



MATTHEW G. BEVIN
GOVERNOR

CHARLES G. SNAVELY
SECRETARY

ENERGY AND ENVIRONMENT CABINET
Department for Environmental Protection

AARON B. KEATLEY
COMMISSIONER

300 SOWER BOULEVARD
FRANKFORT, KENTUCKY 40601

January 12, 2018

Robert Schindler, 109 Board Chair
Louisville Solid Waste Management
600 Meriwether Avenue
Louisville, Kentucky 40217

Re: Award of 2018 Illegal Open Dump Grant

Dear Mr. Schindler:

The Division of Waste Management is pleased to announce Louisville-Jefferson County Solid Waste Management has been approved to receive **\$411,420** for the 2018 Illegal Open Dump Grant Program. We have attached the county's signed 2018 Illegal Open Dump Grant Agreement. Please review and be aware of the terms and conditions for this grant. This agreement is effective from January 1, 2018 through February 28, 2019.

Specifically, Louisville-Jefferson County Solid Waste Management has been approved to receive funding from the Illegal Open Dump Grant Program for the following dumpsite:

TEMPO #	SITE NAME	ESTIMATED TOTAL PROJECT COST	ESTIMATED TOTAL PROJECT COST ADJUSTED	GRANT AMOUNT FOR APPROVAL
47125	River City Scrap & Storage (2931 Garland Avenue)	\$411,420	\$411,420	\$411,420

Note that the grant agreement states that **the county is to submit a completed Illegal Open Dump Cleanup Grant Program Final Expense Worksheet** for each illegal open dump identified within the project. The counties may submit the Final Expense Worksheet within thirty (30) days of project completion, but shall submit the Final Expense Worksheet no later than March 31, 2019. **The County Employee Labor Timesheet shall be completed for each dump.** A separate County Employee Labor Timesheet shall be submitted for each employee.

Robert Schindler

January 12, 2018

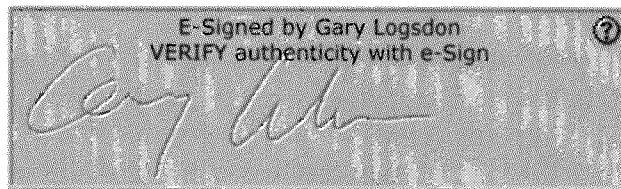
Page -2-

Also note that the grant agreement states (as it has previously stated) that **“only actual, documented costs of remediation as itemized in detail are eligible for funding, even if a contract amount is higher.”** Note also that *actual* cleanup costs must be itemized on the Final Expense Worksheet (submitted when the grant is closed out), regardless whether the county or a contractor performed the remediation. This means that the county must itemize the actual cleanup costs (including equipment rates and hours, disposal fees, labor rates and hours, and supplies cost) on the Final Expense Worksheet even if the contractor made a lump-sum bid. Some counties have begun to include in their bid specifications the requirement that the contractor provide this actual cost breakdown to the county after the cleanup work is done, so the county will have that information to provide to the state with its closeout documentation. We suggest all counties consider using this approach.

Finally, please ensure that a competitive bidding process is used for all proposed cleanups that will be completed by a contractor with estimated cleanup costs of \$20,000 or greater.

If you have any questions, please feel free to contact Lisa Evans at (502) 782-6355 or me at (502) 782-6405.

Sincerely,

An e-signature verification box. At the top, it reads "E-Signed by Gary Logsdon" and "VERIFY authenticity with e-Sign". Below this text is a handwritten signature in cursive that appears to read "Gary Logsdon". To the right of the signature is a small circular icon containing a question mark.

Gary Logsdon, Manager
Recycling & Local Assistance Branch

C: Pete Flood, Manager

Attachments: County's Signed 2018 Illegal Open Dump Remediation Grant Agreement
Illegal Open Dump Cleanup Grant Program Final Expense Worksheet



Commonwealth of Kentucky Energy and Environment Cabinet

Matthew G. Bevin, Governor

Charles G. Snively, Secretary

FOR IMMEDIATE RELEASE

Contact: John Mura

502-782-7023

John.Mura@ky.gov

Lanny Brannock

502-782-6897

Lanny.Brannock@ky.gov

Environmental Protection Announces Grants to Clean up Illegal Open Dumps in 20 Kentucky Counties

FRANKFORT, Ky. (Jan. 16, 2018) - Energy and Environment Secretary Charles Snively announced today approximately \$1.5 million in grant funding has been awarded for the cleanup of 108 illegal dumps in 20 counties across the Commonwealth.

"This grant program has been very successful in helping counties clean up their communities, but illegal dumping is still a problem that affects property values and quality of life across the commonwealth," Sec. Snively said. "I encourage all counties to continue to take advantage of this program."

The following counties received grants: Breathitt, Butler, Calloway, Christian, Clay, Hart, Henderson, Louisville-Jefferson County Metro Government, LaRue, Lee, Leslie, Magoffin, Martin, Metcalfe, Owsley, Perry, Pike, Warren, Whitley and Wolfe.

As part of the grant funding, counties must agree to provide a 25 percent match of

the grant amount. The Energy and Environment Cabinet (EEC) may waive the 25 percent match on any individual illegal open dump where cleanup costs exceed \$50,000clean.

