



Act 101, Section 904

PROP MENTORSHIP SESSION:
Municipal Coordinators
June 7, 2023



Act 101, Section 904

- Municipal Recycling Program Performance Grants (904 Grants)
- Calendar Year 2022 Grant Application is available.
- Submission Deadline December 31, 2023, 11:59PM



The Basics

- All PA Municipalities are Eligible
- Grant Based on Documented Act 101 Materials - Residential and Commercial Recycling
- Awarded Yearly
- The More You Recycle, The More \$ You Get
- Utilization of Funds Affected by Act 140



Performance Grant Applications

- Applications must be submitted through the Department of Community and Economic Development's (DCED) Electronic Single Application web-site
- 20% Residue Rate - Standard
- Marketed Receipts from End User required for 0% residue - PROP Store List
- Environmental Justice Area's (EJ)
- Act 47 - Financially Distressed Municipalities (special consideration)



Performance Grant Applications

- Print verification that application was successfully submitted
- No need to mail DEP any documentation unless requested - Maintain records for 4 years from submission date
- Compliance with Act 101 and Act 140 verified - checklist (mandated/non-mandated)



Electronic Payment Program (PEPP)

- Payment Method - Electronic (ACH Banking)
- Partner Bank Type - example: BN01, BN02
- If your organization has not already signed-up, please enroll. Questions on completing the form, contact Commonwealth of PA, Data Management Unit at 717-346-2676 or 877-435-7363 (toll-free). *****Please email the completed form to: RA-PSC_SUPPLIER_REQUESTS@PA.GOV***
- It is important to enroll so payments are not held-up or delayed.



Worker Protection Form

- Executive Order 2021-06
- The Commonwealth is responsible for ensuring that every worker in Pennsylvania has a safe and healthy work environment and the protections afforded them through labor laws.
- Request or award - \$10,000 or more need the signed form
- Funds cannot be paid without the signed form
- Section in ESA - upload



Performance Grant Reviews

- Review Plan Approved by Comptroller
- 15% of Applications Will Have Some or All Documentation Reviewed
- Selection Based on Prior Experience, Increases/Decreases, Odd Numbers, or Randomly (from each County)
- Types of Reviews: Math, Sample, Full



Performance Application

- Eligible Materials
- Weight in Tons
- No Scrap
- Post-Consumer Material Only
- No Pre-Consumer
- No Tires, Leaves, Yard Waste
- Verifiable



Compliance

- Mandated Municipalities Need to be In Compliance With Act 101 AND Act 140
- Non-Mandated Municipalities (other than counties) Receiving Over \$10K Need to be In Compliance With Act 140
- All Applicants Must be In Compliance With Annual Reporting Requirements AND Any Other Applicable Requirements



Act 140 of 2006

- Act 140 of 2006 amended Act 101 and established requirements for the spending of performance grant awards
- Requires that mandated municipalities who receives 904 grant money and any municipality (non-mandated) who receives \$10,000 or more in 904 grant money must meet the Act 140 requirements (except counties)
- If the municipality has not met the Act 140 performance requirements, the grant funds shall be expended by the municipality to meet the requirements
- If the municipality has met the Act 140 requirements, the grant funds awarded may be expended by the municipality on any expense as determined in the discretion of the municipality



Act 140 of 2006

- Requires, through ordinance, that all residents have waste and recycling service.
- Has implemented residential recycling program and facilitates a commercial recycling program or participates in a similar county or multi-municipal program. Must be done through ordinance or contracted hauler.
- Has a residential and business education program. Provide education at a minimum of every six months.
- Has a program of enforcement that periodically monitors participation, receives complaints and issues warnings for required participants and provides fines, penalties, or both, in its recycling ordinance. The enforcement program should designate an enforcement person or entity.



Act 140 of 2006

- Has provisions, participates in a county or multi-municipal program, or facilitates a private sector program for the recycling of special materials. Examples include Tires, HHW, White Goods, Electronics, Oil and other similar materials.
- Sponsors a program, facilitates a program or supports an organization to address illegal dumping and/or littering problems. Local littering ordinance with an education component that informs residents. Participates in a county or non-profit organization program that address litter to include a local education component.
- Has a person or entity designated as recycling coordinator who is responsible for recycling data collection and reporting recycling program performance in the municipality or municipalities.



Environmental Justice Areas

- Environmental Justice (EJ) Areas: EJ is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation and enforcement of environmental laws, regulations and policies. EJ embodies the principles that communities should not be disproportionately exposed to adverse environmental impacts and anyone can have a seat at the table in the decision-making process that affects their environment.
- Pennsylvania DEP identifies an EJ Area where 20 percent or more individuals live at or below the federal poverty line, and/or 30 percent or more of the population identify as non-white minority, based on data from the U.S. Census Bureau and the federal guidelines for poverty.
- Special consideration will be given to those applicants identified in EJ Areas.



Calendar Year (CY) Reports

- Finalizing the *CY2019* & *CY2020* reports. They will soon be available on the DEP web-site.
- Creating the *CY2017* & *CY2018* reports. Figures imported from Access database to ESA.
- New process has been added by DCED on creating *CY* reports.



Trend – Applications Down?

- New System - ESA, COVID & Turnover in Staff
- CY2018 - 711
- CY2019 - 660
- CY2020 - 622
- CY2021 - 648
- Targeted Outreach: Co. & Reg Recycling Coord's., PSATS, Borough Assoc., DEP CRC's, Trainings, PROP, Survey's
- Suggestions for DEP?

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