



Division of Materials Management
Bureau of Solid Waste
625 Broadway, Albany, NY 12233-7260

New York State
Environmental Protection Fund

Household Hazardous Waste State Assistance Program

Grant Opportunity ID# DEC01-HHW-2021

Grants Gateway Application Guidelines

**Application Filing Deadline is
February 26, 2021 at 3:00 PM ET**

**Funding is limited to work completed during the period
January 1, 2020 through December 31, 2020**

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1.0 INTRODUCTION

What is Household Hazardous Waste?

Household hazardous waste (HHW) are materials found in household wastes that would be regulated as hazardous waste if they were generated outside of a household, such as at a business or industrial facility. Examples of HHW include, but are not limited to, oil-based paints, pesticides, automotive fluids, home hobby chemicals, and compact fluorescent bulbs.

HHW Collection Programs

A HHW collection day is an event where HHW is received from residents, properly packaged, and shipped to appropriate management facilities. Collection days are most often sponsored by a municipality, which hires a contractor to collect, separate and manage the waste received from residents. A collection day sponsor must submit an application for a 6 NYCRR Part 362-4 registration and must receive DEC's written approval prior to the collection day. In addition, the sponsor must notify the DEC regional office at least 30 days before any collection of HHW takes place.

Permitted HHW collection and storage facilities (often referred to as permanent HHW facilities) can receive HHW from residents on a regular basis. These facilities must receive a Part 362-4 permit from the DEC before construction or operation may begin. "Mobile HHW facilities" can also be included as a component of a permitted HHW collection and storage facility's permit to collect HHW at different locations throughout a municipality and consolidate it at the permitted facility for processing, packaging and shipping.

Funding Availability

For HHW collection programs to effectively reduce HHW, they must be readily accessible to residents, and must be accompanied by both promotion of the collection program and education about source reduction. To assist in achieving these goals, the State, through authorization provided by the Environmental Protection Act, provides funding to reimburse up to 50% of the costs of municipal HHW collection programs. The NYS Legislature must appropriate funding each state fiscal year for implementation of the HHW State Assistance Program. Accordingly, full 50% reimbursement is not guaranteed.

If any questions arise or any assistance is needed during the application process, please contact, as applicable:

DEC:

Phone: 518-402-8678

Email: RecyclingGrants@dec.ny.gov

Grants Reform Helpdesk:

Phone: 518-474-5595

Email: Grantsgateway@its.ny.gov

2.0 TIMETABLE OF KEY EVENTS:

Event:	Date:
Application Period Begins	January 4, 2021
Question & Answer Period Ends	February 19, 2021
Applications Due	February 26, 2021 at 3:00 PM
Award(s) Announced by (anticipated)	July 1, 2021
Contract Start and End Dates	January 1, 2020– December 21, 2020

3.0 ELIGIBILITY INFORMATION

Who is eligible to apply?

- Counties, Cities, Towns or Villages
- Local Public Authorities
- Local Public Benefit Corporations (organizations established by State Law)
- School Districts, Supervisory Districts & Improvement Districts
- Native American Tribes or Nations residing in New York State
- Any combination of the above

What projects are eligible?

Eligible projects can include reasonable municipal costs related to operating household hazardous waste collection programs or operating a household hazardous waste collection and storage facility or mobile collection facility and associated educational and promotional expenses. It is not necessary that all types of household hazardous waste be collected for the collection program to be eligible.

Important items to be kept in mind when applying:

- For this opportunity, an applicant can submit only one (1) application.
- Permitted HHW Collection and Storage Facilities must have a valid DEC permit to operate.
- Collection event programs must have valid DEC registration prior to conducting the collection event.
- Educational costs are eligible for reimbursement only if the municipality offers HHW collection.
- Payments are limited to no more than 50% of the eligible costs incurred by the applicant up to a maximum of \$2 million per project.
- If any Federal, State, or other assistance is received for the project, reimbursement will be limited to 50% of the net eligible costs incurred after deduction of any Federal, State, or other assistance received.
- Payments will be made only after a grant contract for the eligible portions of the proposed project is executed by all required State agencies and appropriate reimbursement requests / payment documentation have been reviewed and approved by the DEC.

