

FY10/11 PANHANDLE REGIONAL SOLID WASTE GRANTS PROGRAM

GRANT GUIDELINES

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PRESENTED BY THE PANHANDLE REGIONAL PLANNING COMMISSION
in cooperation with
THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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Table of Contents

PURPOSE OF THE REGIONAL SOLID WASTE GRANTS PROGRAM 2

ELIGIBLE APPLICANTS 3

FY10/11 SOLID WASTE GRANTS PROGRAM GOALS AND OBJECTIVES..... 4

FY10/11 SOLID WASTE GRANTS PROGRAM ELIGIBLE PROJECT CATEGORIES..... 8

EXAMPLES OF PROJECTS TO BE CONSIDERED FOR FY10/11 FUNDING 13

FUNDING STANDARDS AND RESTRICTIONS 20

ADDITIONAL APPLICATION CONSIDERATIONS 25

PROJECT SELECTION CRITERIA 26

FY10 GRANT COMPETITION TIMELINE..... 28

ANNEX A: RESTRICTIONS ON TIRE DISPOSAL PROJECT ACTIVITIES 30

PURPOSE OF THE REGIONAL SOLID WASTE GRANTS PROGRAM

The purpose of this grant program is to provide funding to eligible applicants to support projects that will improve and enhance the Panhandle's solid waste management system(s). The grants program is primarily intended to assist the region's local governments with the implementation of projects designed to reduce/minimize the negative affects solid waste may have on the environment and the threat certain wastes may pose to the public health and safety. Eligible grant applicants should view the use of these funds as an opportunity to create a more economically viable regional/local solid waste management system that not only protects the public's wellbeing but also provides some relief from the escalating costs of landfill disposal.

Wherever possible, applicants are encouraged to work cooperatively with other area entities (both public and private) during the development and implementation of their projects. By doing so, the Panhandle's network of solid waste management systems will become all the more effective and the residents of the region will be better served as a result.

Applicants are also encouraged to keep the goals and objectives of the Panhandle Regional Solid Waste Management Plan in mind as they develop their project concepts. The regional plan was developed to provide the region's decision-makers with guidance when addressing solid waste issues of regional/local concern. To continue the pursuit toward a region-wide system(s) of effective solid waste management, the plan should be used to direct future development and enhancement activities.

These solid waste grant funds may be used to implement a myriad of new and/or enhanced solid waste management programs. Applicants are further encouraged to seek projects that will result in long-term programs which will continue to benefit the residents of the Panhandle for years to come.

For more information about this grant program, contact:

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ELIGIBLE APPLICANTS

Only those entities listed below are eligible for project funding under the Regional Solid Waste Grants program.

A. Cities

B. Counties - Municipal solid waste management programs also apply to Counties, particularly those programs that seek to improve the delivery of services in the unincorporated areas (e.g., citizen collection centers).

C. Public schools and school districts (excluding universities and other post-secondary educational institutions).

D. General and special law districts created in accordance with state law with the authority and responsibility for water quality protection or municipal solid waste management, to include river authorities.

E. Councils of Governments

Other types of entities, such as private industry and non-profits, are not eligible to receive grants. However, the PRPC/TCEQ encourages public/private partnerships through contractual arrangements between the local government receiving a grant and other entities. In addition, entities located outside of the state are not eligible, even if the entity is a member of the COG (i.e., member counties in another state).

Entities subject to the payment of state solid waste disposal fees and whose fee payments are in arrears, as determined by TCEQ, are not eligible to receive pass-through grant funding from the PRPC. TCEQ will provide the PRPC, on a quarterly basis, a list of entities for which fee payments are in arrears. If an applicant appears on the list but has subsequently made full payment to the state, the applicant can present appropriate documentation to the PRPC to become eligible for funding consideration. The PRPC must inform TCEQ of any determinations of eligibility made under this provision.

FY10/11 SOLID WASTE GRANTS PROGRAM GOALS AND OBJECTIVES

For a project proposal to be considered, it must fit into one or more of the identified Project Categories, conform to the grant program guidelines of this document and be consistent with the goals and objectives of both the State of Texas Solid Waste Plan and the Panhandle Regional Solid Waste Management Plan. For FY10/11, the goals and objectives of the Panhandle Regional Solid Waste Management Plan have been prioritized to reflect their importance to achieving the primary objectives of this grants program as it relates to the needs of this region of the state. Applicants are encouraged to consider this prioritized listing in light of their local needs when developing their project proposals. For FY10/11, the goals of the Regional Solid Waste Plan have been prioritized as follows.

GOALS AND OBJECTIVES OF THE PANHANDLE REGIONAL SOLID WASTE MANAGEMENT PLAN

GOAL 1: Develop programs to facilitate the development and maintenance of local source reduction, waste minimization, recycling, and composting programs with the region, thus, conserving disposal capacity and resources to the extent technically and economically feasible. (NOTE: Recycling includes yard waste composting.)

Region-Level Strategies:

- 1A. Implement subregional and local source reduction, waste minimization, reuse, and recycling strategies to meet the goals of the Regional Plan and any subsequent plan amendments.
- 1B. Develop education/information programs and technical assistance programs at the regional level to encourage source reduction, waste minimization, reuse, and recycling in the Panhandle.
- 1C. Coordinate with state efforts and develop programs as necessary at the regional level to monitor the success of source reduction, waste minimization, reuse, and recycling efforts in the Panhandle Region.
- 1D. Suggest minimum levels of recyclables and yard waste collection services to be provided in incorporated and unincorporated areas of the Panhandle Region.
- 1E. Develop programs at the regional level to facilitate cooperative and standardized approaches to recycling in the Panhandle Region.
- 1F. Maintain recyclables market development programs at the regional level that focus on ensuring "high quality and consistent volumes of recyclables", economic development; assisting subregions, local governments, businesses, and institutions in obtaining markets for their recyclables, and encouraging state-level market development actions.
- 1G. Develop programs at the regional level to support private and non-profit recycling programs in the Region.
- 1H. Regionally, achieve and maintain at least a 40% regional solid waste reduction level by the year 2015.

Role of Other Entities:

- 1I. Local Governments in the region should work toward establishing or enhancing locally-operated recycling and wood/yard waste reduction programs.
- 1J. Cities, counties, school districts, colleges, universities and the COG should all maintain active in-house recycling programs in accordance with statutory requirements.
- 1K. Cities, counties, school districts, colleges, universities and the COG should all work toward routinely purchasing recycled content products.
- 1L. For the near term, Local Governments recycling and waste reduction efforts should at least target the key components of waste disposal outlined in this plan including paper, metal, wood and yard waste.
- 1M. Local Government recycling and waste reduction program operators should work toward improving their ability to document and report the amounts of waste being diverted by their program.
- 1N. The TCEQ and other applicable state agencies should work cooperatively with the region in order to improve the Panhandle's recycling markets particularly, for waste tires and automotive wastes.

