

EAST ARKANSAS REGIONAL SOLID WASTE MANAGEMENT DISTRICT

RULES REGARDING ADMINISTRATION
OF RECYCLING FUND GRANT PROGRAM
PURSUANT TO THE PROVISIONS OF
ARKANSAS CODE ANNOTATED § 8-6-615

Adopted _____

ARTICLE I

AUTHORITY, PURPOSE AND DEFINITIONS

Section 1. Authority.

Arkansas Code Annotated Section 8-6-615 provides that approved regional solid waste management districts shall annually receive its share of recycling grant funds from the Solid Waste Management and Recycling Fund of ADEQ in accordance with applicable law.

Section 2. Purpose.

Pursuant to such legislation, the Board desires to enact this regulation to provide for the administration and distribution of the District's share of the Solid Waste Management and Recycling Fund which shall be known as the Solid Waste Management and Recycling Grant Program.

Section 3. Definitions.

As used in this Regulation, the following definitions shall apply:

"ADEQ" means the Arkansas Department of Environmental Quality.

"Board" means the Board of the East Arkansas Regional Solid Waste Management District.

"District" means the East Arkansas Regional Solid Waste Management District.

"Grant Recipient" shall mean the entity which has had a grant application selected by the District and has been notified by the District that its application has received a grant award.

"Solid Waste" shall have the same meaning as the definition set forth in Regulation No. 22 as presently adopted or subsequently amended.

“Solid Waste Management and Recycling Grant Program” is the grant program administered by the District pursuant to the provisions of Arkansas Code Annotated 8-6-615.

ARTICLE II

ELIGIBILITY AND ELIGIBLE PROJECTS

Section 1. Eligibility. The following entities are eligible to apply for grant assistance: county governments and incorporated cities and towns located within the District.

Section 2. Eligible Projects. Projects eligible for grant assistance include, but are not limited to, the following:

- a. Solid Waste management planning that integrates Solid Waste reduction and landfill diversion.
- b. Public information and education programs that encourage Solid Waste reduction and recycling and stimulate demand for products produced from recycled materials.
- c. Waste and waste transfer facilities and equipment that integrate waste diversion and recycling into their operations.
- d. Activities that support material recovery facilities (recycling centers) including, but not limited to, facility costs, equipment costs, and logistical systems.
- e. Recycling and waste diversion activities associated with illegal dump abatement programs.
- f. Other Solid Waste stream reduction activities that divert the flow of

materials away from landfills to more beneficial use.

- g. Costs related to the daily administrative functions of the District's operations.

Section 3. Ineligible Expenses. The Solid Waste Management and Recycling Grant Program is a reimbursement grant program and eligible expenses must be incurred by a Grant Recipient only after a grant has been awarded. Any and all expenses incurred prior to grant award are ineligible and cannot be reimbursed to the Grant Recipient. The District reserves the right to deny reimbursement of any grant expense(s) to a Grant Recipient that the District considers inappropriate or ineligible for reimbursement.

ARTICLE III

GRANT APPLICATION PROCEDURE

Section 1. Pre-application. At the beginning of each annual grant round, a letter and pre-application form will be mailed to all county judges and to all mayors of incorporated cities and towns within the District notifying them of the grant round and application period. A listing of eligible grant projects, any local match requirement, and a submission deadline will be included in the notification.

Section 2. Board Review and Prioritization of Projects. Following receipt by the District of its share of the Solid Waste Management and Recycling Fund from ADEQ, the Board shall meet to review pre-applications received during the application period, set aside any unacceptable applications, and prioritize eligible applications for potential funding. If requested funding under the applications received exceeds the amount of the District's funding receipt from ADEQ, then the Board may withhold funding of a project until a future grant round or may adjust funding levels of any or all applications in

its sole discretion.

Section 3. Final Applications. Following the prioritization of the pre-applications by the Board, applicants will be provided a final application form and will be asked to submit applications and supporting documentation by a specified deadline. Final applications will be reviewed by the District's staff for a completeness determination. Applications not submitted by the applicable deadlines will not be considered for funding.

Section 4. Public Notice and Comment Period. Following the completeness determination of the final applications by the District staff, a listing of proposed applicants and projects will be published in a newspaper(s) of general circulation for the area(s) impacted by the proposed grant projects. Notice will be in the form of a legal notice that will appear a minimum of thirty (30) days prior to the date scheduled for the Board to determine the Grant Recipients. The notice shall, at a minimum provide applicant names, project names and amounts, and instructions for submission of comments, both orally and in writing. All comments received will be presented to the Board at a properly called meeting of the District for consideration prior to final funding approval.

