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**Recycling Financial
Assistance Programs**

Recycling Financial Assistance Programs

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Recycling Financial Assistance Programs

Introduction

The Legislature enacted 1989 Wisconsin Act 335 to create a statewide regulatory and financial assistance program to encourage, and in some instances require, solid waste recycling and reduction. Act 335 also banned certain recyclable materials from landfills. Subsequent legislation modified the funding sources and appropriations for state recycling programs.

The purpose of this paper is to describe major statewide solid waste recycling regulations, and Department of Natural Resources (DNR) administration of recycling requirements, financial assistance programs, and electronics recycling programs. It also describes the Department of Agriculture, Trade and Consumer Protection (DATCP) clean sweep grants for the collection of household hazardous waste, prescription drugs, pesticides, and agricultural chemicals.

DNR administers the municipal and county recycling grant program that provides financial assistance to units of local government for a portion of eligible recycling expenses. The grant program is appropriated \$19 million for grants in calendar year 2022 (2021-22) and \$19 million in 2023 (2022-23). In addition, a recycling consolidation grant program is funded with \$1 million annually.

Recycling programs are funded from the environmental management account of the segregated environmental fund. The recycling grants to local governments are the largest expenditures from the environmental management account. For more information about revenues and expenditures to the account, see the Legislative Fiscal Bureau's informational paper entitled "Environmental Management Account."

Solid Waste and Recycling Program Requirements

Solid Waste Management Policy

The state's solid waste management policy, established by 1989 Act 335 in s. 287.05 of the statutes, declares that maximum solid waste reduction, reuse, recycling, composting and resource recovery is in the best interest of the state to protect public health, to protect the quality of the natural environment and to conserve resources and energy.

The policy states that implementation of solid waste reduction, reuse, recycling, composting and resource recovery systems and operations should involve and encourage the cooperation of individuals, state and local governments, tribes, schools, private organizations, and businesses. The statutes specify that state government should achieve this by relying to the maximum extent feasible on technical and financial assistance, educational and managerial practices, and that necessary regulations should be developed with maximum flexibility.

The state policy establishes a hierarchy of solid waste management options, ranked in the following order of preference: (a) reduction of the amount of solid waste generated; (b) reuse of solid waste; (c) recycling of solid waste; (d) composting of solid waste; (e) recovery of energy from solid waste; (f) land disposal of solid waste; and (g) the burning of solid waste without energy recovery.

Bans on Landfilling and Incineration

State law prohibits the landfilling and incinera-

tion of specified materials after certain dates as a means of encouraging their recycling or reducing their generation. Table 1 lists materials banned from landfills and the year in which the materials were banned.

In the recycling law, the term "solid waste disposal facility" includes several types of facilities, but is most commonly synonymous with the more familiar "landfill." A "solid waste treatment facility" that burns solid waste is generally synonymous with "incinerator." For the purposes of this paper, "landfill" and "incinerator" will be used unless a more extensive definition is necessary for clarity.

DNR is authorized to add or subtract electronic devices from the list of electronic devices banned from landfills by promulgating administrative rule changes. To date, DNR has not done so.

Exceptions to the Bans

Exceptions to the 1995 landfill and incineration bans are made for: (a) incidental amounts of the banned materials generated in a region that has an effective recycling program; (b) certain materials incinerated in a grandfathered incinerator; (c) incinerators that burn solid waste as a supplemental fuel; (d) certain medical waste; (e) unexpected emergency conditions; (f) certain woody materials burned in approved wood-burning facilities; (g) beneficial reuse of a material within a landfill; (h) contaminated materials; and (i) certain plastics if recycling is not feasible. "Incidental amounts" refers to banned materials that are not separated for recycling within an effective program, including items the consumer fails to separate, and non-recyclable items, such as newspapers used for cleaning windows and cardboard take-out boxes with food residue.

DNR is authorized to grant a waiver to the yard waste landfilling prohibition to allow the burning of brush or other clean, woody vegetative material that is no greater than six inches in diameter at

wood-burning facilities that are licensed or permitted by DNR. Also, the ban on landfilling yard waste does not apply to the disposal of plants classified by DNR as invasive species or their seeds. Persons are allowed to dispose of invasive plants in a landfill if the plants or seeds are not commingled with other yard waste.