GOAL 2: Develop regional cost-effective, efficient and environmentally-suitable solid waste management systems.

Region-Level Strategies:

- 2A. Develop programs at the regional, subregional and local levels to facilitate effective communication among local government officials and private and non-profit entities involved in MSW management.
- 2B. Develop programs at the regional level to facilitate effective communication between the Panhandle Region and state officials on MSW management issues.
- 2C. Develop programs at the regional level to help local governments as well as private and non-profit entities pursue state and federal funding sources for MSW management programs.
- 2D. Develop education/awareness campaign at the regional level to increase awareness of integrated MSW management practices and associated costs.

Role of Other Entities:

- 2E. Local Governments, the TCEQ, and private sector service providers should work toward improving the cost effectiveness waste tire management in the Panhandle.
- 2F. MSW facility permit or registration applicants should consider an integrated waste management approach when designing their facilities to support the environmental suitability of the region's waste management system.

GOAL 3: Develop programs to assist regional and local entities in controlling and stemming illegal and improper disposal practices.

Region-Level Strategies:

- 3A. Develop education/awareness programs at the regional level to discourage open-burning, illegal dumping and other improper disposal practices.
- 3B. Support subregional and local strategies that intend to minimize open-burning, illegal dumping and other improper disposal practices.
- 3C. Develop education/awareness programs and technical assistance programs at the regional level to encourage proper management practices for special and problem wastes (particularly tires, bulky wastes, municipal sludge, household hazardous waste, and small quantity generator hazardous wastes).
- 3D. Identify preferred regional, subregional, and local strategies for managing special and problem wastes such as waste tires.
- 3E. Identify preferred regional, subregion, and local strategies for managing household hazardous wastes.

Role of Other Entities:

- 3F. More Local Governments should consider the establishment of citizens' convenience centers as a means of improving solid waste management service in the rural areas of the Panhandle.
- 3G. Local Governments that have not already done so should consider the passage of a litter control ordinance as of means of controlling litter and illegal dumping within their jurisdiction.
- 3H. Local Governments should consider the institution of local or multi-jurisdictional litter enforcement officer programs as a means of controlling illegal dumping in the Panhandle.
- 3I. The TCEQ and other applicable state agencies should work with the region in an effort to resolve the region's waste tire management issues.

GOAL 4: Maintain administrative structures that will ensure at least some measure of local control over future systems operations and provide an element of control over siting of future landfills in the Region.

Region-Level Strategies:

- 4A. Maintain the RSWMAC's Conformance Review process to ensure that all future MSW facilities located in the Panhandle are compatible with the goals and objectives of the regional solid waste management plan.
- 4B. Work with the TCEQ to ensure the RSWMAC's role in the MSW facility permitting process is clearly defined and understood by all concerned parties.

Role of Other Entities:

- 4C. MSW facility registration and/or permit applicants should work toward designing their facility to achieve the greatest possible conformance with the regional solid waste management plan.
- 4D. The RSWMAC should maintain an active role in ensuring that future MSW facilities sited in the Panhandle conform to the regional solid waste management plan.

- 4E. The TCEQ should actively heed the recommendations of the RSWMAC regarding the conformance of proposed MSW facilities to the regional solid waste management plan.

GOAL 5: Regionally, ensure continued, adequate disposal capability.

Region-Level Strategies:

- 5A. Where it is not currently provided or easily accessible, to encourage local governments to make MSW collection services more available in the incorporated and unincorporated areas of the Panhandle Region.
- 5B. Develop programs at the regional level to facilitate cooperative and standardized approaches to providing MSW collection and transportation services in rural areas of the Panhandle.

Role of Other Entities:

- 5E. Local Government and private landfill operators in the region should work toward achieving maximum feasible compaction of waste so as to extend the life of their landfill.
- 5F. Local Government and private landfill operators should consider extending the life of their MSW facility by implementing new integrated waste management alternatives.
- 5G. Local Government landfill operators should consider initiating the permitting process for a new facility when the expected life of their current landfill drops below 10 years.
- 5H. Local Governments should work toward encouraging their unserved residents to access the available waste collection services in the region, be they private or public services, to improve waste management in the rural areas of the Panhandle.

**FY10/11 SOLID WASTE GRANTS PROGRAM ELIGIBLE PROJECT CATEGORIES
AS APPROVED BY THE PANHANDLE REGIONAL SOLID WASTE
MANAGEMENT ADVISORY COMMITTEE**

The eligible project categories for the FY10/11 Solid Waste Grants Program have also been prioritized to align with the priority ordering of the Regional Solid Waste Plan goals and objectives. Applicants need to consider their own local solid waste management needs in light of these prioritized project categories as they develop their project proposals.

Category 1: Recycling and Waste Reduction Projects ●*

This category may include projects intended to provide a direct and measurable effect on reducing the amount of MSW going into landfills, by diverting materials from the MSW disposal stream for recycling or reuse, or by reducing waste generation at the source.

Funding limitations specific to this category:

1. Programs and projects funded under this category must provide a measurable effect on reducing the amount of municipal solid waste going into landfills.
2. Any program or project aimed at demonstrating the use of products made from recycled materials must have as its primary function the education and training of residents, governmental officials, and others, in order to encourage support for recycling efforts.
3. As applicable, projects funded under this category must adhere the TCEQ's Requirements for Non-hazardous Recycling and Composting Facilities and §361.119 Health & Safety Code.
4. Programs aimed at efficiency improvements to increase the source reduction and recycling of solid waste must be coordinated with the TCEQ. Any program to develop a full-cost account system should refer to the full-cost accounting guidance prepared by the TCEQ.

Category 2: Composting and Wood/Yard Waste Reduction Projects ●*

This category may include projects that provide a direct and measurable effect on reducing the amount of waste going into landfills, by diverting various organic materials from the municipal solid waste stream for beneficial reuse, composting, mulching, or reducing waste generation at the source.

Funding limitations specific to this category:

1. Programs and projects funded under this category must provide a measurable effect on reducing the amount of municipal solid waste going into landfills.
2. As applicable, projects funded under this category must adhere the TCEQ's Requirements for Non-hazardous Recycling and Composting Facilities and §361.119 Health & Safety Code.

●* The applicant must ensure and demonstrate projects, if funded, will not place an existing business already providing effective and accessible service in the project area at a competitive disadvantage. Contact the PRPC for guidance when competitive disadvantage conditions may potentially exist.

Category 3: HHW Projects

This category includes projects providing a means for the collection, recycling, reuse, or proper disposal of household hazardous waste, including home chemicals and other materials. Projects may include permanent collection facilities, periodic collection events, consolidation and transportation of collected materials, recycling or reuse of materials, proper disposal of materials, and education and public awareness programs.

