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TO: Nebraska Environmental Quality Council

FROM: David Haldeman, Waste Management Division Administrator 

DATE: September 23, 2015

RE: Explanatory Statement for proposed revisions to the Title 199 'Program Priority System'.

EXPLANATORY STATEMENT

The Waste Management Division requests your approval to revise the "Program Priority System" (PPS) used in the administration of the Title 199 – *Waste Reduction and Recycling Incentive Grants Program*. The PPS provides a numerical ranking on each grant application and is used by grant reviewers and the Director to make final award decisions.

Rationale

The proposed revisions respond to stakeholder comments received at the February 11, 2015, EQC hearing on the current PPS (attached) and two stakeholder outreach meetings held over the Summer of 2015. Stakeholders voiced a concern that the number of points available for recycling projects and market development for recyclables exceeded the points available for other types of projects. Stakeholders also voiced concern that the current system does not award higher points to source reduction projects.

Impact of the Proposed Changes

The revised PPS balances even treatment of various project types and purposes while continuing to fund projects pursuant to the policy preferences of Nebraska's solid waste management hierarchy in *Neb.Rev.Stat.* §13-2018. The revised PPS also adds simplicity for applicants and reviewers.

Section-by-Section Description of the Proposed Changes

Questions #1-10

Based on feedback received during stakeholder outreach, the content, wording, and sequence of Questions #1-10 have not been changed. The points available for each question are proposed to range from 0 to 3 points which represents no answer, low, medium, and high quality answers. This rating scale provides a simpler and more explicable scoring system than the current scale of

1-5 points. The adjustment of these points decreases the total points available in this section from 59% to 31%. The proposed Section 1 now amounts to roughly 1/3 of available points.

Question #11

Proposed Question #11 replaces current Questions #11-14. Proposed Question #11 allows for all project types to earn a maximum of 30 points. The question is inclusive, but not limited to, all of the possible project purposes listed in in *Neb. Rev. Stat.* §81-15,160(2) and Title 199, Ch. 2, Section 001. Question 11, part (j) was drafted by stakeholders during and after our 2nd outreach meeting and is proposed not only as a "catch-all" project category, but as a means of fostering innovation and changing mindsets as to what is possible. Both of these were strong themes of stakeholder meetings and are project areas which the Department wants to further encourage and fund. The proposed Section 2/Question #11 now amounts to roughly 1/3 of available points.

Question #12

Proposed Question #12 provides consistency with *The Waste Reduction and Recycling Incentive Act*, §81-15,161(5)(c). The section instructs the Director to “give consideration to eligible programs, projects, and studies which would specifically employ disabled or handicapped persons.”

Section 3

The points in Section 3 are awarded by NDEQ grant reviewers and are not asked as questions in the grant application. The solid waste hierarchy points have been doubled and the current category for studies has been removed. Studies will now be assigned points consistent with the waste reduction activity that is proposed to be studied, e.g. a study on increasing volume reduction at the source will be assigned 20 points. These proposed changes were a direct result of stakeholder comments.

The matching funds portion of Section 3 has been changed from 10% increments in the current PPS to 3 categories in the proposed PPS. These categories are: under 25% match – 0 points; 25% to 49% match – 5 points; 50% and over match – 10 points. This change was made to be more inclusive of various project types and scales while still encouraging the leveraging of state grant funds alongside other public and private funds.