Examples of ELIGIBLE Costs

Eligible costs include the following, to the extent that they are necessary for program operation:

1. Costs for one or more contractor(s) to accept, segregate, prepare for shipment, or transport household hazardous waste that is brought to the collection event or facility.
2. Costs for the actual recycling, treatment, or disposal of collected household hazardous wastes.
3. Costs for publicity, promotion, and public education directly related to operating a household hazardous waste collection program.

Generally, categories of HHW potentially eligible for up to 50% reimbursement may include:

Pesticides, corrosives, pool chemicals, driveway sealers, hazardous paints and stains, polishes and waxes, adhesives, solvents, hazardous cleaning products, antifreeze, vehicle fluids, fluorescent light tubes, compact fluorescent lamps (CFLs) and ballasts, photography chemicals, products containing mercury (excluding thermostats), and propane gas cylinders that still contain propane.

Examples of INELIGIBLE Costs

1. Costs incurred to conduct a household hazardous waste collection program if it is not fully implemented in accordance with the requirements of 6 NYCRR Subpart 362-4 regulations.
2. Costs incurred in preparing and submitting an application for state assistance.
3. Costs incurred outside of the grant contract term.
4. Costs defrayed by federal or other outside funding.
5. Costs related to, or for municipal staff and/or volunteers.
6. Indirect, overhead or in-kind costs.
7. Costs incurred in securing required permits from the DEC or any other permitting authority.
8. Program and facility operating costs, including, but not limited to, **office supplies and equipment, equipment service, office maintenance, internet service, telephone, utilities, health and safety equipment or training, mileage, travel expenses, fuel**, or other similar costs as determined by DEC.
9. Costs incurred for the collection and disposal of materials that have an established program for statewide take-back, product stewardship or return including, but not limited to **used oil, vehicle lead acid batteries, wireless telephones, electronic waste, mercury thermostats, rechargeable batteries** and any other similar materials as determined by the DEC.
10. Costs incurred from the collection, handling, and disposal of types of waste that would not meet the definition of household hazardous waste, including, but not limited to, **explosives, ammunition, emergency flares, empty containers, empty aerosol cans, alkaline batteries, rechargeable batteries, electronic waste, asbestos, bulk metal, white goods, construction and demolition debris, latex paint, empty paint cans, empty propane tanks, empty refrigerant cans, radioactive material, pharmaceutical waste, household medical waste, regulated medical waste, smoke detectors, fire extinguishers, tires, used oil and any miscellaneous materials and packaging** received.
11. Costs of a household hazardous waste collection event or collection events required by the DEC as part of an enforcement settlement (e.g., environmental benefit project, compliance order, or consent order).
12. Unnecessary or unreasonable costs as determined by the DEC.

No HHW Grant funds will be paid for projects, unless the collection is approved in advance by DEC.

4.0 APPLICATION PROCEDURES

4.1 New York State has implemented an electronic Grants Gateway system. The Grants Gateway is a statewide Governor's initiative to reform the contract process with the intention of making it easier for grantees to apply for and receive funding. Applicants must be registered in the Grants Gateway to apply for and receive HHW State Assistance grants.

4.2 GRANTS GATEWAY REGISTRATION

All NYS grant applicants must be registered in the NYS Grants Gateway to be eligible to:

- Apply for a NYS grant opportunity.
- Enter into a grant contract, an amendment to an existing contract, or a letter of agreement.
- Apply for future grant payments.

GRANTS GATEWAY REGISTRATION INSTRUCTIONS

Registration is NOT an online process. Register now to allow time for processing!!