Funding limitations specific to this category:


1. Grant recipients must work with TCEQ to ensure all applicable regulations and guidelines are followed.
2. For FY10/11, funds may be used to support costs related to the disposal of collected household hazardous wastes.
3. For FY10/11, funds may be used to support the costs related to tire disposal.
4. Funds may not be used for programs and activities related to the collection and management of hazardous wastes and industrial wastes, as defined under state and federal regulations.
5. Funds may, *under limited circumstances*, be used for programs and activities solely related to the management of used oil, oil filters, antifreeze, lead-acid batteries, or other special wastes excluded from disposal in MSW landfills. However, whenever possible, grantees are encouraged to make the collection of these materials part of a comprehensive HHW collection and management program.

Category 4: Law Enforcement Projects

This category consists of projects which contribute to the prevention of illegal dumping of MSW, including liquid wastes. Under this category, grant recipients would investigate illegal dumping problems; enforce laws and regulations pertaining to the illegal dumping of MSW, including liquid waste; establish a program to monitor the collection and transportation of municipal liquid wastes, through administration of a manifesting system; and/or educate the public on illegal dumping laws and regulations.

Funding limitations specific to this category:

1. For FY10/11 grant funds may be used for the cleanup of illegal disposal sites and may under certain conditions be used for the disposal of waste tires collected during such cleanups in accordance with TCEQ guidelines.

 The applicant must ensure and demonstrate that projects, if funded, will not place an existing business that is already providing effective and accessible service in the project area at a competitive disadvantage. Contact the PRPC for guidance when competitive disadvantage conditions may potentially exist.

Category 5: Litter and Illegal Dumping Cleanup Projects

This category may include both ongoing and periodic activities to clean up litter and illegal dumping of MSW. Projects under this category may support Lake and Waterway Cleanup events, conducted in conjunction with the TCEQ's and Keep Texas Beautiful's Lake and Waterway Cleanup program. Eligible expenses include: waste removal, disposal or recycling of removed materials, fencing and barriers; and signage. Placement of trash collection receptacles in public areas with chronic littering problems may also be funded. Reuse or recycling options should be considered for managing the materials collected through these efforts, to the extent feasible. Funds may also be used for periodic community collection events, held not more frequently than four times per year, to provide for the collection of residential waste materials for which there is not a readily-available collection alternative, such as large bulky items that are not picked-up under the regular collection system. Cleanup of hazardous waste will not be eligible for funding. Cleanup of hazardous waste will not be eligible for funding.

Funding limitations specific to this category:


1. Any program or project funded under this category must be closely coordinated with the TCEQ. Prior to developing a proposal to conduct a Lake or Waterway Cleanup Program activity, the project coordinator should contact the TCEQ's Lake and Waterway Cleanup Program staff to discuss potential program activities.
2. For FY10/11, funds may be used for costs related to disposal of collected wastes.

Category 6: Rural Municipal Solid Waste Facilities

This category includes projects to design and construct MSW collection facilities in areas of the state underserved by collection services or lack public access to proper disposal facilities. Projects funded under this category include citizens' collection stations, as these facilities are defined under the TCEQ's MSW regulations (30 TAC Chapter 330); and construction of small municipal solid waste and liquid waste transfer stations that qualify for registration under §330.4(d) or §330.4(r) of the regulations. The costs associated with operating these facilities, once completed, may not be funded.

Periodic community collection events, to provide for collection of residential waste materials for which there is not a readily-available collection alternative, may also be funded. This type of project may not include regular solid waste collection efforts, such as weekly waste collection. Collection events may be held no more frequently than four times per year and must only be intended to provide residents an opportunity to dispose of hard-to-collect materials, such as large and bulky items not picked up under the regular collection system.

Funding limitations specific to this category:

-
-  The applicant must ensure and demonstrate that projects, if funded, will not place an existing business that is already providing effective and accessible service in the project area at a competitive disadvantage. Contact the PRPC for guidance when competitive disadvantage conditions may potentially exist.

1. Transfer stations that require a permit from the TCEQ may not be funded.
2. Municipal solid waste transfer stations that qualify for registration under § 330.4(d) of the MSW regulations may be funded. Specifically, this section covers a municipal solid waste transfer station facility used in the transfer of municipal solid waste to a solid waste processing or disposal facility from:
 - a. a municipality with a population of less than 50,000;
 - b. a county with a population of less than 85,000; or
 - c. a facility used in the transfer of municipal solid waste that transfers or will transfer 125 tons per day or less.
3. Municipal solid waste transfer stations that qualify for a registration only under the provisions of § 330.4(q), allowing for registration of facilities recovering 10% or more of the waste stream for reuse or recycling, but not also under the provisions of § 330.4(d), may not be funded. However, those components of a transfer facility dedicated to the reuse or recycling activities may qualify for funding under the source reduction and recycling grant category.
4. Municipal solid waste transfer stations used only in the transfer of grease trap waste, grit trap waste, septage, or other similar liquid waste, and which qualify for registration under § 330.4(r) of the MSW regulations may be funded under this category. Specifically, § 330.4(r) of the regulations allows for registration of a liquid waste transfer facility that will receive 32,000 gallons a day or less.
5. Only the costs necessary to construct the facility and install necessary equipment may be funded. Costs associated with operating a facility once it is completed, to include lease payments or contractual agreements for operations, may not be funded.

Category 7: Technical Studies and Local Solid Waste Management Plans

Funds may also be used for the collection of pertinent data, analysis of issues and needs, evaluation of alternative solutions, and identification of recommended actions to assist in making solid waste management decisions at the local or regional level. Projects under this category may also include research and investigations to determine the location, boundaries, and contents of closed old and abandoned MSW landfills, and to assess the possible risks to human health or the environment associated with those landfills or sites.

Funds may be used for projects to develop and/or amend local solid waste management plans by local governments, in accordance with Subchapter D, Chapter 363, TX Health & Safety Code, as implemented by state rule, Subchapter O, 30 TAC Chapter 330. It is recommended at least one year be allowed for the completion and adoption of a local plan.

Funding limitations specific to this category:

1. The total funding provided under this category is limited to no more than ten percent (10%) of the total annual grant budget available for the PRPC's Implementation Projects.
2. All local solid waste management plans must be consistent with the adopted regional solid waste management plan, and prepared in accordance with Subchapter O of the TCEQ

MSW Regulations (31 TAC Chapter 330) and the Content and Format Guidelines prepared by the TCEQ.

3. All technical studies must be consistent with the Panhandle Regional Solid Waste Management Plan, and prepared in accordance with the Content and Format Guidelines prepared by the TCEQ.

4. Funding provided under this category may not be used for final engineering work, designs, or construction plans.
5. A landfill or landfiling may only be the topic of a technical study if it is part of any overall, integrated solid waste management system.

Category 8: Other Waste Management Projects^{6*}

This basically is a catch-all category including projects for Education and/or Training Only projects, projects for the Formation of Partnerships for the Utilization of Shared Solid Waste Services and other solid waste projects focusing primarily on waste reduction/recycling which because of the project's unique character, is not easily categorized under any other Project Category heading.