Section 5. Selection of Grant Recipients. The Board shall review all final applications at a properly called meeting of the District and shall determine which final applications shall be granted. Grant awards will be executed an officer of the Board and an appropriate representative of each Grant Recipient.

ARTICLE IV

DISBURSEMENT OF GRANT FUNDS

Section 1. Reimbursement Procedure. A Grant Recipient can commence grant purchases immediately upon notification by the District that an applicant's grant has been

awarded and the Grant Recipient has executed all documents required by the District. Only items included in the budget of the approved grant application will be reimbursed. For expenses to be reimbursed, the Grant Recipient must submit the following:

- a. A detailed bill of sale or invoice of the item(s) purchased.
- b. A cancelled check copy (bank statement copy or 2-side proof showing cancellation) for each purchase.
- c. All capital equipment purchases of Three Hundred and 00/100 Dollars (\$300.00) or more must include applicable VIN, Serial#, detailed photos and physical location of the equipment purchased.

Section 2. Grant Fund Disbursement Procedure. The Grant Recipient shall submit reimbursement documents to the District staff for review and disbursement of grant funds to the Grant Recipient. The District staff will check the submitted documentation and determine the appropriate amount for reimbursement to the Grant Recipient. Expenses exceeding grant awards cannot be reimbursed to the Grant Recipient.

Section 3. Reimbursement Deadline. Grant Recipients will be allowed three (3) years from the date a grant was funded to complete the grant project and request reimbursement for project expenses as required herein.

Section 4. Unexpended Grant Funds. Grant Funds awarded to a Grant Recipient that remain unexpended because: (1) a project has been cancelled, (2) a project did not utilize all grant funds; or (3) the three (3) year grant expenditure deadline expires prior to the utilization of the grant funds, may be released to the District to be redistributed as all or part of another grant project. A request by a grant recipient to relinquish and release unspent funds to the District must be documented by a signed request by the Grant

Recipient and submitted to the District.

Section 5. Redistribution of Unexpended Grant Funds. The District shall review unspent grant funds and shall, when deemed appropriate, make funds available for other proposed grant project(s) whether separate from or included with the annual State Solid Waste and Recycling Fund disbursement to the District. Proposed projects using unexpended grant funds will follow the same grant application procedure provided for in this Regulation.

ARTICLE V

GRANT ACCEPTANCE REQUIREMENTS

Section 1. Minimum Conditions of Grant Acceptance. The Grant Recipient shall execute written documentation which shall require the Grant Recipient to comply with the following minimum conditions as a condition of the District's obligation to disburse grant funds to the Grant Recipient:

- a. Maintain accurate grant records with an itemized listing of grant expenses including purchase date(s), item(s) purchased, vendor(s), and purchase price(s), along with purchase documents (detailed invoice or bill of sale, cancelled check copies, and detailed photos, VIN #s and/or serial numbers of equipment purchased). This information shall be maintained by the Grant Recipient for a minimum of five (5) years from the date the grant was awarded.
- b. Compile and submit an annual report to the District including the itemized listing of grant expenses set forth herein and summarizing the progress made on the project and its impact on the facility or program. The physical

locations of equipment purchased shall also be listed in this report.

- c. Maintain information for the State Recycling Activity Survey, which is to be submitted through the District, for a period of five (5) years after the grant award. The quantities of materials recycled/diverted (tons, cubic yards, gallons, etc.) and any revenue received from the sale of wastes diverted or recycled should be recorded throughout the fiscal year (July 1 -June 30).
- d. All purchases of property, equipment and materials will be in accordance with the appropriate state purchasing law for the applicant entity.

ARTICLE VI

MISCELLANEOUS

Section 1. Term. These Regulations shall remain in full force and effect until such time as the Board modifies, amends or otherwise changes these Regulations.

Section 2. Severability. If any provision of these Regulations or the application thereof to any person, event or circumstance is held invalid, such invalidity shall not affect other provisions or applications of these Regulations which can be given effect without the invalid provisions or application, and to this end, the provisions of these Regulations are declared to be severable.

Section 3. Effective Date. The effective date of this regulation shall be thirty (30) days after filing under Arkansas law.

Chairman

Date Passed: _____