

## Title 199 - NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY

### Chapter 2 - APPLICABILITY OF GRANTS

001 Waste Reduction and Recycling Incentive Fund Grants. Grants from the Waste Reduction and Recycling Incentive Fund may be awarded to applicants for one or more of the following purposes, but not limited to:

001.01 Technical and financial assistance to political subdivisions for creation of recycling systems and for modification of present recycling systems;

001.02 Recycling and waste reduction projects, including public education, planning, and technical assistance;

001.03 Market development for recyclable materials separated by generators, including public education, planning, and technical assistance;

001.04 Capital assistance for establishing private and public intermediate processing facilities for recyclable materials and facilities using recyclable materials in new products;

001.05 Programs which develop and implement composting of yard waste and composting with sewage sludge;

001.06 Technical assistance for waste reduction and waste exchange for waste generators;

001.07 Programs to assist communities and counties to develop and implement household hazardous waste management programs;

001.08 Incentive grants to political subdivisions to assist and encourage the closure of landfills operating without a permit, the regional consolidation of solid waste disposal facilities operating with a permit, and the use of transfer stations. Grants awarded for programs involving land disposal shall include provisions for waste reduction and recycling;

001.09 Capital assistance for establishing private and public facilities to manufacture combustible waste products and to incinerate waste to generate and recover energy resources; ~~and~~

001.10 Purposes of planning and implementing facilities and systems to further the goals of the Integrated Solid Waste Management Act; and

001.11 Reimbursement of costs to cities of the second class, villages, and counties of five thousand or fewer population for the deconstruction of abandoned

buildings. Eligible deconstruction costs will be related to the recovery and processing of recyclable or reusable material from abandoned buildings.

002 Scrap Tires. Grants up to one million dollars annually shall be available until June 1, ~~2004~~ 2014, for new scrap tire projects only, if acceptable scrap tire project applications are received. Eligible categories of disbursement under section 81-15,161 may include, but are not limited to:

- (a) Reimbursement for the purchase of crumb rubber generated and used in Nebraska, with disbursements not to exceed fifty percent of the cost of the crumb rubber;
- (b) Reimbursement for the purchase of tire-derived product which utilizes a minimum of twenty-five percent recycled tire content, with disbursements not to exceed twenty-five percent of the product's retail cost, ~~except that persons who applied for a grant between June 1, 1999 and May 30, 2001 for the purchase of tire derived product which utilizes a minimum of twenty five percent recycled tire content may apply for reimbursement on or before July 1, 2002. Reimbursement shall not exceed twenty five percent of the product's retail cost and may be funded in fiscal years 2001-02 and 2002-03;~~
- (c) Participation in the capital costs of building, equipment, and other capital improvement needs or startup costs for scrap tire processing or manufacturing of tire-derived product, with disbursements not to exceed fifty percent of such costs or five hundred thousand dollars, whichever is less.
- (d) Participation in the capital costs of building, equipment, or other startup costs needed to establish collection sites or to collect and transport scrap tires, with disbursements not to exceed fifty percent of such costs;
- (e) Cost-sharing for the manufacturing of tire-derived product, with disbursements not to exceed twenty dollars per ton or two hundred fifty thousand dollars, whichever is less, to any person annually;
- (f) Cost-sharing for the processing of scrap tires, with disbursements not to exceed twenty dollars per ton or two hundred fifty thousand dollars, whichever is less, to any person annually;
- (g) Cost-sharing for the use of scrap tires for civil engineering applications for specified projects, with disbursements not to exceed twenty dollars per ton or two hundred fifty thousand dollars, whichever is less, to any person annually; and
- (h) Disbursement to a political subdivision up to one hundred percent of costs incurred in cleaning up scrap tire collection sites.

The director shall give preference to projects which utilize scrap tires generated and used in Nebraska.

003 Public/Private Partnership. Priority for grants made under Neb. Rev. Stat. 81-15,161 shall be given to grant proposals demonstrating a formal public/private partnership except for grants awarded from fees collected under Neb. Rev. Stat. 13-2042 (6).

004 Multi-year Grant Period. Grants awarded from landfill disposal fees collected under Neb. Rev. Stat. 13-2042 (6) may be renewed for up to a five-year grant period. Such applications shall include an updated integrated solid waste management plan pursuant to Neb. Rev. Stat. 13-2032. Annual disbursements are subject to available funds and the grantee meeting established grant conditions. Priority for such grants shall be given to grant proposals showing regional participation and programs which address the first integrated solid waste management hierarchy as stated in Neb. Rev. Stat. 13-2018 which shall include toxicity reduction. Disbursements for any one year shall not exceed fifty percent of the total fees collected after rebates under Neb. Rev. Stat. 13-2042 (6) during that year.

005 Non-Permitted Landfills. No grant shall be made to a political subdivision which operates a landfill operating without a permit unless the grant will be used to meet permit standards and the landfill is issued a permit within two years after the award of the grant.