Educational components are encouraged under the other categories ensure better public participation in projects; those educational components should be funded as part of those projects and not separately under this category. This category may be appropriate for "stand-alone" educational projects dealing with a variety of solid waste management topics. This category is intended for educational projects or training events dealing with a variety of MSW management topics.

Other types of projects, not specifically prohibited from funding under the more detailed funding standards and restrictions, may be considered by PRPC/TCEQ on a case-by-case basis. For instance, the PRPC may request authorization to provide funding for cleanup or remediation of problems at an old or abandoned MSW landfill.

Funding limitations specific to this category:

1. Programs and projects funded under this category must be primarily related to issues involved in the management of municipal solid wastes. Education or training events covering a broader range of environmental issues may be funded on a partial basis appropriate to the extent municipals solid waste issues are covered.

^{6*} The applicant must ensure that such a project (for a demonstration Education and Training Project) would not place an existing business that is already providing effective and accessible service in the project area at a competitive disadvantage. Contact the PRPC for guidance when competitive disadvantage conditions may potentially exist.

EXAMPLES OF PROJECTS WHICH CAN BE CONSIDERED UNDER THE REGION'S SOLID WASTE GRANTS PROJECT CATEGORIES

Category 1: Recycling and Waste Reduction Projects

The following are examples of the types of projects which can be implemented under this project category:

- Developing recycling or material recovery facilities (e.g., drop-off centers, MRFs, processing centers, etc.).
- Residential recycling projects (e.g., curbside programs, multi-family housing recycling projects, etc.).
- Public workplace recycling programs.
- Public school recycling programs.
- Collection programs designed to provide a community's(ies) large waste generators and/or central business district(s) with convenient access to the local recycling program.
- Projects to develop new or to expand existing marketing opportunities in the Texas Panhandle.
- Projects to capture electronic wastes for re-use or recycle.
- Implementation of Full-Cost Accounting procedures for solid waste services.
- Establishing variable collection rate programs to encourage greater participation in local recycling initiatives.
- As a project component, local education activities conducted to promote greater public use of new or existing recycling opportunities.
- As a project component, community training programs to provide local businesses with technical assistance in determining waste reduction potential (waste stream analysis), locating markets or exchanges for recyclable/reusable materials, and designing and coordinating in-house programs.

Prospective Category 1 applicants are cautioned of the TCEQ's prohibition against using the solid waste grant funds in a way that would place an existing business with an established presence in the project area at a competitive disadvantage. Category 1 applicants should carefully scrutinize their proposal concepts to determine whether or not a legitimate disadvantage would be created. Category 1 applicants must make a conscientious effort to identify all the businesses in their area that could potentially be adversely impacted by such an application and where appropriate, involve those businesses so the grant funds can be used to promote an effective working partnership between the applicant and the business(es).

As an example, an applicant may purchase certain equipment or build certain facilities/improvements for the processing of recyclable materials. The applicant would retain ownership of the equipment/facilities but could allow the private business to operate the equipment/facilities under lease.

Any legitimate claims by private businesses stating a pending application could place them at a competitive disadvantage could disqualify that application. Applicants considering a Category 1 application should consult the PRPC prior to the submission of that application to minimize the possibility of disqualification.

Eligible Category 1 project expenses may include:

- \$ Facility design, site preparation and facility construction;
- \$ Equipment such as balers, vehicles, sorting and screening equipment, scales, pallets, forklifts, CFC extraction equipment, and storage structures;
- \$ Apparatus such as dumpsters and other storage containers, deskside boxes and other in-house storage containers;
- \$ Printing, advertising, signage, and postage;
- \$ Educational/promotional materials, such as bumper stickers, magnets, booklets and pamphlets, pens and pencils, schoolbook covers, and posters;
- \$ Printing, advertising and postage;
- \$ T-shirts, caps and other appurtenances which can enhance program effectiveness by identifying volunteers directly involved with the implementation of the program;
- \$ Administrative expenses, such as salaries/fringe benefits, office supplies and furnishings, computer hardware and software, travel, training, vehicle maintenance, and indirect costs

NOTE: When considering the possible use of education/promotion material, applicants are strongly encouraged to contact TCEQ to determine whether the TCEQ's pre-prepared educational/promotional materials would effectively serve the same purpose.

Please refer to Pages 20 - 24 for Funding Standards and Restrictions.

Category 2: Composting and Wood/Yard Waste Reduction Projects

The following are examples of the types of projects which can be implemented under this project category:

- Promotion of the "Don't Bag It" Program.
- Backyard/on-site composting projects.
- Implementation of the Master Composters program.
- Centralized composting projects.
- Centralized chipping/mulching projects.
- Establishing variable collection rate programs to encourage greater participation in local wood waste reduction/composting initiatives.

- As a project component, local education activities conducted to promote greater public use of new or existing waste reduction/composting opportunities.

Eligible Category 2 project expenses may include:

- \$ Facility design, site preparation and facility construction;
- \$ Equipment such as chippers, tub grinders, windrow turners, trailers, vehicles, and screening equipment;
- \$ Apparatus such as dumpsters and other storage containers, compost bins;
- \$ Costs related to the conduct of Master Composter training seminars;
- \$ Printing, advertising, signage, and postage;
- \$ Educational/promotional materials, such as bumper stickers, magnets, booklets and pamphlets, pens and pencils, schoolbook covers, and posters;
- \$ Printing, advertising and postage;
- \$ T-shirts, caps and other appurtenances which can enhance program effectiveness by identifying volunteers directly involved with the implementation of the program;
- \$ Administrative expenses, such as salaries/fringe benefits, office supplies and furnishings, computer hardware and software, travel, training, vehicle maintenance, and indirect costs

NOTE: *When considering the possible use of education/promotion material, applicants are strongly encouraged to contact TCEQ to determine whether the TCEQ's pre-prepared educational/promotional materials would effectively serve the same purpose.*

NOTE: *The same precaution against creating an unfair competitive advantage over an existing private business operating in the region applies to this project category.*

Please refer to Pages 20 - 24 for Funding Standards and Restrictions.

Category 3: HHW Projects

The following are examples of the types of projects which can be implemented under this project category:

- Special, one-time or annual collection events;
- Permanent household hazardous waste (HHW) collection programs.

Eligible Category 3 project expenses may include:

- \$ Design, site preparation and construction of permanent collection facilities;
- \$ Equipment for permanent collection facilities, such as recycling containers, trailers, vehicles, crushers, scales, pallets, forklifts, and storage structures;

- \$ Protective personal gear;
- \$ For collection events, professional (subcontracted) services, including site set-up, material handling, manifesting and transportation;
- \$ T-shirts, caps and other appurtenances which can enhance program effectiveness by identifying volunteers directly involved with the implementation of the program;
- \$ Printing, advertising and postage;
- \$ Educational/promotional materials, such as bumper stickers, magnets, booklets and pamphlets, pens and pencils, schoolbook covers, and posters;
- \$ Administrative expenses, such as salaries/fringe benefits, office supplies and furnishings, computer hardware and software, travel, training, vehicle maintenance, and indirect costs

***NOTE:** When considering the possible use of education/promotion material, applicants are strongly encouraged to contact TCEQ to determine whether the TCEQ's pre-prepared educational/promotional materials would effectively serve the same purpose.*

***NOTE:** The same precaution against creating an unfair competitive advantage over an existing private business operating in the region applies to this project category.*

***NOTE:** With Permanent HHW projects, on-going operational costs are to be borne by the applicant.*

Please refer to Pages 20 - 24 for Funding Standards and Restrictions.