1. On the Grants Reform Website at https://grantsgateway.ny.gov/IntelliGrants_NYSGG/pdf/nysgg/granteepackage.pdf and download a copy of the Registration Form for Administrator.
2. Complete the form according to the instructions provided. The completed form must be signed and notarized.
3. Mail the signed and notarized original form to address provided in the Submission Instruction section on page 2 of the Registration Form for Administrator.
4. After the form is received and reviewed, you will be provided with a Username and Password allowing you to access the Grants Gateway.
5. Log in to the Grants Gateway at <https://grantsgateway.ny.gov>. You will be prompted to change your Password at the bottom of your Profile page. Enter a new Password and click the SAVE button located on the top, right-hand side of the page.

If you have previously registered and do not know your Username please email grantsgateway@its.ny.gov. If you do not know your Password, please click the Forgot Password link from the main log in page and follow the prompts.

4.3 A municipality may file an application for a new HHW State Assistance grant with the approval and direction of its governing body. If the applicant's Governing Body requires a resolution to apply for and accept a grant, please do this before submitting the application.

An individual must be logged in under the correct role to initiate, complete or submit a grant application. See summary of roles:

- “**Grantee**” role can initiate, edit, or save a grant application, but cannot submit the application.
- “**Grantee Contract Signatory**” role can initiate, edit, save, and submit (sign) a grant application.
- “**Grantee System Administrator**” role has the same rights as the Grantee Contract Signatory.
- “**Grantee Delegated Administrator**” role can NOT initiate an application. This user creates users and assigns roles.

4.4 To complete an application, applicants must complete these components in the Grants Gateway:

- A. Program Specific Questions – answer all applicable questions online in the Grants Gateway
 - Upload Schedule of Purchases – complete the form and upload
 - Upload Payment Background Documents
 - Upload HHW collection annual report. For collection events upload the signed approval letter from DEC.
- B. Work Plan Overview and Workplan Properties – review default text; change if needed
- C. Input an Expenditure Budget consistent with the Schedule of Purchases
- D. Upload Proof of Applicant's Workers' Compensation Insurance
- E. Upload Proof of Applicant's Disability Insurance
- F. Upload a signed Sexual Harassment Prevention Certification (Attachment S) form
- G. Vendor Responsibility Information, if applicable (see section 4.8).

4.5 Applications will be accepted by the DEC **during the months of January and February** of each calendar year for the previous calendar year period. All applications must be filed via the Grants Gateway during this two-month period. Applications filed after the deadline on the cover of this RFA will not be accepted. Acceptance of an application and determination by the DEC that an application is complete is not to be interpreted as a guarantee or promise of funding. If an application is determined by the DEC to be incomplete, the applicant will be notified by the DEC. Minor omissions may be corrected per DEC direction. Major omissions will result in a disapproval of the application.

4.6 Only applicants who submit complete applications, as evaluated by the DEC, will be eligible for State assistance payments. A project application will be reviewed and may be approved, disapproved or modified by the DEC. Complete applications will be evaluated by the DEC and, if acceptable, will be approved for state assistance of up to 50% of eligible costs. If there are insufficient funds to provide 50% reimbursement to all applications, the DEC may either lower the percentage or set a maximum dollar amount to be provided to each municipality. This lowered percentage or maximum dollar amount will be the same for all municipalities that submit a complete application.

4.7 Proof of Workers Compensation and Disability Benefits Insurance

Evidence of Workers' Compensation and Employers Liability coverage must be provided on one of the following forms:

- | | |
|-----------------|--|
| C-105.2 | Certificate of Workers' Compensation Insurance (Sept 2007, or current version) |
| U-26.3 | State Insurance Fund Version of the C-105.2 form |
| SI-12/GSI-105.2 | Certificate of Workers' Compensation Self-Insurance |
| CE-200 | Certificate of Attestation of Exemption |

If the form includes "Entity Requesting Proof of Coverage (Entity being listed as the Certificate Holder)," specify the "NYS Dept. of Environ. Conservation, 625 Broadway, Albany, NY 12233-7250."

Evidence of Disability Benefits coverage must be provided on one of the following forms

- | | |
|----------|---|
| DB-120.1 | Certificate of Insurance Coverage under the NYS Disability Benefits Law |
| DB-155 | Certificate of Disability Self-Insurance |
| CE-200 | Certificate of Attestation of Exemption |

If the form includes "Entity Requesting Proof of Coverage (Entity being listed as the Certificate Holder)," specify the "NYS Dept. of Environ. Conservation, 625 Broadway, Albany, NY 12233-7250."

