

**RULES
OF
TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
SOLID WASTE MANAGEMENT**

**0400-11-02
CHALLENGE GRANTS FOR WASTE REDUCTIONS**

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0400-11-02-.01 PURPOSE AND SCOPE.

- (1) This rule is established in order to set standards and procedures that are necessary for the administration of the grant program established by T.C.A. § 68-212-205(d).
- (2) This program shall be known as the Challenge Grants Program. The purpose of the Program is to assist in the development and implementation of programs to prevent, minimize, recycle, or eliminate toxic and/or hazardous waste generation in keeping with the policy of the state, that "...wherever feasible, the generation of hazardous waste is to be reduced or eliminated as expeditiously as possible. Waste that is nevertheless generated should, in order of priority, be reduced at its source, recovered and reused, recycled, treated, or disposed of so as to minimize the present and future threat to human health and the environment." (T.C.A. § 68-212-201(b)).
- (3) There shall be two (2) broad categories of Challenge Grants. One category shall be for research to encourage the development of new technology for the reduction or better treatment of hazardous waste. The other category shall encourage generators of hazardous waste to adopt and adapt more appropriate technologies that reduce or better treat hazardous waste.

Authority: T.C.A. §§ 68-212-201 et seq. and 4-5-201 et seq. **Administrative History:** Original rule filed June 19, 2012; effective September 17, 2012.

0400-11-02-.02 ELIGIBLE PROJECTS.

- (1) All Tennessee businesses, industries, trade associations and institutions of higher education are eligible to submit a proposal for a challenge grant if the project is located in Tennessee.
- (2) Generator projects will involve the study of the applicability of waste reduction techniques to determine the effectiveness of that waste reduction technique at the applicant's facility.
- (3) Research projects will involve the evaluation of new waste reduction methods or technology. Research projects will determine if the method or technology is practical for use by hazardous waste generators in Tennessee.

Authority: T.C.A. §§ 68-212-201 et seq. and 4-5-201 et seq. **Administrative History:** Original rule filed June 19, 2012; effective September 17, 2012.

0400-11-02-.03 FUNDING.

- (1) No individual grant shall exceed ten thousand dollars (\$10,000).

(Rule 0400-11-02-.03, continued)

- (2) Grant recipients must provide matching funds or in-kind contributions which equal or exceed the grant amount.
- (3) Grant funds may be used for rental of pilot scale equipment or purchase of supplies.
- (4) Grant funds may not be used for capital improvements or the purchase of equipment.
- (5) Project billing to the state shall be as specified by the Commissioner in the grant agreement.

Authority: T.C.A. §§ 68-212-201 et seq. and 4-5-201 et seq. **Administrative History:** Original rule filed June 19, 2012; effective September 17, 2012.

0400-11-02-.04 PROPOSAL.

- (1) Each grant proposal shall be accompanied by a letter of transmittal indicating: the primary contact person, a project summary statement, grant amount requested, matching funds available, projected schedule and shall be signed by the applicant.
- (2) Each grant proposal shall include an introduction detailing the specific nature of the problem and the need for improvements.
- (3) Proposals must identify the specific methods or technologies proposed to be used for waste reduction. Waste reduction includes but is not limited to source reduction, on-site recycling, and/or reuse. Source reduction includes but is not limited to product substitutions and process changes.
- (4) The proposed project shall be described in sufficient detail that a person unfamiliar with the waste issue or proposed research procedure can make a judgment of the merits of the project. The proposal shall detail deadlines for specific activities and provide a statement of expected results and potential environmental and economic benefits.
- (5) A line item schedule of costs for the project shall be provided showing separation of grant costs and matching costs of the applicant. Totals for the grant amount requested and the matching funds shall be shown.
- (6) The qualifications of the project manager(s) shall be provided.

Authority: T.C.A. §§ 68-212-201 et seq. and 4-5-201 et seq. **Administrative History:** Original rule filed June 19, 2012; effective September 17, 2012.

0400-11-02-.05 REPORTS.

Interim reports shall be submitted as required by the Commissioner in the grant agreement and a final report addressing project results shall be submitted at the completion of the project. A summary of total project costs shall be included with the final report. Each proposal shall include an agreement to provide interim and final reports as required by the Commissioner and that all reports may be furnished to the public in promoting waste reduction statewide.

Authority: T.C.A. §§ 68-212-201 et seq. and 4-5-201 et seq. **Administrative History:** Original rule filed June 19, 2012; effective September 17, 2012.

0400-11-02-.06 CRITERIA FOR PROJECT SELECTION.

- (1) All grant proposals shall be evaluated according to their relative accuracy, completeness and potential contribution to achieving the goal stated in Rule 0400-11-02-.01, using the following criteria:

(Rule 0400-11-02-.06, continued)

(a) Identification of the Waste Reduction Problem

Description of the hazardous or toxic waste covered by the proposal including the chemical characterization of the waste and the quantity produced on an annual basis. The method(s) presently used by the applicant to manage the waste to be studied.

(b) Soundness of Technical Approach

The description of the activities to be taken to complete the study including scope of work and the methods to be used to collect and analyze data to evaluate the effectiveness of the method or technology being studied.

(c) Financial Support

Provision of financial support sufficient to bring the study to a reasonable conclusion including a breakdown of expenditures expected for labor, travel, materials, laboratory analyses, computer time and other specialized costs related to the proposed project.

(d) Environmental and Economic Benefits

The reduced environmental impact and the amount of money that would be saved if the study is implemented.

(e) Reference to the Statewide Problem

The practicality of the application of the study recommendations to similar waste streams statewide and the potential for reducing hazardous or toxic waste statewide.

(f) Qualification of the Project Director

The qualifications of the project director as they relate to the type and scope of the proposed project.

(g) Amount of Waste to be Reduced

The estimated amount of hazardous and/or toxic waste that would be reduced at the site being studied or in case of a research project an estimate as applied to typical waste streams.

(h) Project Schedule

The proposed schedule of activities which will lead to a satisfactory conclusion of the project within the contract period.

- (2) Each criterion provided in paragraph (1) of this rule shall be given equal weight. Each proposal shall be rated using all criteria. Each proposal shall be given a numerical score for each criterion based on the accuracy, completeness and the degree to which the application statements are directed toward the program goal. The sum of the numerical scores for all of the criteria shall be the score for that application.
- (3) All proposals shall be ranked in order of priority for the purpose of selecting the eligible applicants for the available funds. A higher scoring proposal shall be given priority over a lower scoring proposal. In case of a tie the proposal received earliest shall be given priority.

(Rule 0400-11-02-.06, continued)

Authority: *T.C.A. §§ 68-212-201 et seq. and 4-5-201 et seq.* **Administrative History:** *Original rule filed June 19, 2012; effective September 17, 2012.*