Category 4: Local Enforcement Projects

The following are examples of the types of projects which can be implemented under this project category:

- Programs targeting enforcement of state/local laws prohibiting illegal dumping.
- Establishment of a Dump-Stoppers hotline.

Eligible Category 4 project expenses may include:

- \$ Equipment such as vehicles, communications/surveillance equipment, protective gear, telephone hotline equipment and other necessary equipment which have been totally dedicated to the enforcement of state/local laws addressing illegal dumping;
- \$ Development/revamping of local ordinances prohibiting illegal dumping;
- \$ As a project component, educating/training of licensed peace officers on enforcement measures and controls;
- \$ As a project component educating/training of prosecutorial/judicial representatives on the enforcement sanctions and reliefs available through state law;

- \$ Salary/fringe costs directly related to Environmental investigation/enforcement activities;
- \$ Costs incidental to enforcement proceedings such as film processing;
- \$ Printing, advertising, signage, and postage;
- \$ Educational/promotional materials, such as bumper stickers, magnets, booklets, pamphlets, pens and pencils, schoolbook covers and posters;
- \$ Collection bags, protective gear and volunteer identification items for special clean-up events;
- \$ Administrative expenses, such as salaries/fringe benefits, office supplies and furnishings, computer hardware and software, travel, training vehicle maintenance, and indirect costs

NOTE: With illegal dumping projects, while the TCEQ will allow grant funds to be used to clean-up or dispose of illegally dumped wastes, local agencies are encouraged to require the guilty party(ies) to bear those costs.

NOTE: Funds will not be provided to any law enforcement agency regulated by Chapter 415, Texas Government Code unless: (a) the agency is in compliance with all rules developed by TCLEOSE, or (b) TCLEOSE certifies that the agency is in the process of achieving compliance with those rules.

NOTE: When considering the possible use of education/promotion material, applicants are strongly encouraged to contact TCEQ to determine whether the TCEQ's preprepared educational/promotional materials would effectively serve the same purpose.

Please refer to Pages 20 - 24 for Funding Standards and Restrictions.

Category 5: Litter and Illegal Dumping Cleanup Projects

The following are examples of the types of projects which can be implemented under this project category:

- Special alley clean-up programs.
- Special lake and/or river clean-ups
- Texas Country Clean-ups.

Eligible Category 5 project expenses may include:

- \$ T-shirts, caps and other appurtenances which can enhance program effectiveness by identifying volunteers directly involved with the implementation of the program;
- \$ Printing, advertising and postage;
- \$ Educational/promotional materials, such as bumper stickers, magnets, booklets and pamphlets, pens and pencils, schoolbook covers, and posters;

NOTE: When considering the possible use of education/promotion material, applicants are strongly encouraged to contact TCEQ to determine whether the TCEQ's pre-prepared educational/promotional materials would effectively serve the same purpose.

NOTE: With special lake/river, Texas Country Clean-ups, and other special-focus clean-up projects applicants for such projects should coordinate their lake/river and Texas Country Clean-up activities with the appropriate division within the TCEQ.

Please refer to Pages 20 - 24 for Funding Standards and Restrictions.

Category 6: Rural Waste Management Projects

The following are examples of the types of projects which can be implemented under this project category:

- The construction of Citizen Collection Stations in accordance with TAC §§330.1. A Citizen Collection is defined as, “A facility established for the convenience and exclusive use of residents, not commercial or industrial users or collection vehicles. The facility may consist of one or more storage containers, bins or trailers.”
- The construction of Municipal Solid Waste Transfer Stations that qualify for registration under § 330.4(d) of the MSW regulations
- Special collection events for large bulky items not suitable for normal collection programs

Eligible Category 6 project expenses may include:

- \$ For Citizen Collection Centers: site preparation and facility construction, including slabs, paving, awnings, attendant shelters and sanitation facilities, fencing and lighting, and containment berms; equipment such as dumpsters or roll-off containers; protective gear; and, signage;
- \$ For Municipal Solid Waste Transfer Stations: site preparation and facility construction, including slabs, paving, buildings, scales, sanitation facilities, and fencing and lighting; protective gear and signage;
- \$ Equipment such as recycling containers, balers and vehicles to be used in the operation of the facility such as front-end loaders;
- \$ Professional design services that result in the construction of a facility;
- \$ The rental of containers or roll-offs to support a special collection event;
- \$ Costs associated with the time invested by the grantee’s employees and the use of the grantee’s vehicles or equipment in implementing the event (if possible, grantees are encouraged to provide in-kind labor/equipment as an element of their project application);
- \$ T-shirts, caps and other appurtenances which can enhance program effectiveness by identifying volunteers directly involved with the implementation of the program;
- \$ Printing, advertising and postage;

Please refer to Pages 20 - 24 for Funding Standards and Restrictions.

Category 7: Technical Studies and Local Solid Waste Management Plans

The following are examples of the types of projects which can be implemented under this project category:

- Conducting long-range solid waste management CIP studies for the applicant's locality.
- Conducting studies to evaluate the implementation of certain solid waste management alternative management/disposal techniques.
- Subregional studies to evaluate the potential for developing common multi-jurisdictional facilities.

Eligible Category 7 project expenses may include:

- \$ Professional consulting services;
- \$ Administrative expenses, such as salaries/fringe benefits, office supplies and furnishings, computer hardware and software, travel, training, vehicle maintenance, and indirect costs

Please refer to Pages 20 - 24 for Funding Standards and Restrictions.

Category 8: Other Waste Management Projects

The following are examples of the types of projects which can be implemented under this project category:

- The legal formation of multi-jurisdictional entities to operate shared solid waste management facilities.
- Stand-alone education programs.
- Other solid waste projects focusing primarily on waste reduction/recycling which, because of the project's unique character, is not easily categorized under any other Project Category heading.

Eligible Category 8 project expenses may include:

- \$ Legal costs for establishing inter-local agreements;
- \$ Professional (subcontracted) services for local plans and technical studies; for legal services related to the preparation and development of legal documents creating inter-local solid waste management agreements
- \$ Educational/promotional materials, such as bumper stickers, magnets, booklets and pamphlets, pens and pencils, schoolbook covers, and posters;
- \$ Printing, advertising and postage

Please refer to Pages 20 - 24 for Funding Standards and Restrictions.