- 4.8 Vendor Responsibility Requirement: (Applicable to projects where a project subcontractor is paid \$100,000 or more.) Contractors and/or subcontractors are subject to a vendor responsibility review by the State to ensure public dollars are being spent appropriately with responsible contractors. A vendor responsibility review may include a contractor and/or subcontractor to present evidence of its continuing legal authority to do business in NYS, integrity, experience, ability, prior performance, and organizational and financial capacity. Contractors or subcontractors that receive contract funding valued at \$100,000 or more must complete a Vendor Responsibility Questionnaire.

To enroll in and use the NYS VendRep System, see the VendRep System instructions available at https://www.osc.state.ny.us/vendrep/info_vrsystem.htm or go directly to the VendRep System at <https://portal.osc.state.ny.us>.

- 4.9 Sexual Harassment Prevention Certification: State Finance Law §139-I requires all applicants of grant funding to certify that they have a written policy addressing sexual harassment prevention in the workplace and provide annual sexual harassment training (that meets the Department of Labor's model policy and training standards) to all its employees.

Applications that do not contain the certification will not be considered for award; provided however, that if the applicant cannot make the certification, the applicant may provide a signed statement with their application detailing the reasons why the certification cannot be made. After review and consideration of such statement, the Department may reject the application or may decide there are sufficient reasons to accept the application without such certification.

Applicants are required to complete and sign the Sexual Harassment Prevention Certification form, and upload the completed form to the upload window of Program Specific Question 20.

5.0 CONTRACTING AND PAYMENT PROCEDURES

5.1 Department of Environmental Conservation Oversight

The Department of Environmental Conservation reserves the right to:

- a. Award additional and available funding for projects consistent with this grant opportunity.
- b. Partially fund an application if the partially-funded portion can be demonstrated to meet the criteria for this RFA.
- c. Reject any or all applications in response to the RFA at DEC's sole discretion.
- d. Reduce an award from the amount requested in the application, should the project budget contain costs considered ineligible under this grant program.
- e. Award an agreement for any or all parts of the RFA in accordance with the method of award, or withdraw the RFA at any time, at DEC's sole discretion.
- f. Award to the next application in the event a grantee fails to negotiate a grant contract with DEC within 60-90 days of a grant award.
- g. Monitor the progress of all grant awards and withdraw grant funding if the grantee failed to receive the necessary permissions and permits for the project, as applicable.

If an application is determined by DEC to be incomplete, the applicant will be notified by DEC, and the application may be revised and resubmitted at the discretion of DEC. DEC, at its own discretion, will establish a deadline for resubmission of the application, which in no instance will exceed 30 calendar days after notification that an application is incomplete.

DEC is authorized, at its own discretion, to combine applications from municipalities in overlapping jurisdictions.

5.2 Method of Award

Complete applications will be evaluated by DEC and, if acceptable, will be approved for State assistance for up to 50 percent of eligible costs. Acceptable projects are those that include all application components described in Section 4.4 of this RFA.

If there are insufficient funds to provide 50 percent reimbursement for all acceptable applications, DEC may either lower the percentage or set a dollar maximum on the level of funding to be provided to each municipality. In the event DEC lowers the maximum reimbursement percentage, the lowered percentage or dollar maximum will be the same for all municipalities that submit an acceptable and approved application.

5.3 Master Contract for Grants

1. Upon approval by DEC of an application, a municipality must enter into a Master Contract for Grants. The Master Contract for Grants can be viewed at: <https://www.grantsreform.ny.gov>.
2. The HHW Grant Contract will include: The statewide Master Contract for Grants, Attachment A-1 Program Specific Terms and Conditions, Attachment B-1 Expenditure Based Budget, Attachment C – Work Plan and Attachment D – Payment and Reporting Schedule. The project Work Plan and Expenditure Based Budget are drafted by the Applicant and approved by DEC prior to the Contract being sent to the grantee for signature. Once the Applicant has signed the Contract, DEC will execute the contract. For contracts valued at more than \$50,000, approval by the Office of the State Attorney General and the Office of the State Comptroller is also required. Applicants must carefully review and fully understand all Master Contract for Grants terms and conditions and be prepared to comply with all terms and conditions should a grant be awarded.

