

Commonwealth of Virginia
Department of Environmental Quality

**SUBJECT: Division of Land Protection & Revitalization Guidance
Document No. DEQ-LPR-2 — GUIDELINES FOR THE VIRGINIA
LITTER PREVENTION AND RECYCLING GRANTS**

**TO: Applicants Receiving Litter Prevention & Recycling Grants – Virginia
Localities**

FROM: Kathryn Perszyk 
Director, Land Protection & Revitalization Division

DATE: March 17, 2022

Summary: The Code of Virginia, § 10.1-1422.04, directs DEQ to award grants to localities that apply for local litter prevention and recycling grants and meet the eligibility requirements established in the Department's Guidelines for Litter Prevention and Recycling Grants (DEQ-LPR-2).

The Guidelines were updated to include the funding per § 10.1-1422.01 for the operation of public information campaigns to discourage the sale and use of expanded polystyrene (EPS) products. The updated Guidelines were approved by the Litter Fund Board at their December 2021 public meeting.

Electronic Copy: Once effective, an electronic copy of this guidance will be available on the Virginia Regulatory Town Hall under the Department of Environmental Quality at <https://townhall.virginia.gov/L/gdocs.cfm?boardid=53>

Contact Information: Please contact Sanjay Thirunagari at (804) 659-1532 or sanjay.thirunagari@deq.virginia.gov with any questions regarding the application of this guidance.

Certification: As required by Subsection B of § 2.2-4002.1 of the APA, the agency certifies that this guidance document conforms to the definition of a guidance document in § 2.2-4101 of the Code of Virginia.

Disclaimer: *This document is provided as guidance and, as such, set forth standard operation procedures for the agency. However, it does not mandate or prohibit any particular action not otherwise required or prohibited by law or regulation. If alternative proposals are made, such proposals will be reviewed and accepted or denied based on their technical adequacy and compliance with appropriate laws and regulations.*



GUIDELINES FOR THE VIRGINIA LITTER PREVENTION AND RECYCLING GRANTS (DEQ-LPR-2)

Note: Section 1 includes the current guidelines for DEQ non-competitive grants, Section 2 for competitive grants, and Section 3 for the operation of public information campaigns to discourage the sale and use of expanded polystyrene products.

Funding is available to Virginia localities from the Litter Prevention and Recycling Fund as non-competitive grants based on population and road miles, *if* the locality has an eligible program as identified in Section I.B and C below.

These grants are provided by funds generated by taxes enacted under Section 58.1-1700 to 58.1-1710 of the Code of Virginia and through authority granted to the Department of Environmental Quality (DEQ) under Section 10.1-1422 of the Code of Virginia. These guidelines supersede all previous regulations and guidelines relating to these grant funds.

1. **DEQ NON-COMPETITIVE GRANTS:**

I. **ELIGIBILITY**

- A. All cities, counties, and incorporated towns in Virginia are eligible if they have eligible litter prevention and/or recycling program.
- B. An eligible program must include at least **two** elements of a **comprehensive program**. The elements of a comprehensive program are:
 - i. Planning and Organization
 - ii. Recycling
 - iii. Youth Education
 - iv. Cleanups
 - v. Law Enforcement
 - vi. Public Communication
 - vii. "Adopt-A" Programs sponsored by the locality
- C. An eligible program may also include any of the non-disposal elements of waste management (source reduction, reuse, and recycling) in the locality's approved Solid Waste Management Plan. Procurement of recycled goods may also be included.
- D. All completed forms must be received by their corresponding deadlines by DEQ for grants to be paid. Non-competitive litter grant applications for the upcoming grant year are due by **June 30th** of the current year. Non-competitive litter grant accounting and performance reports for funds awarded in the preceding year are due by **August 1st** of the current year.
- E. Localities may apply singly or as a participant in a Cooperative Program. A Cooperative Program consists of two or more localities joining together and combining grant funds to implement one program. One application form is submitted for the Cooperative Program by a Coordinating Agency, which may be one of the participating localities or a non-governmental

agency. The Coordinating Agency submits an executed original application that lists each participating locality. Also, the Coordinating Agency will be responsible for submitting the required Performance and Accounting Report on behalf of the participating localities.

- F. For Cooperative Programs among units of local governments only, the Coordinating Agency shall affirm that a written Agreement with each participating locality is on file. Such Agreement shall expressly authorize the Coordinating Agency to apply on behalf of each participating locality.
- G. For Cooperative Programs implemented by a non-governmental agency, the Coordinating Agency shall include, in addition to the Application, written evidence that the Coordinating Agency is acting for and accepting funds on behalf of each participating locality. This evidence shall include one of the following:
 - i. copies of the Agreements that originally established the Coordinating Agency by the participating local governments;
 - ii. signature by each locality's manager on the Application form itself; or,
 - iii. any other applicable documentation which indicates the localities' desire for the non-governmental agency to accept funding and provide services on their behalf.
- H. Applications shall be submitted by individual authorized to request such funding and who is responsible for documenting its use in support of the litter prevention and recycling program efforts. For individual locality applications, this is the County Administrator, City Manager, or Town Manager. For Coordinating Agencies that are non-governmental, the application shall be signed by the Coordinating Agency's Executive Director, and include documentation specified in II.G above.
- I. Application forms must include the correct Federal Identification Number (FIN) and Federal Information Processing Standards (FIPS) numbers for the locality designated to receive the grant amount. Application forms for Cooperative Programs must include only the FIN and FIPS numbers of the Coordinating Agency. Missing or incorrect FIN or FIPS numbers on the Grant Application form may result in a delay in awarding the grant amount.

