICIPAL RECYCLING PROGRAM PERFORMANCE GRANTS

UNDER SECTION 904 OF ACT 101

**THE MUNICIPAL WASTE PLANNING, RECYCLING AND WASTE REDUCTION ACT
OF JULY 1988**



**CALENDAR YEAR 2021
GRANT APPLICATION
INSTRUCTIONS &
INFORMATION**

**PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WASTE MANAGEMENT
DIVISION OF WASTE MINIMIZATION AND PLANNING**

www.dep.pa.gov

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COMMONWEALTH OF PENNSYLVANIA
Department of Environmental Protection

RE: Act 101, Section 904 Grant Application Information

TO: All Prospective Act 101 Municipal Recycling Program Performance Grant Applicants

FROM: Mark Vottero
Municipal Recycling Grants Coordinator
Division of Waste Minimization and
Planning Bureau of Waste Management

Thank you for your interest in recycling and the Act 101 Recycling Performance Grant Program. All Pennsylvania municipalities that had a recycling program in 2021 may be eligible to apply. The grants are based on the success of your municipality's recycling efforts. Performance is judged according to the weight of DEP-approved eligible materials recovered and marketed last year and the population of your municipality. The grant award can increase as a municipality's recycling rate grows each year.

To apply, you must have records indicating the types and amounts of materials that were recycled in the previous year. If materials were recovered from both residential and commercial sources, they must be clearly identified and reported separately. Any residues, materials not listed as eligible, or any materials that cannot be documented as being generated within your municipality or marketed or recycled into new products or uses are not eligible for consideration toward your grant.

A standard 20% residue rate will be utilized to calculate residential and commercial residue unless marketed receipts are included with your grant application. Documentation must be in the form of a signed marketed receipt from the end user containing the amount of tons recycled in 2021. Grant funds will also not be awarded for glass and plastics that cannot be documented as being recycled in 2021. Materials that are used as daily cover, stockpiled or for resource recovery will not be considered as recycled.

Each year, the department conducts reviews of documentation from a certain number of applicants. If selected, your municipality will be given at least 30 days notice in order to provide the documentation necessary to support your application, including a list of those commercial establishments whose recycling figures were counted toward your recycling program. Your grant award will be determined based on the documentation evaluated at the time of the review. No additional/supplemental documentation will be accepted after the review is completed. Failure to submit a complete and accurate application may result in a denial of your grant request and possible enforcement proceedings. Your application is also subject to audit by the Office of Auditor General, Office of the Treasurer, or agents of those offices. For this reason, you are required to maintain the documentation supporting this grant application for up to four years from the date the application is submitted. **You are not required to submit the documentation when you submit your application; however, you may be requested to provide documentation at a later date.**

Act 140 of 2006 established prerequisites for the awarding of Act 101, Section 904 Performance Grants. Mandated recycling communities that apply for the grant, as well as any other municipality (other than a county) awarded more than \$10,000 in performance grant funds must institute certain recycling program components as specified by the act. Any Act 140 municipality that failed to meet the provisions set forth in this Act will not be considered for funding. Please see the Municipal Recycling Program Performance Grant Fact Sheet attached in this application for further details on the Act 140 recycling program components.

Grant applications must be submitted through the Department of Community and Economic Development's (DCED) Electronic Single Application web site, eGrants, at www.esa.dced.state.pa.us. Applications must be received by December 30, 2022 at 3:00 PM, to be eligible for funding. Applications will not be accepted after the deadline.

If you have any questions regarding the Performance Grant Program or the application procedures, please contact me at mvottero@pa.gov. Thank you again for recycling. The DEP looks forward to receiving your application.

CLARIFICATIONS FOR THE 904 PERFORMANCE GRANT PROGRAM CY2021

1. STANDARD RESIDUE RATE

For residential tonnage, municipalities that market some or all of their own material are not subject to the 20% residue deduction for those materials. “Marketed” means that the materials were sold to a manufacturer for the purposes of converting the recyclables into new product. Compensation/rebates from a collector or processor do not count as the marketing of materials.