Enabling Legislation: Neb. Rev. Stat. 81-15,160, 15,161, 13-2042,

Legal Citation: Title 199, Ch. 2, Nebraska Department of Environmental Quality

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### Chapter 3 - GENERAL REQUIREMENTS

001 Grant Period and Expenditure of Funds. The grant period shall be a set period of time designated by the applicant and approved by the Director. Except for partial reimbursement for the purchase of crumb rubber or tire-derived products, all funding must be encumbered during the approved period, unless extended by the Director. Funds encumbered during the approved period must be expended within 45 days after the end of the approved period. Funds not expended during such time will revert back to the Department. Return of unexpended funds is the grant recipient's responsibility.

002 Earned Interest or Dividends. Any and all interest or dividends earned from grant funds is considered a part of the grant and is subject to the same restrictions and requirements as grant funds.

003 Waste Reduction and Recycling Incentive Fund Applicants. There are three funding sources for the Waste Reduction and Recycling Incentive Fund. The statutory basis for each funding source identifies specific applicants eligible to apply for such funds.

003.01 Grant awards from funds collected under the provisions of Neb. Rev. Stat. Section 81-15,161, 81-15,162, and 81-15,163 shall be available to political subdivisions or other entities or organizations, public, private or non-profit for integrated solid waste management programs.

003.02 Grant awards from funds collected under the provisions of Neb. Rev. Stat. Section 13-2042 shall be available only to counties, municipalities, and agencies for the purposes of planning and implementing facilities and systems to further the goals of the Integrated Solid Waste Management Act.

004 Incomplete Grant Applications. Incomplete grant applications shall be returned to the applicant and may be revised and resubmitted during the next application period.

005 Applicants for reimbursement of building deconstruction costs must consult with the Nebraska State Historical Society, State Historical Preservation Officer, regarding properties listed in or eligible for listing in the National Register of Historic Places. Deconstruction of such properties is not eligible for grant funding.

Enabling Legislation: Neb. Rev. Stat. 81-15,161, 81-15,162, 81-15,163; 13-2042  
Legal Citation: Title 199, Ch. 3, Nebraska Department of Environmental Quality

## Title 199 - NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY

### Chapter 4 - APPLICATION PROCEDURES

001 Waste Reduction and Recycling Incentive Fund Grant Application Deadlines. Waste Reduction and Recycling Incentive Fund grant applications shall be submitted to the Department by deadline dates established by the Department. A separate application shall be required for each grant request.

002 Application Address. All applications shall be submitted to the Lincoln office of the Nebraska Department of Environmental Quality.

003 Applications for partial reimbursement of tire-derived products and crumb rubber, for scrap tire cleanups incurred by political subdivisions, and cost-share grant applications for manufacturing tire-derived products, processing scrap tires, and for civil engineering applications will use a simplified grant application form. Applications for the reimbursement of building deconstruction costs shall be made in accordance with Section 004 of this Chapter. All other applications for a grant shall include the following information:

003.01 Name and address of applicant;

003.02 The nature and purpose of a proposed program;

003.03 A plan for development of the proposed program, together with engineering, economic, and financial feasibility data and information, and such estimated costs of construction or implementation as required by the Department;

003.04 Whether money other than that for which the application is made will be used to help in meeting program costs and whether such money is available or has been sought for this purpose;

003.05 When appropriate, state that the applicant holds or can acquire title to all lands or has the necessary easements and rights-of-way for the project and related lands;

003.06 Show that the applicant possesses all necessary authority to undertake or participate in the proposed program;

003.07 Demonstrate the probable environmental and ecological consequences that may result from the proposed program;

003.08 A comprehensive line item budget detailing all program costs and quarterly projections of expenditures;

003.09 The signature of the applicant's authorized agent on each application; and

003.10 Any other information required by the Department.

004 Applications for the reimbursement of building deconstruction costs will use a simplified grant application form and shall include the following information:

004.01 Name and address of applicant;

004.02 Location of building;

004.03 Evidence that the applicant holds title to all property and has the necessary easements and rights-of-way for the project and related lands;

004.04 Evidence that the Nebraska State Historical Society was consulted prior to deconstruction, in accordance with Chapter 3, 005 of this title;

004.05 Statement that the applicant possesses all necessary authority to undertake or participate in the proposed program, including that the applicant is a city of the second class, village, or county of five thousand or fewer population;

004.06 A comprehensive line item budget detailing all program costs and expenditures;

004.07 Statement of percent of building material recycled or reused after demolition;

004.08 The signature of the applicant's authorized agent on each application; and

004.09 Any other information required by the Department.

Enabling Legislation: Neb. Rev. Stat. 81-15,161

Legal Citation: Title 199, Ch. 4, Nebraska Department of Environmental Quality