5.4 Payment Procedures

1. Upon execution of a contract, and completion of purchases, the grantee may request up to 50% reimbursement for the eligible costs of the project.
2. Payment requests are NOT yet incorporated into the Grants Gateway for the HHW program. Payment requests include a completed State Aid Voucher and must contain all supporting documents (vendor invoice, purchase order, cancelled check) for the expenses claimed.
3. After review of a payment request, DEC may approve, disapprove or modify the amount of funds reimbursed. Payment will not exceed the approved grant contract amount.
4. DEC may conduct an inspection of the project before deciding on payment approval. In no case will payment exceed the total Master Contract for Grants funding amount specified on the contract.
5. DEC or the NYS Office of the State Comptroller may conduct an audit of payment records at any time during this period and up to six years after the final payment is disbursed to the municipality.

6.0 INSTRUCTIONS FOR REPORTING

Since all HHW State assistance applications are submitted after HHW collection activities have been completed, the annual report required by 6 NYCRR Part 362-4 must be completed and uploaded with a grant application. See Program Specific Question #14.

7.0 PROGRAM SPECIFIC QUESTIONS

The following questions must be answered online in the Grants Gateway. They are copied here to allow for previewing before completing online. It is recommended that applicants generate, edit and save responses in this format, then cut and paste the finalized responses into the Grants Gateway screens. Please do not submit this information in paper form.

Answer all questions. If the proper response to a question is No or N/A, write N/A in the box.

1. Did the person(s) completing this application read the "Grants Gateway Application Guidelines and Request for Applications" for this grant opportunity, and do they understand that this application must be submitted prior to 3:00 pm on February 26?
2. Applicant Type (Eligibility check): Enter the applicant's organization type from the list below.
 - County, City, Town or Village
 - Local Public Authority
 - Local Public Benefit Corporation (established by NYS Law)
 - School Districts, Supervisory Districts or Improvement Districts
 - Native American Tribes or Nations residing in New York State
3. Enter a Contact Person's Name, Email address, Mailing Address, and Phone number for this project.
4. What is the service area of the project, population, and total attendance at the HHW collection(s)?
5. What are the dates of the collection events or collection days, locations and hours of operation?
6. What categories of wastes are collected? (include ALL wastes collected, even if not grant-eligible)
7. Describe the methods used to manage the collected HHW.
8. Enter a list of education and promotion work products (e.g., brochures, mailers, advertisements, promotional items, etc.) developed under this project. Upload copies of all documents and media used to promote the project.
9. Describe efforts to coordinate and consolidate HHW collection programs among municipalities.
10. Describe the use of any innovative or cost-effective methods to manage the collected HHW.
11. Describe all local, state, or federal permits or authorizations required for the project. Include permit numbers, if applicable.
12. Describe any state, federal, or other financial assistance for this project, received directly or indirectly or pending for this project or of any rebates or refunds or cost recovery for this project.

13. Certify that all services for this project are solicited and procured in accordance with the General Municipal Law (GML) and other applicable laws.
14. Upload a copy of the annual report required under 6 NYCRR Subpart 362-4 and 360.19(k)(3) for the HHW collection for which funding is requested, AND for collection events upload the signed approval letter from DEC.
15. Upload a completed Schedule of Purchases form (see page 12).
16. Upload supporting payment documents (Invoices, HHW Advertisements, Manifests and Canceled Checks) and documents for collection events.
17. Upload Proof of Workers' Compensation Insurance (See Guidelines Section 4.7)
18. Upload Proof of Disability Insurance (See Guidelines Section 4.7)
19. Are any vendors expected to receive \$100,000 or more from this project? If yes, they must complete and update a Vendor Responsibility Questionnaire, and are subject to a review by the Office of State Comptroller. (See Guidelines Section 4.8)
20. Upload a completed Sexual Harassment Prevention Certification (See Guidelines Section 4.9)
21. Overflow Upload window. Use if any above upload was too large.