Materials that go to a second-hand processor are subject to the 20% residue deduction—market receipts from that entity cannot be considered as market receipts for the municipality (the processor cannot “pro-rate” marketed to one or more municipalities).

For commercial tonnage, materials that go directly from the generator to a market can be exempt from the 20% rate. Documentation must include a statement from the commercial entity or home office of the commercial entity that the materials are directly marketed without further processing. Any commercial materials that are sorted /processed after leaving the generator are subject to the 20% residue rate.

If an application is claiming an overall residue rate of less than 20%, it must describe why and supply supporting documentation to justify the claim.

2. MULTI-MUNICIPAL APPLICATIONS

Multi-municipal applications under the Act 101, Section 904 Recycling Performance Grant Program will only be accepted by the Department from the following:

- A. Council of governments, consortiums or other similar entities established by two or more municipalities under 53 Pa.C.S. Ch 23 Subch. A (relating to intergovernmental cooperation); and,
- B. Two or more municipalities where the collection of recyclables has been accomplished either through a joint bid for services or a joint municipally-operated collection system (curbside or drop-off) accompanied by a joint recycling education program.

Any application submitted jointly to the Department by two or more municipalities that does not meet one of the above criteria will be held until the participating municipalities supply individual applications. Submittals from county governments are not considered multi-municipal applications and are therefore not subject to these criteria.

3. POPULATION

The applicant’s population will be determined by the 2020 decennial census.

**PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WASTE MANAGEMENT
ACT 101
MUNICIPAL RECYCLING PROGRAM PERFORMANCE GRANT
PROGRAM OVERVIEW**

1. Statutory Authority:

Grants are authorized under Section 904 of the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101 of 1988, P.L. 556).

All funds are allocated from the Recycling Fund authorized under Act 101.

2. Basic Provisions:

Grants are based on available funds under Section 706 and shall be available to all municipalities that had a recycling program in existence during the previous calendar year.

Eligible applicants are restricted to municipalities as defined in the Act as amended (i.e., incorporated towns, townships, boroughs, cities, counties, home rule municipalities, authorities, councils of governments, consortiums, or similar entities established by two or more municipalities under 53 PA. C.S. Ch. 23 Subch. A (Relating to intergovernmental cooperation)).

Grants are awarded based on the **weight** of source-separated recyclable materials identified in Section 1501 of Act 101 that were recycled or marketed in the previous calendar year and the population of the municipality. These materials include: old newsprint, high-grade office paper, corrugated paper, other marketable grades of paper, aluminum cans, steel or bimetallic cans, amber glass containers, green glass containers, clear glass containers, PET plastics, HDPE plastics, and all other plastics.

Source-separated recyclable materials are materials separated from municipal waste at the point of origin (home, business, institution) for the purpose of recycling. These include commingled recyclables and single stream recyclables (recyclables collected together), but do not include materials recovered from collected loads of municipal solid waste, residual waste or hazardous waste.

Grant funds will not be awarded for residues, materials not listed as eligible, or any materials that cannot be documented as being recycled into a new product or use. In particular, recovered glass that is being stockpiled or used as daily cover at a landfill will not be considered as recycled. Also, plastics collected and used for resource recovery are not eligible. Residue includes materials collected but not processable, or materials that become contaminated through the act of collection, sorting, or processing. The weight of raw or processed yard waste cannot be claimed under this application. Grants are awarded only for the eligible materials that were generated within a municipality's political boundaries.

A recycling operation/program serving more than one municipality may apportion each participating municipality's contribution to its recovery efforts.

The applicant must be able to provide a breakdown of materials collected from residential and/or commercial sources. If the breakdown is estimated, the basis for the estimate must be identified by the applicant.

3. Application Procedures:

Grant applications must be submitted through the Department of Community and Economic Development's (DCED) Electronic Single Application web site, eGrants, at www.esa.dced.state.pa.us. Applications must be received by December 30, 2022 3:00pm, to be eligible for funding. Applications will not be accepted after the deadline.