Funding Standards and Restrictions

The following Standards and Restrictions are in accordance with the TCEQ's State Funding Plan for FY10/11.

General Standards

1. The provisions of the Uniform Grant Management Standards (UGMS) issued by the Office of the Governor apply to the use of these funds, as well as the supplement financial administration guidance established by the TCEQ to be applied under all contracts, *TCEQ Allowable Expenditure Guidelines*.
2. Recipients of funds under this program, including the COG, pass-through grant recipients, and subcontractors shall comply with all applicable state and local laws and regulations pertaining to the use of state funds, including laws concerning the procurement of goods and services and competitive purchasing requirements.
3. Funds may not be provided through a pass-through grant or subcontract to any public or private entity barred from participating in state contracts by the Texas Building and Support Services, under the provisions of §2155.077, Government Code, and 1 TAC §113.02, GSC Regulations.
4. Public and private entities subject to payment of state solid waste disposal fees and whose payments are in arrears may not receive funds under this program through either a pass-through grant or subcontract.
5. In accordance with §361.014(b), Texas Health and Safety Code, and 30 TAC §330.569(d), TCEQ Regulations, a project or service funded under this program must promote cooperation between public and private entities and may not be otherwise readily available or create a competitive advantage over a private industry that provides recycling or solid waste services. Under this definition, the term private industry includes non-profit and not-for-profit non-governmental entities.
6. All equipment and facilities purchased or constructed with funds provided under this program shall be used for the purposes intended in the funding agreement.
7. A project or service funded under this program must be consistent with the COG's approved regional solid waste management plan, and must be intended to implement the goals, objectives, and priorities established in the regional plan.
8. Funds may not be used to acquire land or an interest in land.
9. Funds may not be used to supplant existing funds. In particular, staff positions where the assigned functions will remain the same and that were active at the time of the funding application or proposal, and were funded from a source other than a previous solid waste grant, may not be funded.

10. Funds may not be used for food or entertainment expenses, include refreshments at meetings and other functions. This provision does not apply to authorized employee per diem expenses for food costs incurred while on travel status.
11. Funds may not be used for payment of salaries to any employee who uses alcoholic beverages on active duty. Funds may not be used for the purchase of alcoholic beverages, including travel expenses reimbursed with these funds.
12. Funds may not be used for employment or otherwise contracts for services of a lobbyist or for dues to an organization which employs or otherwise contracts for the services of a lobbyist.
13. Funds may only be used for projects or programs for managing municipal solid waste.
14. Except as may be specifically authorized in these provisions or elsewhere in this program, funds may not be used for projects or facilities that require a permit from the TCEQ and/or are located within the boundaries of a permitted facility, including landfills, wastewater treatment plants, or other facilities. This restriction may be waived by the TCEQ, at its discretion, for recycling and other eligible activities that will take place within the boundaries of a permitted facility. The applicant and/or the COG must request a preliminary determination from the TCEQ as to the eligibility of the project prior to the project being considered for funding by the COG.
15. Projects or facilities requiring a registration from the TCEQ, and which are otherwise eligible for funding, must have received the registration before the project funding is awarded.
16. Except as may be specifically authorized in these provisions or elsewhere in this program funds may not be used for activities related to the collection or disposal of municipal solid waste. This restriction includes: solid waste collection and transportation to a disposal facility; waste combustion (incineration or waste-to-energy); processing for reducing the volume of solid waste which is to be disposed of; landfills and landfill-related facilities, equipment, or activities, including closure and post-closure care of a permitted landfill unit; or other activities and facilities associated with the disposal of municipal solid waste.
17. Funds may not be used to assist an entity or individual to comply with an existing or pending federal, state, or local judgment or enforcement action. This restriction includes assistance to an entity to comply with an order to clean up and/or remediate problems at an illegal dump site. However, the TCEQ may waive these restrictions, at its discretion and on a limited case-by-case basis, to address immediate threats to human health or the environment, and where it is demonstrated the responsible party does not have the resources to comply with the order.
18. Funds may not be used to pay penalties imposed on an entity for violation of federal, state, or local laws and regulations. This restriction includes expenses for conducting a supplemental environmental project (SEP) under a federal or state order or penalty. Funds may be used in conjunction with SEP funds to support the same project.
 - A. Source Reduction and Recycling (also applies to wood waste reduction/composting)
 - 1A. Any program or project funded under this program with the intent of demonstrating the

use of products made from recycled and/or reused materials shall have as its primary purpose the education and training of residents, governmental officials, private entities, and others to encourage a market for using these materials.

B. HHW Projects

- 1B. All household hazardous waste collection, recycling, and/or disposal activities must be coordinated with the TCEQ's HHW program staff, and all applicable laws, regulations, guidelines, and reporting requirements must be followed.
- 2B. All **Texas Country Cleanup** events must be coordinated with the **TCEQ's Texas Country Cleanup program staff**, and all applicable laws, regulations, guidelines, and reporting requirements must be followed.

C. Local Enforcement

- 1C. Funds may not be provided to any law enforcement agency regulated by Chapter 415, Texas Government Code, unless: (a) the law enforcement agency is in compliance with all rules developed by the Commission on Law Enforcement Standards and Education pursuant to Chapter 415, Texas Government Code; or (b) the Commission on Law Enforcement Officer Standards and Education certifies the requesting agency is in the process of achieving compliance with such rules.
- 2C. When funding is to be provided for salaries of local enforcement officers, the funds recipient must certify at least one of the officers has attended or will attend within the term of the funding the TCEQ's Criminal Environmental Law Enforcement Training or equivalent training.
- 3C. Local enforcement vehicles and related enforcement equipment purchased entirely with funds provided under this program may only be used for activities to enforce laws and regulations pertaining to littering and illegal dumping, and may not be used for other code enforcement or law enforcement activities. Vehicles and equipment that are only partially funded must be dedicated for use in local enforcement activities for a percentage of time equal to the proportion of the purchase expense funded.
- 4C. Entities receiving funds for a local enforcement officer, enforcement vehicles, and/or related equipment for use by an enforcement officer, must investigate major illegal dumping problems, on both public and private property, in addition to investigating general litter problems on public property.
- 5C. Entities receiving funds to conduct a local enforcement program must cooperate with the TCEQ's regional investigative staff in identifying and investigating illegal dumping problems. Lack of cooperation with the TCEQ staff may constitute a reason to withhold future funding to that entity for local enforcement activities.

6C. Funds may not be used for investigation and enforcement activities related to the illegal dumping of industrial and/or hazardous waste. Instances where industrial or hazardous waste is discovered at a site do not preclude the investigation of that site, so long as the intent and focus of the investigation and enforcement activities are on the illegal dumping of municipal solid waste.

