

**Division of Solid & Hazardous Materials
New York State Department of Environmental Conservation
Albany, New York 12233-7250**

**STATE ASSISTANCE TO MUNICIPALITIES FOR LANDFILL GAS COLLECTION
AND TREATMENT SYSTEMS**

**APPLICATION INSTRUCTIONS FOR
STATE ASSISTANCE FOR
MUNICIPAL LANDFILL GAS MANAGEMENT PROJECTS
UNDER THE
ENVIRONMENTAL CONSERVATION LAW**

May 2005

Division of Solid & Hazardous Materials
New York State Department of Environmental Conservation
Albany, New York 12233-7250

State Assistance for Municipal Landfill Gas Management Projects

I Background

In 1996 and 1998 respectively, the funding eligibility of costs associated with installing active landfill gas collection, control and treatment systems at landfills was added to Title 4 of Article 56 (Clean Air / Clean Water Bond Act) and Title 5 of Article 54 (Environmental Protection Fund) of the Environmental Conservation Law (ECL). The purpose of this program is to use State funding to promote improved air quality at solid waste landfills in New York State and to encourage recovery of the energy present in landfill gas.

In order to implement this provision of the EPF and the Clean Water/Clean Air Bond Act of 1996, the Department of Environmental Conservation has prepared a policy governing the disbursement of State assistance funds for landfill gas management systems, closely following the landfill closure State assistance program.

The Policy establishes eligibility criteria, procedures for municipalities to apply for State assistance, and procedures and guidelines that the Department will follow to implement this State assistance program. Additionally, the Policy provides information concerning the monetary aspects of the State assistance program with regard to eligible and ineligible costs, reimbursement schedules and contracts (including provisions for progress reviews and, if necessary, the return of State assistance for non-performance).

II Application Process

The application process is a two part procedure. The first part of the application is a notice of intent by the municipality to the Department to move forward with a landfill gas management system. This part of the application will provide the Department with a description of the proposed project, an estimate of the cost and a description of any work completed to date.

The second part of the application only needs to be completed when the municipality is notified by the Department that there is funding available for the project. This part of the

application will require engineering reports, feasibility studies and any other technical details completed in support of this project.

A. Application Submittal

To be considered for funding a municipality that is in the process of implementing an active landfill gas management system must submit an application for State assistance to the New York State Department of Environmental Conservation on forms provided by the Department.

The initial application requesting State assistance for the municipality's active landfill gas management system must include the following:

1. A description of the project;
2. The estimated cost of the project;
3. A description of all work completed to date on the project (if any) and an outline of the proposed schedule of completion;
4. A list of any reports or studies completed in support of the project; and
5. An application form provided by the Department.

This letter must be submitted to:

Director
Division of Solid & Hazardous Materials
Attn: Municipal Landfill Gas Management Assistance Program
New York State Department of Environmental Conservation
625 Broadway
Albany, New York 12233-7250

A copy of this letter must also be sent to the NYSDEC Regional Solid & Hazardous Materials Engineer at the appropriate regional headquarters (as shown on the map of DEC regions included in this Application Package).

Any questions regarding application requirements, may be directed to the Bureau of Solid Waste, Reduction and Recycling at (518) 402-8660.

B. Application Review

The priority for reviewing proposed projects will be based on the date the initial application for State assistance is received by the department. As monies become available for landfill gas management projects, the application with the earliest receipt date will be reviewed for completeness. A complete application will result in the applicant being notified that its' application has been selected for funding.

The applicant may withdraw the initial application at any time. If the application is withdrawn and the applicant decides at a later date to move forward with the project, a new initial application must be submitted and the priority for review will be based on the date the Department receives the new application.

C. Complete Application

Once an applicant receives notification that its initial application has been selected for further consideration, the following documentation must be submitted in support of the application.

1. A landfill gas management system design report;
2. Any additional engineering reports and feasibility studies completed in support of the project;
3. A Municipal Landfill Gas Management System Workplan (a work plan form is provided in this application package);
4. A copy of the governing body's authorization (resolution) for submission of this application.
5. An affirmative action work plan (see the Affirmative Action Requirement enclosure included in this application package).
6. A technical submission form and certification form provided by the Department.

