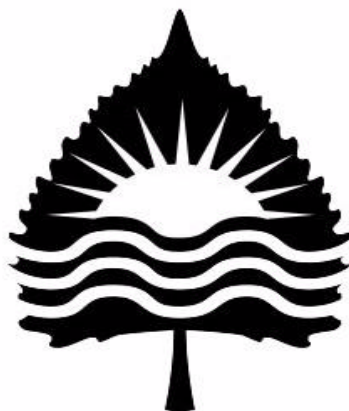


Nebraska Department of Environmental Quality

Waste Management Division

Grant Application Packet

ILLEGAL DUMP SITE CLEANUP PROGRAM



Nebraska
DEQ

Waste Management Division
Planning and Aid Unit
PO Box 98922
Lincoln, NE 68509-8922
402-471-3388 Toll Free 1-877-253-2603



Printed on Recycled Paper

APRIL 2001

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Attachments: Request for Reimbursement Application Forms

PROGRAM DESCRIPTION

The Nebraska State Legislature passed LB 495, effective June 11, 1997. This legislation provides funding to reimburse political subdivisions for their costs "incurred in response to and remediation of any solid waste disposed of or abandoned at dump sites or discrete locations along public roadways or ditches and on any contiguous area affected by such disposal or abandonment."

The annual amount available shall not exceed five percent of the total revenue from the disposal fee collected in the preceding fiscal year. Applications received after the total available funds are awarded may be eligible during the next fiscal year **but are not an obligation of the state.**

The Director shall make efforts to ensure equal geographic distributions throughout the state and may prioritize applications in order to accomplish this goal.

The Department encourages the applicant to recycle or salvage materials when possible.

ELIGIBILITY REQUIREMENTS

Eligible applicants: Political subdivisions

Eligible activities: Cleanup of illegal dump sites where solid waste has been disposed or abandoned. Examples include: removal of household waste, white goods, construction and demolition waste, furniture, etc., and disposed in a permitted facility or recycled.

Non-eligible activities: Cleanup of random littering. Example: random pieces of paper, plastic, aluminum drink containers, etc.

REIMBURSEMENT PROCEDURE

1. The political subdivision uses existing staff and equipment or contracts for the cleanup services.
2. Illegal dump site cleanup is completed.
3. The political subdivision completes an Illegal Dump Site Cleanup Request for Reimbursement Application Form and mails it to the Department of Environmental Quality, Waste Planning and Aid Unit, PO Box 98922, Lincoln, NE 68509-8922.
4. Department staff review the application.
5. If application is **complete and approved**, the political subdivision will be placed on the List for Future Payments in the order they are received.
6. If the application is **incomplete**, the application form will be returned to the political subdivision for further information.
7. If funds are available at the time of application approval, a disbursement document will be processed for reimbursement.
8. If funds are not available at the time of application approval, the political subdivision will remain on the List for Future Payments until funds are available.
9. The Department may prioritize applications to ensure equal geographic distribution throughout the state.

HOW TO COMPLETE THE APPLICATION FORM

All sections of the one-page application must be completely answered in order to have your application approved and placed on the List for Future Payments. Three completed application forms, based on three different scenarios are included as examples in Exhibit A.

The following must be provided in the appropriate section of the application:

1. Name of the political subdivision.
2. A federal identification number is required to process payments.
3. Mailing address where reimbursement payment is sent.
4. Name of contact person knowledgeable of the cleanup project and available to answer questions.
5. Legal description of the illegal dump site must include quarter, section, township, and range. Also, you must include directions from the nearest town which include county road names. Example: 3 miles west on Hwy. 12 and 1 mile north on Raven Road from Happy.
6. Date cleanup occurred. If work occurred over several days, please state each day.
7. Describe the types of solid waste that were cleaned up. Examples: 3 bags of household waste; 1 refrigerator; 2 dump truck loads of asphalt shingles and miscellaneous construction debris; or 4 tons of miscellaneous items including 12 white goods, 8 couches and chairs, and construction materials such as shingles, scrap metal, and waste wood.
8. State the total amount of reimbursement requested. You have two choices for submitting your expenses:
 1. Use the Schedule of Eligible Costs & Calculations on the back of the application form, or
 2. Submit documentation of your expenses.

The schedule of eligible costs was compiled from public and private sources across the state. The rates for equipment and transportation include the operator and maintenance. **If you chose to use the Schedule of Eligible Costs & Calculations**, you must complete the following steps:

- A. Insert the number of employees, number of hours, and a \$9.60 hourly rate, unless the Department approves a rate for a specialized laborer. Place the calculated amount in the far right column.
- B. Identify the type of equipment used, number of hours, and hourly rate from the list. Place the calculated amount in the far right column.
- C. Identify the type of vehicle used, number of miles, and \$.47/mile if using a pickup. If a different vehicle is used, contact the Department for the correct mileage rate. Place the calculated amount in the far right column.
- D. Place the total disposal fee in the far right column.

