

Proposed Revisions to NDEQ's Program Priority System

**Title 199, Waste Reduction and Recycling
Incentive Grants Program**

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Stakeholder Outreach Meeting #2

September 9, 2015

NDEQ Lincoln Headquarters – Room 424



Meeting Purposes

- 1) Briefly describe Program Priority System and Waste Reduction and Recycling Incentive Grants Program.
- 2) Summarize stakeholder concerns about current Program Priority System.
- 3) Present revised Program Priority System and explain the decisions made.
- 4) Listen to your thoughts on the proposed revisions.



Process for Revising the PPS

What	When
1 st Outreach Meeting	May 6, 2015
Informal Progress Report to Environmental Quality Council	June 4, 2015
Stakeholder comment period	June-July 2015
Agency work on draft Program Priority System document	August 2015
Draft Program Priority System document available on NDEQ website	August 26, 2015
2 nd Outreach Meeting	September 9, 2015
Environmental Quality Council hearing on adoption	November 12, 2015



Title 199 Grant Program-background

NDEQ Title 199 implements the “Waste Reduction and Recycling Incentive Act.”

- Passed by LB163 in 1990.
- Passed before the “Integrated Solid Waste Management Act” in 1992.
- Major themes of the Waste Reduction and Recycling Act are (in Neb. §81-15,159):
 - “the reduction of waste entering landfills.” i.e. ‘diversion’
 - to “extend the lifespan of a landfill and provide alternative waste management options.”
- The Department’s authority to award grants must be consistent with the scope of the Act.



Title 199-funding

Both Acts create a fund from 3 fee sources: tire, retail, and landfill disposal.

- A fee of \$1/scrap tire funds a sub-program which does not use the Program Priority System.
 - \$2,176,422 awarded in 2014 cycle.
- An annual fee of \$25 on retail businesses with sales of \$50k or more are directed/available to public, private, and non-profit grantees.
 - \$1,107,888 awarded in 2014 cycle.
 - some priority given to grantees in formal public/private partnerships.
- A portion of landfill disposal fees are directed/available to public sector/political subdivision grantees.
 - \$1,012,371 awarded in 2014 cycle.
- Funding from retail and landfill tipping fees fund those grants which use the PPS.



What is the PPS system?

The PPS “enable[s] grant reviewers to **objectively and more quantitatively review proposals** in order to score applications commensurate with **the impact** the program design and implementation will have on increased reduction of waste, increased recycling, composting, market development for recyclables, public education and planning, increased technical assistance, implementation of household hazardous management programs in the service area.”



Current Program Priority System

- Revised prior to 2014 application and award cycle.
- Purposes of last revision:
 - to remove references to an outdated planning document (waste characterization study).
 - to be less prescriptive in the types of programs and projects that would be successful for award.
 - to create a system that is compatible with the Department's new online grant application process.
 - to **simplify** the grant application process for the applicants and application review for the grant reviewers.



What we heard – major themes

Questions #1-10 were okay.

Questions #11-14 needed work.

Reasons given:



- Biased toward recycling and market development for recyclables.
 - This could create a point bias toward recycling projects that would tilt who receives grant awards.
 - Non-recycling projects stretched their answers to fit a question which did not apply.



What we heard – major themes

Questions #11-14 needed work.

Reasons given (continued):

- Redundant/Duplicative
 - Many of the four questions basically said the same thing.
- Was not consistent with Neb. §81-15,160(2) or Title 199, Ch. 2, Section 001.
- Ignored Solid Waste Hierarchy, source reduction, reuse, zero waste, etc.





Solid Waste Management Hierarchy

NE §13-2018 (in order of preference):

- Volume reduction at the source;
- Recycling, reuse, and vegetative waste composting;
- Land disposal;
- Incineration with energy resource recovery;
and
- Incineration for volume reduction.



Suggestions for 11-14

- “Same number of questions, same number of points available regardless of project type.”
- “There could be 3 or 4 different sets of questions depending on the type of project.”
- “Have 1 question for each project focus area/type/purpose of equal point value.”



What we heard – other themes

- Target the waste impacts of certain materials, processes, or infrastructure issues.
- A need to shift focus from integrated solid waste management to newer approaches.
- Foster regional partnerships.
- Do a long-term statewide community engagement project on specific materials or methods of waste reduction.
- Waste reduction infrastructure is needed to attract businesses and as an economic development/competitiveness tool.



FLEXIBLE vs. PRESCRIPTIVE approach to how grants are awarded in terms of materials, methods, project types.

GENERAL vs. PROJECT-SPECIFIC questions.
Should questions apply to all project types/purposes or should there be separate questions for each project type/purpose?



- 1. Provide even treatment of various project types and purposes.**
 - Equal points available regardless of project purpose or type.
- 2. Fund projects pursuant to the policy preferences of Nebraska's solid waste management hierarchy.**
 - Greater points to higher preferences.
- 3. Simplicity**
 - For applicants and reviewers.



PPS – proposed revisions

- Question 1-10
 - Content, wording, and sequence kept the same.
 - Points available are now 0-3; these represent no answer, low, medium, and high ratings.
 - A simpler and more explicable scoring system than 1-5 points.
 - The percentage of total points awarded in this section decreases from 59% to 31%.
 - This amounts to roughly 1/3 of available points.



PPS – proposed revisions

- Questions 11-14 – replaced with a single open question, #11, for 30 points (1/3).
- This question references the project purposes in Neb. §81-15,160(2) and Title 199, Ch. 2, Section 001, ***but is “not limited to”*** to these purposes which is consistent with the Act.
- Has there been a compelling explanation of how the project reduces the volume or toxicity of waste entering landfills?



PPS – proposed revisions

Reasons for this approach:

- Difficult for NDEQ to prescribe what a good project is – our reviewers know it when they see it.
- In creating additional questions, we could ask the wrong questions.
- We do not want to restrict answers to certain topics which might make it harder for an otherwise good project to describe and separate itself.
- We want to encourage programs and projects that will best meet a community's needs.
- Simplicity, consistency and fewer questions needed.



PPS – proposed revisions

Question #12:

- The basis for these points is found in *The Waste Reduction and Recycling Incentive Act*, §81-15,161(5)(c).
- Instructs the director/agency to “give consideration to eligible programs, projects, and studies which would specifically employ disabled or handicapped persons.”
- The addition of these points was to ensure consistency with statute.



PPS – proposed revisions

Section 3:

- Solid Waste Hierarchy is the same, but available points are doubled from 10 to 20.
- Also increased as a total percentage of points, from 6% (5/85) to 21% (20/95).
- With the matching funds portion of this section, total section is about 1/3 of available points.



PPS – proposed revisions

Section 3:

- Matching funds now an either/or proposition with the same total points (10) available in current PPS.
- This replaces a stepwise increase in 10% increments as previously structured.
- At or above 20% - full points (10).
- Below 20% - no points (0%).
- This change was made to be more inclusive of a wider range of projects and ensure that the WR&R Fund was fully spent each year.



Discussion Questions

Is Question #11 inclusive of your past, present, and future projects?

Is the wording of Question #11 clear?

Do you like the greater weighting of the solid waste management hierarchy?

Do you like the overall point allocation: 1/3 proposal quality, 1/3 to achievement of state waste reduction goals, 1/3 to SW hierarchy and project match?

**Send written comments to ndeq.waste@nebraska.gov.
Thanks!!**