D. Litter and Illegal Dumping Cleanup Projects

- 1D. **Lake and River Cleanup** events must be coordinated with the TCEQ's cleanup program staff and/or the Keep Texas Beautiful organization, which is contracted by the TCEQ to administer the **Lake and River Cleanup** program.
- 2D. Projects funded to clean up litter or illegal dumping on private property must be conducted through a local government sponsor or the COG. Funds may not be provided directly to a private landowner or other private responsible party for cleanup expenses. The local government sponsor or the COG must either contract for and oversee the cleanup work, or conduct the work with its own employees and equipment.
- 3D. The costs for cleanup of hazardous waste that may be found at a municipal solid waste site must be funded from other sources, unless a waiver from this restriction is granted by the TCEQ to deal with immediate threats to human health or the environment.
- 4D. The costs for cleanup of Class 1 non-hazardous industrial waste that may be found at a municipal solid waste site must be funded from other sources, unless a waiver from this restriction is granted by the TCEQ to deal with immediate threats to human health or the environment. The cleanup of Class 2 and 3 non-hazardous industrial waste that may be found at a municipal solid waste site may be funded in conjunction with the cleanup of the municipal solid waste found at a site.
- 5D. All notification, assessment, and cleanup requirements pertaining to the release of wastes or other chemicals of concern, as required under federal, state, and local laws and regulations, including 30 TAC Chapter 330, TCEQ's MSW Regulations, and 30 TAC Chapter 350, TCEQ's Risk Reduction Regulations, must be complied with as part of any activities funded under this program.
- 6D. All materials cleaned up using funds provided under this program must be properly disposed of or otherwise properly managed in accordance with all applicable laws and regulations. To the extent feasible, it is recommended that materials removed from a site be reused or recycled. For projects to clean up large amounts of materials, the PRPC may consider withholding at least ten (10%) percent of the reimbursements under a pass-through grant or subcontract, until documentation is provided the cleanup work has been completed and the materials properly managed.

E. Rural Waste Management Projects

- 1E. The design and construction of citizens' collection stations, as those facilities are defined under 30 TAC Chapter 330, TCEQ Regulations, may be funded. The costs associated with operating a citizens' collection station once it is completed may not be funded.
- 2E. The design and construction of small municipal solid waste and liquid waste transfer stations that qualify for registration under §330.4(d) or §330.4(r), TCEQ Regulations, may be funded. Other permitted or registered transfer stations may not be funded. A municipal solid waste transfer facility may be eligible for a registration if it serves a municipality with a population of less than 50,000, or a county with a population of less than 85,000, or is used in the transfer of 125 tons or less of municipal solid waste per day. A liquid waste transfer station may qualify for a registration if it will receive less than 32,000 gallons or less per day. The costs associated with operating a transfer station once it is completed may not be funded.
- 3E. Periodic community collection events, to provide for collection and proper disposal of non-recyclable residential waste materials for which there is not a readily-available collection alternative, may be funded. This type of project may not include regular solid waste collection activities, such as weekly waste collection. Funded collection events may be held no more frequently than four times per year, and must only be intended to provide residents an opportunity to dispose of hard-to-collect materials, such as large and bulky items not picked up under the regular collection system, and might otherwise be illegally dumped by residents.

F. Local Solid Waste Management Plans and Technical Studies

- 1F. All local solid waste management plans funded under this program must be consistent with the COG's regional solid waste management plan, and prepared in accordance with 30 TAC Subchapter O, Chapter 330, TCEQ Regulations, and the Content and Format Guidelines provided by the TCEQ.
- 2F. In selecting a local solid waste management plan project for funding, the COG shall ensure at least one year is available for the completion and adoption of the local plan.
- 3F. All technical studies funded under this program must be consistent with the COG's regional solid waste management plan, and prepared in accordance with guidelines provided by the TCEQ.

G. Other Waste Management Projects

If the TCEQ authorizes the COG to fund additional types of projects, the authorization incorporated into the grant agreement may include additional standards and restrictions that will apply to use of funds for that project or type of project.

ADDITIONAL APPLICATION CONSIDERATIONS

The TCEQ also requires each proposal include a plan for documenting the results of the proposed project, through quantifiable measurements or reasonable estimations. For waste reduction, composting, HHW, and special focus clean-up programs, the measure(s) should include, as appropriate:

- 1) The estimated amount(s) of waste that will be diverted from the landfill as a result of the project's implementation. *The PRPC has already developed a standard for estimating diversion values which will be made available to perspective applicants upon request.*
- 2) If education is a component of the project, the number of persons affected by education/awareness efforts.
- 3) Revenues generated and/or costs avoided.
- 4) Cost per person affected to implement the project.

For illegal dumping enforcement projects, measure(s) should include, as appropriate:

- 1) A reasonable estimation of the number of enforcement actions, amounts of waste, by type, removed from illegal dumping sites for disposal.
- 2) If education is a component of the project, the number of persons affected by education/awareness efforts.
- 3) If training is a component of the project, the number of licensed peace officers, prosecuting attorneys, DAs, and/or judges completing the training.

For Other Waste Management Projects, the applicant will have to devise a measure that will clearly indicate the beneficial impact of the proposed project depending on the nature of that proposal.

The TCEQ also requires any applicant submitting a proposal for consideration be current on their tipping fee payments to the TCEQ.

The TCEQ also requires each applicant to contact all known businesses within their service area that offer services similar to those being proposed in their application as a prerequisite condition to submitting that grant request. Those businesses must be given the opportunity to comment on the proposal being developed by the applicant.

PROJECT SELECTION CRITERIA

All applications will be reviewed and prioritized by the Panhandle Regional Solid Waste Management Advisory Committee (RSWMAC) with a final review for program conformance being conducted by the TCEQ. However, the decisions made by the RSWMAC will, if approved by the PRPC Board of Directors, for the most part be final. The TCEQ's role will be one of ensuring project eligibility and will only intervene on specific cases where the eligibility of a particular project is called into question. Therefore, the responsibility of determining the use of the Panhandle's Regional Solid Waste Grant funds will remain at the local level.

The RSWMAC will consider the following criteria while reviewing and prioritizing this year's regional Solid Waste Grants applications.

A. PROJECT DESCRIPTION (0-15 Points)

- Is the purpose of the project clearly defined?
- Are the goals and outcomes of the project clearly and realistically defined?
- Are the project's target groups clearly defined.
- Are the implementation steps and procedures clearly defined?
- Does the project meet one or more of the goals and objectives of the Regional Solid Waste Management Plan?

B. IMPLEMENTATION PROGRAM (0-20 Points)

- Are all program costs accurately defined and documented.
- Is the project's implementation timetable realistic?
- Is the person(s) responsible for ensuring the implementation of the project identified?
- Is that person(s) role in the project clearly defined.
- Are there adequate accountability controls to ensure the project is completed as proposed?
- Are program costs justifiable?

C. PROJECT IMPACT (0-30 Points)

- Does the project involve the cooperative efforts of multiple entities or organizations?
- Does the project involve effective public/private participation and if so, to what extent will the private participation benefit the program.
- How do the estimated per capita program costs compare to the estimated savings the project is anticipated to achieve.
- Will project income(s), if there are any generated, be used to further the applicant's solid waste management efforts.
- How will progress measures be made and reported.