Applicants must be able to substantiate:

- That recycled material was source separated;
- That recycled material was generated within the municipality's borders;
- The quantity of material recycled and marketed (in pounds and/or tons-not cubic yards) in the previous calendar year;
- The quantity of non-recyclable residue removed through processing; and
- That recycled material was not landfilled, reused in the same form, or used for energy recovery.

Documentation for all tonnage claims must be supported by actual records (i.e., weight slips or receipts from each hauler or market verifying all tonnage claims). These records should NOT be submitted with the application, but must be on file with the municipality and be available to the department upon request. Records documenting the weight of materials claimed in this application must be retained by the applicant for four (4) years from the end date of the year the materials were recycled and marketed.

4. Grant Limitations:

A county applicant may receive no more than 10 percent of the funds available under this grant in any fiscal year.

A grant will not be awarded to any county or municipality that has failed to comply with the conditions set forth in previously awarded grants, the grant requirements of Act 101, or the regulations of the act.

The availability of grants is contingent upon the availability of monies in the Recycling Fund.

Act 140 of 2006 established performance requirements for Recycling Performance Grant applicants. Mandated municipalities that apply for the grant as well as any other municipalities (except for counties) that receive or have received in excess of \$10,000, must meet the following performance requirements:

- Require, through ordinance, that all residents have waste and recycling service.
- Have an implemented residential recycling program and facilitates a commercial recycling program or participates in a similar county or multi-municipal program.
- Have a residential and business recycling education program.
- Have a program of enforcement that periodically monitors participation, receives complaints and issues warnings for required participants and provides fines, penalties, or both, in its recycling ordinance.
- Have provisions, participate in a county or multi-municipal program or facilitates a private sector program for the recycling of special materials.
- Sponsor a program, facilitate a program or support an organization to address illegal dumping and/or littering problems.
- Have a person or entity designated as recycling coordinator who is responsible for recycling data collection and reporting recycling program performance in the municipality or municipalities.

Municipalities that have not achieved the performance requirements listed above and are now obligated to meet the requirements of Act 140 due to this grant application will be notified in writing by the department and must use the awarded performance grant funds to comply with those requirements. If any component of Act 140 has not been implemented by the next grant submission, the municipality will not be considered for a recycling grant.

All grants are subject to audit by the department, the Office of the Auditor General, the Office of the Treasurer, and their agents. Any tonnage not properly documented at the time of audit will not be credited toward a municipality's Performance Grant Award. No additional/supplemental documentation will be accepted after the review is completed. Failure to submit a complete and accurate application may result in a denial of your grant request and possible enforcement proceedings.

5. Grant Award Formula:

Grant awards will be calculated as follows:

Base Award = Approved Residential Tonnage + Approved Commercial Tonnage x \$5

* Approved Tonnages cannot include any residues. Approved commercial tonnage for the base award cannot exceed the approved residential tonnage.

Bonus Award =

Approved Residential Tonnage + Approved Commercial Tonnage x Municipality's Recycling Rate X \$1

* Approved Tonnages cannot include any residues. Approved commercial tonnage for the bonus award cannot exceed the approved residential tonnage. A municipality's recycling rate is determined in this manner:

Approved Residential Tonnage + Approved Commercial Tonnage / (municipality's population x 0.8) x 100

Where 0.8 tons/person/year is the average state-wide waste generation rate. Approved commercial tonnage for the Recycling Rate calculation cannot exceed the approved residential tonnage.

Commercial Incentive =

Documented Commercial Tonnage in excess of that approved for base and bonus award x \$10

Total Award = (Base Award + Bonus Award + Commercial Incentive) X 80%

Instructions for Completing the Act 101, Section 904 Municipal Recycling Program Performance Grant

A. GENERAL INSTRUCTIONS

1. Read and review all instructions carefully before completing your application.
2. Only include the weight of **eligible materials**. Eligible materials include old newsprint, high-grade office paper, corrugated paper, other marketable grades of paper, aluminum cans, steel or bimetallic cans, amber glass containers, green glass containers, clear glass containers, PET plastics, HDPE plastics, and all other plastics. Materials not eligible include motor oil, scrap metals, white goods, tires, and yard wastes.