Funding for the Illegal Open Dump Grant program comes from the Kentucky Pride Fund. The Kentucky Pride Fund is generated through a \$1.75 environmental remediation fee for each ton of garbage dumped at Kentucky municipal solid waste landfills. This "tipping fee" was first authorized by the 2002 General Assembly under House Bill 174, for use in a dump cleanup reimbursement program, and for the remediation of historic landfills. In 2006, Senate Bill 50 changed the reimbursement program to a grant program, and expanded the scope of the fund to address household hazardous waste collection and recycling infrastructure.

Kentucky has made significant progress in addressing the illegal dump issue thanks to this funding, along with statewide cleanup and educational campaigns by local, state and federal agencies.

For grant amounts, please call your local solid waste coordinator or Lisa Evans at 502-782-6355.

2018 ILLEGAL OPEN DUMP REMEDIATION GRANT AGREEMENT

JANUARY 1, 2018 THRU FEBRUARY 28, 2019 GRANT PERIOD

The Grantee hereby requests grant funding for 2018 Illegal Open Dump Remediation that is in accordance with KRS 224.43-505(3) and 401 KAR 49:080 Section 5. The funds will be used for the direct costs for the cleanup of illegal open dump(s) as specified in the grant application. The Grantee understands that and agrees to the following:

1. Illegal open dump grant funds shall only be used for the cleanup of those illegal open dumps identified in the approved grant application. For counties that are cleaning multiple dumps, the use of funding remaining from one dump to clean another dump that exceeds the approved grant amount is subject to state approval. Pre-inspections and cost estimates are required prior to cleanup for all Illegal Open Dump Grant funds including out of cycle cleanups.
2. Dumps must be remediated by February 28, 2019. Extensions will not routinely be granted and will not exceed sixty (60) days.
3. For the purposes of this agreement, the below signature of the County Governing Body Chair constitutes an order in compliance with KRS 67.076.
4. Designate a Project Coordinator, who shall be responsible for overseeing the remediation of the illegal open dumps and to secure proper documentation of all expenditures.
5. Submit a completed Illegal Open Dump Grant Program Final Expense Worksheet for each illegal open dump identified within the project. The counties may submit the Illegal Open Dump Grant Program Final Expense Worksheet within thirty (30) days of project completion, but shall submit the Illegal Open Dump Grant Program Final Expense Worksheet no later than **March 31, 2019**. The Employee Labor Timesheet shall be completed for each dump. A separate Employee Labor Timesheet shall be submitted for each employee. The Employee Labor Timesheet shall be attached to the Illegal Open Dump Grant Program Final Expense Worksheet.
6. Assign the 2018 Illegal Open Dump Remediation Grant funds into a designated line item for state grants.
7. Provide a match of 25% of the grant amount, which may be through in-kind services, for all illegal open dumps costing less than \$50,000.
8. Individual illegal open dumps estimated to cost more than \$50,000 may not require a match. If a dump is estimated to cost \$50,000 and actual cleanup cost is less, the cabinet may require the county to provide a match.
9. Note that only the actual, documented costs of remediation as itemized in detail on the Final Expense Worksheet are eligible for funding, even if a contract amount is higher. This is true even if cleanup was done by a contractor under a lump-sum bid – only the actual, documented costs of remediation as itemized in detail on the Contractor Cost Sheet (page 3 of the Final Expense Worksheet) are eligible for funding.

Attachment B


10. Be responsible for the cleanup of illegal open dumps identified on the approved application and funded, and assume all associated liabilities.
11. If a contractor is to be used to perform the cleanup of the illegal open dump, competitive sealed bids are required for any individual dumpsite estimated to exceed \$20,000, in accordance with KRS 45A.385.
12. Obtain Division of Water and Department of Transportation permits as required.
13. Counties may clean dumps at their own expense before applying for grant funds and then apply for reimbursement of the actual costs, as long as the county 1.) Gets a pre-inspection before cleaning the dumpsite; 2.) Provides a cost estimate to DWM or requests that DWM personnel be on site during cleanup; and 3.) Gets a post-inspection to verify the dump was properly cleaned before submittal of the application. Note that the application will be subject to the prioritization ranking, funding availability and other applicable criteria in the grant cycle in which the application is submitted, and that it is possible that not all eligible requests for reimbursement will be awarded.
14. In the event the project budget is insufficient to complete the dump cleanup then the county shall cover the cost difference at its expense and may apply in a later grant cycle for reimbursement for those additional costs of cleanup, subject to the criteria in that later grant cycle.
15. Reimburse the cabinet all unspent grant funding within forty-five (45) days of notification by the cabinet that money needs to be returned.
16. Failure to comply with the conditions of this agreement may result in grant funding being returned to the cabinet.
17. This grant agreement is in full force and affect until a final closure letter is received from the cabinet.

Grantee: Louisville/JEFFERSON County Metro Gov
WASTE MANAGEMENT DISTRICT

Federal ID # _____

Signature: 
County Governing Body Chair

Date: 10-31-17

Signature: 
County Project Coordinator

Date: 10-31-17