Calculate the total expenses and place in the far right column. This amount must agree with question 8 on the front of the form. **Attach a dated receipt for the disposal or collection fee.**

NOTE: You do not have to submit verification of hours spent and miles traveled with your reimbursement request. However, you must maintain these records as the political subdivision is subject to random audits by the Department or its agents. The auditor will review records and verify

the information submitted on the reimbursement application form.

If you choose to submit documentation of your expenses, instead of using the Schedule of Eligible Costs & Calculations, you must submit copies of timesheets identifying the time spent on the cleanup, payroll records verifying the hourly rate of employees, rental rates for equipment and vehicles, etc., or a copy of the invoice from a contractor. Include a list of each expense showing the total cost per invoice. The total cost must agree with question 8 on the front of the form.

All expenses submitted for reimbursement under this option will be subject to an eligibility test:

1. Are the expenses necessary to conduct the cleanup activity?
2. Is the amount reasonable for this type of cleanup activity?

You must select to either use the Schedule of Eligible Costs & Calculations or submit documentation. You can not submit some expenses using the schedule of eligible costs and document others unless the only documented expense is for a contractor.

9. Identify efforts taken to discourage future illegal dumping at this site. Please attach additional sheets if the space provided is not sufficient to identify all the activities. Examples may include signs, newspaper announcements, guard rails, fencing, consultation with appropriate law enforcement authorities, etc.

10. The authorized representative must sign the application form. An authorized representative is an individual with authority to do business for the political subdivision.

NOTE: The political subdivision must follow their required procurement standards when using a contractor.

GLOSSARY

Garbage means rejected food waste, including waste accumulation of animal, fruit, or vegetable matter used or intended for food or that attend to the preparation, use, cooking, dealing in, or storing of meat, fish, fowl, fruit, or vegetables.

Illegal dump site means any discrete locations along public roadways or road ditches where solid waste is disposed or abandoned. Any area contiguous to the public roadway or ditch, which is affected by the disposed or abandoned solid waste, is considered part of the illegal dump site.

Political subdivision means a division of the State formed pursuant to proper authority for the purpose of carrying out governmental or public functions, and includes counties, townships, cities, villages, districts, authorities, and other public corporations and entities, whether organized and existing under direct provisions of the Constitution of Nebraska or statutes of this State, or by virtue of charters or other corporate articles or instruments executed under authority of such constitution or laws.

Refuse means putrescible and non-putrescible solid waste, except body waste, and includes garbage, rubbish, ashes, incinerator ash, incinerator residue, street cleanings, industrial wastes, and other such wastes.

Sludge means any solid, semisolid or liquid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility exclusive of the treated effluent from a wastewater treatment plant.

Solid waste means any garbage, refuse, or sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility and other discarded material, including solid liquid, semisolid, or contained gaseous material resulting from industrial, commercial, and mining operations and from community activities, but solid waste shall not include solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under Section 402 of the Clean Water Act, as amended, 33 U.S.C. 1251 et seq., or source, special nuclear, or byproduct materials as defined by the Atomic Energy Act of 1954, as amended, 68 Stat. 923.

EXHIBIT A - EXAMPLES

The following are three scenarios describing possible activities to clean up an illegal dump site. Sample application forms are completed for each of the scenarios in the pages that follow.

Please contact the Waste Management Division, Planning and Aid Unit at 402-471-3388 if you have any questions about completing the application form.

SCENARIO ONE

Two employees used a county-owned pickup to load a refrigerator which was thrown in a county ditch. The refrigerator was delivered to the local transfer station. The employees spent 2 hours each and drove a total of 64 miles. The transfer station collection fee was \$18.00. See pages 5 & 6 to view the completed application form for this scenario.

SCENARIO TWO

Two dump truck loads of asphalt shingles and miscellaneous construction debris were dumped in a roadside ditch. Three employees were involved with the cleanup. Employee one spent 4 hours operating a loader to place the materials into the dump truck, employee two spent 4 hours operating the dump truck, and employee three spent 3 hours on manual cleanup. Employee three drove a pickup to the site for a total of 12 miles. The cost to dispose of the shingles was \$104.00. See pages 7 & 8 to view the completed application for this scenario.

SCENARIO THREE

Miscellaneous white goods, furniture, building materials, etc., were dumped along a public roadway extending approximately one block. The county paid ABC construction Company \$860.00 to remove the materials and haul them to the local landfill. See pages 9 & 10 to view the completed application form for this scenario.

ABC CONSTRUCTION COMPANY
420 Our Street
Happy, NE 68508

INVOICE

Date: April 5, 2001

TO: Evans County
123 Your Street
Happy, NE 68508

Services Provided:

Loaded and transported illegally dumped items to the Evans County Landfill
On April 1 and 3, 2001.

TOTAL DUE FOR SERVICES **\$860.00**