All materials claimed must be:

Source separated;

Post consumer;

Generated within the boundaries of the local government applicant;

Diverted from the **municipal** waste stream; and

Recycled or marketed in 2021.

Post-Consumer Materials refer to recovered materials that have been used as a consumer item and are diverted from municipal solid waste for the purpose of collection and recycling. The term excludes materials generated in manufacturing and converting processes such as manufacturing scrap and trimmings/cuttings. Also, print overruns, over issue publications, and obsolete inventories that did not leave the generating facility would be classified as pre-consumer materials.

Residual waste materials from a manufacturing process **are ineligible** and are not to be included.

3. Gather all documentation needed to support the weight of the **eligible** materials claimed in the application. Review all documentation and determine if it is valid. (Refer to the booklet on Documentation Requirements and Examples). Separate any invalid documentation and do not include it in the application; or, try to obtain valid documentation to replace the invalid documentation **prior** to completing the application. Although the documentation is not required to be submitted with the application, the **applicant must have valid documentation on file to support all tonnage claimed prior to submission of application. All documentation for this application must be maintained by the applicant for four (4) years from the end date of the year the materials were recycled and marketed.** In the event of an audit, any tonnage not substantiated by valid documentation at the time of the audit will be disallowed and the grant award will be adjusted. No additional/supplemental documentation will be accepted after the review is completed. Failure to submit a complete and accurate application may result in a denial of your grant request and possible enforcement proceedings.

4. Using the valid documentation gathered as instructed in #3 above, calculate the total number of tons of each eligible residential and commercial material recycled and marketed by your municipality during the calendar year covered by the application. You will need this information to determine the total number of eligible residential and commercial tons to be reported in PART II-B, #1 of the application, and to report the weight of each eligible material in PART III A & B of the application.

B. APPLICANT INFORMATION (must be uploaded with your electronic submission)

1. **APPLICANT:** Enter the name of the municipality applying for the grant. Only municipalities as defined in Act 101, as amended, are eligible for grants (i.e., county, city, township, incorporated town, borough, home-rule municipality, authorities, COGs, consortiums, or similar entities). If the recycling program is a joint effort of several municipalities, a lead municipality must submit the application on behalf of all of the participating municipalities. No municipality should be included in more than one application. COGs, consorting, or similar entities must submit proof of their establishment under 53 Pa.Cs.Ch.23 Subch A.
2. **OFFICIAL BUSINESS ADDRESS:** Enter the Applicant's Box Number, Street Address and City or Town.
3. **COUNTY:** Enter the Applicant's County.
4. **FEDERAL I.D. NUMBER:** Enter the applicant's federal I.D. number.
5. **CY2021**

C. POPULATION INFORMATION

1. **Population:** Enter the applicant's population as determined by the 2020 decennial census. **If this is a multi-municipal application**, the total populations of all participating municipalities must be used, and a **separate sheet must be attached listing the participating municipalities and their populations**. For counties operating a drop-off recycling program, the total county population must be used (unless it can demonstrate which municipalities are not participating in the drop-off program).

PERFORMANCE INFORMATION

1. Total Tons of Eligible Materials Recycled:
 - a) **Residential Tons:** Enter the total tons of **eligible** material recycled and marketed from the municipality's residential recycling program during the 2021 calendar year. (Refer to #2 of the General Instructions for eligible material requirements.) Please round this number to the nearest tenth (0.1) of a ton. **(Please Note:** Recyclables generated in multi-family dwellings are considered "residential" even if they were collected by a "commercial" hauler.) The total amount of residential tons claimed must be substantiated by valid documentation. (Refer to the booklet on Documentation Requirements and Examples.)
 - b) **Residential Residue:** Enter the amount of non-recycled residue which was a part of the total residential tons. This is material collected with the recyclables but was not recycled. DEP uses a 20 percent average to calculate residue. If you use a rate other than 20 percent to calculate the residential residue, you **must** have marketed receipts to verify the rate you used. Documentation must be in the form of a signed market receipts statement from the end user containing the amount of tons or the percent of residue to be deducted from the total residential tons collected for the calendar year under consideration. **If you leave this space blank, the department will automatically deduct 20 percent from the residential tons**

claimed.