II. FUNDING PROCESS

- A. The grant amount will be sent directly to each locality. For localities participating in a Cooperative Program, the total grant amount will be sent directly to the Coordinating Agency designated on the application form. Notifications of the award will be sent electronically to the authorized Signatory on the grant application unless another email address is provided.
- B. Any unexpended funds at the end of the previous grant year will be deducted from the new grant amount that is to be awarded in the current grant year.
- C. If a locality receives money from a previous year but does not submit a Performance Report and an Accounting Report, the Fund Board may request that DEQ submit an invoice to those localities for their unreported funds.
- D. Funds will not be released/awarded to the locality/applicant unless a completed Performance Report and Accounting Report for the previous grant program year is submitted by the proper authority, and accepted by DEQ.

- E. Awards will be processed out as funds are released to DEQ by the Treasurer. This occurs after the close of the Commonwealth's Fiscal Year, and reconciliations by the Treasurer. Until the funds are released, no grant payments can be processed. Grants are typically awarded beginning in September of each year.

III. AUTHORIZED USES OF FUNDS

- A. The grant shall be used for litter prevention and recycling program implementation, continuation, and/or expansion. Authorized uses of the grant funds include:
 - 1. Salaries, wages, or other personnel costs
 - 2. Office supplies, postage, telephone
 - 3. Printing and program materials
 - 4. Travel expenses
 - 5. Locally conducted meetings, workshops, and awards
 - 6. Audiovisual material on litter or recycling
 - 7. Equipment such as: educational, litter receptacles, recycling, source reduction and reuse equipment, audiovisual, safety, and the renting of such equipment
 - 8. Award materials
 - 9. Cleanup supplies
 - 10. Annual dues for solid waste related associations (Maximum cap of \$100)
 - 11. Litter collection and/or recycling collection contracts
 - 12. Solid Waste Disposal fees, fuel, and transportation ONLY ASSOCIATED with a volunteer cleanup

B. Grant Fund Expense Categories:

- 1. Salary, Wages, and Fringe Benefits
- 2. Supplies
- 3. Contractual Services
- 4. Travel
- 5. Other

The non-competitive litter prevention and recycling grant funds are to be used ONLY to support the educational activities of the litter and recycling programs in the localities. Funding is to be used for educational activities that support anti-littering and pro-recycling efforts. Purchasing equipment such as computers, cell phones, desks, etc. is no longer permissible because it is possible for this type of equipment to be used to support programs other than just the litter and recycling program. If a litter program manager wants to spend funding in a way that is not addressed by the guidelines, or he/she believes that a purchase should be justifiable as an essential supply; he/she may contact DEQ. DEQ will consider the request and will inform the locality on the decision.

Salary, Wages and Fringe Benefits: Money paid to support the litter and recycling program managers.

Essential Supplies: Includes office supplies, postage and telephone expenses necessary to administer the program, premiums to promote the litter and recycling program. Essential supplies can include litter and recycling materials and supplies such as litter grabbers, trash can liners and lids, premiums and any other expendable supplies used solely in the litter and recycling program that are deemed as essential for educating the

public about litter prevention and recycling. Non-essential items such as food, t-shirts, ponchos, etc. are **not** considered essential and the grant funds may not be used for non-essential items. Trash cans and recycling bins may be purchased if they are part of your anti-littering campaign and they serve to educate the public as to how and where to appropriately dispose of litter.

Contractual Services: Funding to support the litter and recycling program. Includes contracts to groups/individuals/businesses for conducting litter cleanups, household hazardous waste day collections, tire amnesty programs, arrangements made with groups to conduct litter cleanups or sorting of recycling. Contractual services may include payments for school programs such as assemblies with litter and recycling themes and payment for printing educational materials. Although the litter and recycling money cannot be used for payment of ongoing waste disposal fees; if the waste disposal fee is directly related to a volunteer litter cleanup, the money may be used for the disposal of the collected litter. Contractual Services may also include the rental of backhoes or dump trucks in association with volunteer litter cleanups only.

Travel: Includes registration for litter and recycling conferences and workshops including mileage, lodging and meals. All travel related expenditures are required to meet state guidelines. Refer to the state guidelines for reimbursable mileage rates for use of vehicles.