Additional information may be required based on review of the responses to these questions.

Instructions: To Complete this Application

1. Complete the Work Plan Overview Form.
 - a. Go to the Workplan Overview link in the Forms Menu.
 - b. Enter the project start and end dates (January 1, and December 31, of 2020).
 - c. In the Project Summary Section of the Workplan, this default text appears: "The Department of Environmental Conservation (DEC) administers the Household Hazardous Waste State Assistance Program to assist municipalities with grant funds for household hazardous waste (HHW) management.

The grantee conducts an environmentally sound program for HHW collection and disposal, including promotion of the HHW collection program during the contract term. The HHW collection program must comply with 6 NYCRR Parts 360 and 362. All HHW collection must be done in accordance with a DEC approved collection event registration or facility permit. The grantee will submit all required HHW reports.

The grantee will request up to 50 percent reimbursement under this contract for reasonable expenses necessary for collection and disposal of HHW. DEC will review expenses to determine eligibility for 50 percent reimbursement under this contract."

2. Go to the Workplan Properties link in Forms Menu
 - a. Review the default Objectives and Tasks.
 - b. Utilize the performance measures to explain how you accomplished each task.

3. Use the completed SCHEDULE OF PURCHASES to Enter the Expenditure Budget Items in Forms Menu.

Instructions: To submit the application after the above items are completed, go to Status Changes.

Under APPLICATION SUBMITTED, click the APPLY STATUS button.

Read the Agreement, Click on "I Agree" Button.

HHW State Assistance Program SCHEDULE OF PURCHASES

Applicant:	
What is the calendar year covered by this request? January – December	

A. Contractual Expenses for HHW Collection or Disposal (Contractual costs)

	Description of Expense & Vendor	Check Number	Check Date	Amount
1				\$
2				\$
3				\$
4	Subtotal Contractual Amount (Add lines 1-3)			\$
5	Subtract Cost of Ineligible Wastes (Asbestos, Electronics, Latex Paint, Tires, etc. see pg. 5)			-\$
6	Subtract Costs for CESQG, farm and municipality's wastes			-\$
7	Subtract funds received directly from participants, or other financial assistance			-\$
8	Total Eligible HHW Management Costs (line 4 minus lines 5-7)			\$
9	State Grant Funds (50% of Line #8)			\$
10	Local Match Funds (50% of Line #8)			\$

Copy the amounts in lines 9 and 10 to Forms Menu > Expenditure Budget > Contractual

B. Public Education/Promotion/Educational Expenses (Other Expenses)

	Description of Expense & Vendor	Check Number	Check Date	Amount
11				\$
12				\$
13				\$
14				\$
15				\$
16				\$
17				\$
18				\$
19				\$
20				\$
21	Total Public Education Amount (Add lines 11-20) insert more lines if needed			\$
22	State Grant Funds (50% of Line #21)			\$
23	Local Match Funds (50% of Line #21)			\$

Copy the amounts in lines 22 and 23 to Forms Menu > Expenditure Budget > Other Expenses Detail

Total Contractual and Education Expenses	(Add lines 8 and 21)	\$
State Assistance Requested	(Add lines 9 and 22)	\$

Attachment S

Sexual Harassment Prevention Certification Form

By submission of this application, each applicant and each person signing on behalf of any applicant certifies, and in the case of a partnering application each party thereto certifies as to its own organization, under penalty of perjury, that the applicant has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of section two hundred one-g of the labor law.

Applicant: _____

Signature: _____

Print Name and Title: _____

Date: _____

If the above certification cannot be made, the applicant must submit a signed statement below detailing the reasons why the certification cannot be made.

Applicant: _____

Signature: _____

Print Name and Title: _____

Date: _____