Landfill operators are required to make a reasonable effort to manually separate, and arrange to have recycled, a television, a laptop computer, or computer monitor that is readily observable in the solid waste delivered to the landfill. This does not apply if: (a) separating the device is not practical; (b) separating the device would require the operator to implement measures to protect human health or safety in addition to any measures taken in the ordinary course of business; or (c) the device has been damaged in such a way that recycling is not feasible or practical.

Under 2017 Wisconsin Act 284, foam polystyrene packaging and plastic containers are exempt from the landfill bans if they are processed at a pyrolysis or gasification facility. These facilities use a heating process to convert plastics into products such as fuel or chemical feedstocks.

Enforcement of Bans

DNR is authorized to issue a citation to any person who violates any of the bans. The forfeitures that may be collected through a citation for violation of these requirements are \$50 for the first violation, \$200 for the second and \$2,000 for the third or subsequent violation. The Attorney General is authorized to enforce the 1995 and 2010 bans by seeking injunctive relief against any person who violates them.

DNR's implementation of the recycling law emphasizes achieving voluntary compliance through technical and financial assistance rather than enforced compliance through the imposition of penalties or injunctions. However, the Department works with local units of government to

Table 1: Materials Banned from Landfills

Date	Material
January 1, 1991	No person may dispose of the following in a landfill or solid waste disposal facility: <ul style="list-style-type: none">• Lead acid batteries• Major appliances: residential or commercial air conditioners, clothes dryers, clothes washers, dishwashers, freezers, microwave ovens, ovens, refrigerators, stoves, furnaces, boilers, dehumidifiers and water heaters.• Waste oil
January 3, 1993	No person may dispose of yard waste in a landfill or solid waste disposal facility, except in an approved land spreading facility, in which solid waste is placed in thin layers onto the surface of the land or incorporated into the surface layers of the soil. No person may burn yard waste without energy recovery. Yard waste: leaves, grass clippings, yard and garden debris, and brush, including clean woody vegetative material no greater than six inches in diameter. Yard waste does not include stumps, roots or shrubs with intact root balls.
January 1, 1995	No person may dispose of the following in a landfill or solid waste disposal facility: <ul style="list-style-type: none">• Aluminum containers• Corrugated paper or other container board• Foam polystyrene packaging• Glass containers• Magazines• Newspapers• Office paper• Plastic containers (plastics #1 through #7)• Steel containers• Bi-metal cans (combination of steel and aluminum)• Waste tires (can be burned with energy recovery, but cannot be burned without energy recovery).
September 1, 2010	No person may landfill, burn with or without energy recovery, or place in a container the contents of which will be landfilled or burned, electronic devices or covered electronic devices. Electronic devices: peripheral (such as computer keyboard, mouse or speaker), facsimile machine, digital video disc player, digital video player, video cassette recorder, video recorder, or cell phone. Covered electronic device: television, computer monitor, computer, or printer for use by households or schools.
January 1, 2011	No person may dispose of used oil filters for automotive engine oil in a landfill or solid waste facility.
July 1, 2011	No person may place in a container any of the materials subject to the 1995 bans, if the contents will be disposed of in a solid waste facility, converted into fuel, or burned at a solid waste treatment facility. No person may place a waste tire in a container that will be disposed of in a solid waste facility, or burned without waste recovery at a solid waste treatment facility.
April 7, 2012	No person may dispose of oil-absorbent materials containing waste oil in a landfill or solid waste facility unless waste oil has been drained so no visible signs of free-flowing oil remain in or on the oil-absorbent materials, and the oil-absorbent materials are not hazardous waste.

identify violations of recycling ordinances by waste haulers or landfills.

DNR activities related to enforcement are described under the sections on effective recycling programs and solid waste haulers. DNR did not refer any cases related to landfill bans to the Department of Justice (DOJ) between 2010 and 2022. DNR issued 10 notices of noncompliance to haulers from July, 2020, through July, 2022, for violations such as operating without a license, disposing of waste at unapproved sites, operating a leaking truck, and burning waste at a transporter facility. All facilities returned to compliance without further enforcement. For cases in which a business, resident, or other entity is not following recycling requirements of the local ordinance, DNR works with the local unit of government on enforcement. For cases in which waste haulers or materials recovery facilities are not complying with state recycling requirements outside the authority of the local unit of government, DNR works directly with the haulers or materials recovery facilities to ensure compliance with state requirements.