Other: Any other expenses associated with the litter and recycling program that are allowable in the guidelines. For questions about whether or not an item may or may not be included; contact the litter prevention and recycling grant coordinator at (804) 698-4000 or at va-landr@deq.virginia.gov.

IV. UNAUTHORIZED USES OF GRANT FUNDS

Grant funds shall not be used for the following:

- A. Meals associated with award events. Applicants are encouraged to use other sources of funds for such purposes.
- B. Purchase of mass media time or space over \$500.
- C. For any project or item not directly related to litter prevention or recycling, including (but not limited to):
 1. Beautification projects, landscaping, purchase of trees or shrubs, or lawn services.
 2. Purchase of equipment for lawn maintenance or for collection, transportation, and disposal of solid waste.

V. GENERAL ACCOUNTABILITY: PERFORMANCE AND ACCOUNTING REPORTS

The Applicant shall keep accounting records for the grant funds. A [Performance Report](#) (electronically via Survey Monkey) and an [Accounting Report](#) (via mail) for the previous grant program year shall be submitted to **DEQ no later than August 1st**. Subsequent grants shall not be approved until the Performance Report and Accounting Report Form for the previous grant program year have been received by DEQ. The Performance Report and Accounting Report must be signed by the County Administrator, City Manager, Town Manager or the locality's or Coordinating Agency's Chief Financial Officer. For a non-governmental agency, the Performance Report and Accounting Report form shall be signed by the agency's Executive Director or Chief Financial Officer.

VI. RETURN OF GRANT FUNDS

Funds not used or accounted for in compliance with these Guidelines and the Application shall be returned by the Applicant to DEQ. A locality participating in a Cooperative Program shall be liable for its pro rata share of the total liability.

2. DEQ COMPETITIVE GRANTS:

I. ELIGIBILITY

- i. All cities, counties, and incorporated towns in Virginia are eligible if they receive the DEQ litter prevention and recycling non-competitive grant.
- ii. An eligible program must use the funds to develop and implement statewide and regional litter prevention and recycling educational programs and pilot projects.
- iii. The grant applications will be reviewed by the Board and its recommendation will be submitted to the Director of DEQ for final approval.

II. FUNDING PROCESS

- A. The amount of the funds available for this grant program is expected to be 5% of the net resources allocated for the Litter Control and Recycling Fund (Fund).
- B. Grants will be awarded annually following the distribution of the tax money to the Fund.
- C. Each recipient will receive 100% of the awarded amount from DEQ, following the announcement of the grant being awarded.

III. APPLICATION REQUIREMENTS AND DEADLINE

- A. Use only the DEQ grant application form.
- B. All applications must be postmarked by **July 15th** of the current year.
- C. The tentative date for the announcement of the applications approved for funding is November 15th or earlier.

IV. UNAUTHORIZED USES OF GRANT FUNDS

Grant funds shall not be used for the following:

- A. Purchase of mass media time or space over \$500.
- B. Leasing or building any real estate.
- C. Salary and wages.

V. PERFORMANCE AND ACCOUNTING REPORTS

- A. The Applicant shall keep performance and accounting records for the grant funds used.
- B. At the end of the project, the Final Performance Report and Accounting Report shall be submitted to DEQ no later than **August 1st** of the current year.

- C. The Performance Report and Accounting Report must both be signed by the County Administrator, City Manager, Town Manager or the locality's or Coordinating Agency's Chief Financial Officer. For a non-governmental agency, the Performance Report and Accounting Report form shall be signed by the agency's Executive Director or Chief Financial Officer.
- D. All remaining unspent competitive grant funds at the end of the previous grant year will be will be deducted from future non-competitive grants.

3. FUNDING FOR PUBLIC INFORMATION CAMPAIGNS:

Funding for the operation of public information campaigns to discourage the sale and use of expanded polystyrene products.

I. ELIGIBILITY

- i. The 2021 General Assembly allocated up to 5% of the net resources allocated for the Litter Control and Recycling Fund (Fund) for the operation of public information campaigns to discourage the sale and use of expanded polystyrene products and to promote alternatives to expanded polystyrene in the Commonwealth.
- ii. Localities applying for the non-competitive litter grant and opting to implement this campaign will receive additional funds for this purpose. The campaign should be targeted to achieve the goals and work with the food vendors in accordance with Section 10.1-1424.3 of code of Virginia.

II. REPORTING

Localities shall provide the status on the public information campaign along with the other information as part of the non-competitive litter grant reporting.

4. SUBMISSION

Mail completed forms to:

Virginia Department of Environmental Quality
Litter Prevention and Recycling Grants Program
P.O. Box 1105
Richmond, VA 23218

For Certified Mail, send completed forms to:

Virginia Department of Environmental Quality
Litter Prevention and Recycling Grants Program
1111 East Main Street, Suite 1400
Richmond, VA 23219

For more information, contact the DEQ litter prevention and recycling grant coordinator at **(804)698-4000** or via email at va-landr@deq.virginia.gov.

Please contact DEQ before the deadline if you have questions.

Revision Date: March 2022