The submitted documentation, which is referred to as the Technical Application, will be reviewed for completeness and if the documentation is considered complete, the Division will recommend that the Department enter into a contract with the municipality.

III Eligible Costs, Contracts and Payment Schedule

Costs which are eligible and those which are ineligible for funding under this program are described under “Eligible and Ineligible Costs for State Assistance Payments” in the NYSDEC Policy entitled “State Assistance to Municipalities for Landfill Gas Collection and Treatment Systems”. The eligibility of specific costs will be determined by the Department according to these guidelines.

Once a municipality’s application for State assistance is approved, the municipality must enter into a contract with the Department. Upon receipt of a contract from the Department, the applicant must sign and return the contract, properly executed, within 90 calendar days or the application may be designated as inactive by the Department.

The municipality may file for reimbursement of eligible costs which have been incurred by the municipality and which have not been previously reimbursed by the State or others. Tasks for which reimbursement is requested must be listed along with their costs, start and end dates. The municipality must include documentation (such as payment vouchers, invoices and cancelled checks) necessary to verify that the municipality has paid all costs submitted for reimbursement. Ten percent of the State assistance will be retained by the State (as provided in the contract) until the completed project is reviewed and approved by the Department.

The approved project cost shall be reduced by the amount of any specific grant(s) for the project received by the municipality from any other source(s). For example, if the municipality’s total project cost is two million dollars and the municipality receives a grant for one million dollars from NYSERDA, then this program would provide the municipality with a maximum of five hundred thousand dollars (fifty percent of the one million dollars paid by the municipality). The grant will not be decreased by the amount of any loans received by the municipality for the project.

**Application for State Assistance Under the New York State
Landfill Gas Management State Assistance Program
Pursuant to Title 5, Article 54 and Title 4 of Article 56
of the Environmental Conservation Law**

Initial Submission

The first part of the application or the initial submission is a notice of intent by the municipality to the Department to install a landfill gas management system. This part of the application will provide the Department with a description of the proposed project, an estimate of the cost and a description of any work completed to date.

The following items must be included with the initial application:

1. A completed application form - Initial Submission (an application form is provided in this application package).
2. A project description.
3. A description of the work completed to date and an outline of the proposed schedule of completion.
4. A list of any reports or studies completed in support of the project.

Submit the original application to:

Director
Division of Solid & Hazardous Materials
Attn: Municipal Landfill Gas Management Assistance Program
625 Broadway
Albany, New York 12233-7250

Also submit one copy of the application to the NYSDEC Regional Solid & Hazardous Materials Engineer at the appropriate Regional headquarters (as shown on the map of NYSDEC Regions included in the application package).

**Application for State Assistance Under the New York State
Landfill Gas Management State Assistance Program
Pursuant to Title 5, Article 54 and Title 4 of Article 56
of the Environmental Conservation Law**

Initial Submission - Application Form
(Please type or neatly print in black ink)

Note: This form entitles the applicant to be considered for a landfill gas management grant administered by the NYSDEC. It is NOT a complete application. Upon notice from NYSDEC the applicant will be required to submit a complete application.

NAME OF APPLICANT (Municipality) _____

FEDERAL ID NUMBER _____

POPULATION OF MUNICIPALITY _____
(based on the most recent "Census of Population [New York]," United State Department of
Commerce, Bureau of Census)

COUNTY _____

PROJECT NAME _____

PROJECT LOCATION _____

IS THE LANDFILL CURRENTLY ACTIVE _____

INDIVIDUAL AUTHORIZED TO SIGN THIS APPLICATION

Name _____

Title _____

Address _____

City _____ State _____

Zip Code _____

Phone No: _____
(include area code)

E-mail: _____

OFFICIAL TO WHOM PAYMENT CHECKS ARE TO BE MAILED

Name _____

Title _____

Address _____

City _____ State _____

Zip Code _____

Phone No: _____
(include area code)

Estimated project cost: _____