- c) **Commercial Tons:** Enter the total tons of **eligible** commercial (including municipal & institutional) materials recycled and marketed from commercial establishments within the municipality in the 2021 calendar year. (Refer to #2 of the general instructions for eligible material requirements.) Please round the number to the nearest tenth (0.1) of a ton. The amount claimed must be substantiated by valid documentation. (Refer to the booklet on Documentation Requirements and Examples.)
- d) **Commercial Residue:** Enter the amount of non-recycled residue which was a part of the total commercial tons. This is material collected with the recyclables but was not recycled. The department uses a 20 percent average to calculate residue. If you use a rate of other than 20 percent to calculate the amount of non-recycled commercial residue, you **must** have marketed receipts to verify the rate used. Documentation must be in the form of a signed marketed receipts from the end user containing the amount of tons of commercial residue or the percent of residue of the total commercial tons collected for the calendar year under consideration. **If you leave this space blank, the department will automatically deduct 20 percent from the commercial tons claimed.**

D. CY2021 RESIDENTIAL & COMMERCIAL TONNAGE SUMMARY FORMS (must be uploaded)

Please enter your municipality's name and the county in which your municipality is located.

You are not permitted to substitute your own form. Please use the form provided by DEP.

Residential: List, by hauler or market (or from the entity that is supplying you the documentation), the total tons of each eligible residential material recycled and marketed on behalf of your municipality in the 2021 calendar year. If you have more than one piece of documentation from a particular hauler or market, you may summarize them on one line rather than listing each report or weight ticket separately (i.e. if you receive monthly reports from a recycling collector, you do not have to list that collector and the total of each report twelve times on the form - you may list that collector only once and record the total of the twelve monthly reports for each material on that line). You should calculate the total for each hauler or market, the total for each material and the total residential tons recycled by all of your haulers or markets.

Commercial: List, by hauler or market (or from the entity that is supplying you the documentation), the total tons of each eligible material recycled and marketed on behalf of your municipality in the 2021 calendar year from commercial, institutional or municipal establishments. If you have more than one piece of documentation from a particular hauler or market, you may summarize them on one line rather than listing each report or weight ticket separately (i.e. if you receive monthly reports from a recycling collector, you do not have to list that collector and the total of each report twelve times on the form - you may list that collector only once and record the total of the twelve monthly reports for each material on that line). You should calculate the total for each hauler or market, the total for each material and the total commercial tons recycled by all of your haulers or markets.

Old newsprint is comprised of newspapers offered for circulation (i.e. delivered to homes, businesses, newsstands, etc.) and later collected for recycling.

Other marketable grades of paper, includes magazines, telephone books, kraft bags and any post-consumer paper fiber not suitable for inclusion under another category.

Aluminum, steel or bimetallic cans includes containers (primarily food and beverage cans) originating from homes, businesses and institutions. These categories do not include scrap metal (aluminum furniture, stainless steel, iron scrap, 55-gallon drums, etc.).

Commercial tonnages are those generated by businesses, institutions (hospitals, nursing homes,

schools etc.) and municipal (government offices, libraries, etc.) establishments.

If the eligible materials were collected and marketed as commingled materials (two or more eligible materials collected together), then place the total tons of those materials in the space provided for commingled residential or commingled commercial tons. In this case you are not required to determine the tonnage of each material separately. **LIST THE MATERIALS INCLUDED IN THE COMMINGLED TONNAGE IN THE SPACE PROVIDED** at the bottom of the Tonnage Summary Form. The above should also be followed for single stream materials.

The **weight** of the eligible **residential materials must be reported separately from the weight of the eligible commercial materials. All weights must be in tons.**