D. LEVEL OF COMMITMENT (0-35 Points)

- Are any resources, other than the Solid Waste Grant funds, being committed toward the completion of this project?
- Who is committing these additional resources and have those commitments been documented.
- Who will be responsible for operating the program once the term of the project is complete?
- What are the estimated on-going maintenance costs for sustaining the project beyond the term of the project period?
- How will the on-going maintenance costs be funded?
- If the project involves waste reduction/recycling/diversion, will the applicant be able to continue generating and providing annual waste diversion reports to the PRPC.
- How has the applicant performed with previous grant funded projects? Are those programs still in productive existence? What is the current status of the previously funded projects?

GRANT COMPETITION TIMELINE

PLEASE NOTE:

This timeline is only for the FY10 competition; a separate schedule will be issued for the FY11 competition.

September 4, 2009 – Start FY10 Notification & Application Development Period

- Publish *FY10 Notice of Fund Availability* in Amarillo Globe News
- Send written *Notice of Fund Availability and Grant Application Procedures* to all eligible applicants
- Send *Courtesy Notice* to private solid waste companies in region

PRPC Staff will be available to assist with grant application development

October 5, 2009 - FY10 Grant Submission Deadline

- All applications for FY10 funds must be received no later than 5:00 p.m., on Monday, October 12, 2009, to be considered for the FY10 Regional Solid Waste Grants Program. Late applications may not be considered. Faxed applications will not be considered.

FY10 Applications should be mailed to the following address:

Panhandle Regional Planning Commission
Attn: Elizabeth True
P. O. Box 9257
Amarillo, TX 79105

OR

FY10 Applications should be hand-delivered in person to:

Panhandle Regional Planning Commission
415 West Eighth Avenue
Amarillo, Texas 79101

October 6th – 15nd - Ten-Day Review Period

- For ten (10) consecutive business days, the applications received for the FY10 Regional Solid Waste Grant fund shall be made available for public review at the PRPC offices located at:

415 Eighth Avenue,
Amarillo, Texas 79101.

October 16, 2008 – Application Prioritization Meeting

- Beginning at 11:30 a.m., the Panhandle Regional Solid Waste Management Advisory Committee (RSWMAC) will review and prioritize all applications received for FY10 grant funds. Applicants are encouraged to attend this meeting and each will be given the opportunity to make an oral presentation to the RSWMAC regarding their application as well as answer any questions regarding their application and/or proposal. By the end of this meeting, the RSWMAC

will have developed a recommended prioritized listing of all FY10 grant fund requests to propose to the PRPC Board of Directors.

October 22, 2008 – PRPC Board of Directors considers RSWMAC Prioritization

Recommendations

- Beginning at 1:30 p.m., the Panhandle Regional Planning Commission (PRPC) Board of Directors will consider the prioritization recommendations of the RSWMAC during their regularly scheduled monthly meeting. Applicants are welcomed to attend this meeting to observe the proceedings.

October 23, 2008 – PRPC Staff sends FY10 Project Summaries to Texas Commission for Environmental Quality

- The prioritized listing of the Panhandle's FY10 Regional Solid Waste Grants applications will be forwarded to the TCEQ for program conformance screening.

October 26th – November 6th – Ten-Day Review Period

- The TCEQ will have 10 consecutive business days to complete their review. If all applications conform to the Solid Waste Grants Program standards, the prioritized listing of projects will be approved as presented. If any projects appear to be questionable, those projects will be pulled out of the listing, the remaining projects will be approved as prioritized, then, the TCEQ and the PRPC will address concerns about the projects in question. If those questions can be resolved, the application will be approved for funding. If the concerns cannot be resolved, the proposal will be disqualified and those funds will be made available to the next project on the prioritized funding list.

November 16, 2008 – FY10 Contracts Issued

- The PRPC and those grantees receiving FY10 Regional Solid Waste Grants funding will enter into contract for the completion of those projects. Each grantee will be required to enter into a contract individually with the PRPC. The grantees will receive their grant funds on a reimbursement basis from the PRPC rather than from the TCEQ
- Suggested Start Date for FY10 Regional Solid Waste Grant projects. It's recommended that the terms of the projects run from November 16, 2008 through August 31, 2010. Individual project performance period will be set in consultation with each grantee.

May 31, 2010 – Project Completion Goal Date

All projects approved under the FY10 Regional Solid Waste Grant Program should aim to be completed by May 31, 2010 to allow a time-buffer.

August 31, 2010 – Contract Completion Deadline

All projects approved under FY10 Regional Solid Waste Grant Program **must** be completed no later than August 31, 2010.

FY10/11 - Regional Solid Waste Grants Program "OTHER" Projects Guidance

The eligible project category "other" is a non-specific category created to better serve regions that have special municipal solid waste needs that do not fall into another category. For a project to be funded under this project category, the COG must meet the following conditions:

- The COG's Regional Solid Waste Management Plan addresses the need and/or concern for the project
- The Regional Funding Plan addresses the eligibility of projects

TCEQ will review and approve grant requests on a case-by-case basis. Proposed projects must not conflict with contract regulations.

Scrap Tire Projects

COGs will be required to provide appropriate oversight and coordination for scrap tire projects. If a COG chooses to fund scrap tire projects, their responsibilities will include, but not be limited to, the maintenance of records and information on end users in the region; facilitating agreements between local governments and end-users; provide technical assistance on scrap tire management; and will be responsible for ensuring no end-users are available in the region prior to disposal of scrap tires.

End-use recyclers include cement kilns for Tire Derived Fuel, land use reclamation projects using scrap tires, TxDOT construction, landfill use in leachate collection systems, septic installers for drainage media, etc.

As long as all qualifications are met, the following types of projects will be considered for funding:

1. The purchase of tire processing equipment that are proven technologies, such as tire shredders, balers, chippers, crumbers, etc.

- Grant funded entities will be required to send processed scrap tire materials to end-use recyclers. They will be required to demonstrate, through contracts, purchase orders, letters of intent, etc., that the end-users have agreed to accept the volume and type of material to be produced prior to purchase of equipment to avoid accumulation of materials.
- The entity operating the equipment would be required to register or obtain other authorization with TCEQ, prior to reimbursement of funding.
- Funds generated from the acceptance of whole scrap tires for processing or from the sale of processed materials must be returned to the scrap tire program to aid in the costs associated with maintenance and operation.
- Remote areas that have demonstrated there are no viable end-use options can dispose of shredded waste tire materials in area landfills. Costs associated with disposal should not exceed 10% of the total COG pass through budget.

2. The transportation and/or disposal costs associated with waste tire site cleanups

- Costs associated with waste tire cleanups should not exceed 10% of the total COG pass through budget.

3. Funding will not be utilized for gasification plants, pyrolysis plants, etc.