Local Government Responsible Units

Responsibilities of Local Governments

The statutes establish several responsibilities for local government related to recycling. In general, the local units of government responsible for implementing state-mandated recycling programs are termed "responsible units." Under the recycling law definition, the responsible unit for a geographic area is the municipality (city, village or town) unless a county takes specific action to create a responsible unit. Currently, every municipality in the state is included within one of 1,084 responsible units. For 2022, almost all responsible units (1,048 of 1,084), representing over 99% of the state's population, received state-funded grants

for a portion of the costs of operating local recycling programs.

A county may become a responsible unit upon its board adopting a resolution accepting this designation. There are 33 counties that are responsible units for all or some of the communities within their boundaries.

The governing body of any responsible unit may designate, by contract, another unit of government to be the responsible unit, if it has that unit of government's consent. These multiple-municipality responsible units consist of counties, solid waste management commissions, or two or more neighboring municipalities. Federally recognized Native American tribes or bands may also become responsible units.

Each responsible unit must develop and implement a program to manage the solid waste generated within its jurisdiction in compliance with the 1991, 1993, and 1995 bans and the state's solid waste management priorities. The allowable ways this may be done are: (a) manage materials subject to the 1995 bans in an "effective recycling program" and comply with the 1991 and 1993 bans; or (b) burn combustible materials subject to the 1995 bans in a "grandfathered" incinerator (described in the section on exceptions to the bans), manage the non-combustibles in an effective recycling program, and comply with the 1991 and 1993 bans.

Each responsible unit is required to provide information to people in its region about the electronic device landfilling ban, why it is important to recycle electronic devices, and opportunities available to those persons for recycling electronic devices.

Responsible units are authorized to designate one or more persons to implement specific components of the solid waste management program and are authorized to adopt an ordinance to enforce this program.

Responsible units may charge recycling fees, defined as any special assessment or charge levied for services provided by responsible units, or other parties, including private parties, that relate to the responsible unit's duties to operate a solid waste management program. Unpaid recycling fees are a lien on the property against which the fees are levied and are to be collected in the same manner as delinquent property taxes.

Any responsible unit that accepts funding from the municipal and county recycling grant program, or a county or municipality within such a responsible unit, is prohibited from regulating the sale or distribution of packaging for a purpose relating to its disposal unless that restriction is consistent with current law relating to marketing and trade practices or solid waste regulation. For example, a municipality that accepts grant funding may not ban retail sales of products packaged in a certain type of plastic in order to reduce the disposal problems associated with that plastic. The unit of government also may not impose a tax or fee on the sale or distribution of the packaging for a purpose related to its disposal.

Under 2015 Wisconsin Act 302, local governments are not allowed to regulate the use of auxiliary containers, such as single-use bags, cups, bottles, and cans, that are intended to transport food or other items from a food or retail establishment. Local governments are not allowed to: (a) enact or enforce an ordinance that regulates the use, disposition or sale of auxiliary containers; (b) prohibit or restrict auxiliary containers; or (c) impose a fee, charge, or surcharge on auxiliary containers.

Effective Recycling Programs

A responsible unit's compliance with its recycling responsibilities relating to the 1995 landfill and incineration bans is determined by whether it is judged to have an "effective recycling program." The designation of an effective recycling program is significant because, beginning in 1995,

a responsible unit must have an approved effective recycling program in order to: (a) landfill or incinerate certain materials in the state; and (b) to apply for state recycling grant funds.

Materials subject to the 1995 ban may generally only be landfilled or incinerated in the state if they are the "residuals" (in this context, materials remaining after other like materials have been separated for recycling) from an effective recycling program, or qualify under one of the other exceptions.

All 1,084 responsible units have received approval from DNR as having effective recycling programs. The approval is valid as long as the local program is operated in a manner that maintains the required components of an effective recycling program.

Local programs are required to submit an annual report to DNR by April 30, for the preceding calendar year, that describes their effective recycling program. DNR administrative rules require that the report contain specific information regarding how the responsible unit is complying with effective program requirements. DNR staff review the reports and perform program evaluations to determine the compliance of the responsible unit with the effective program requirements.

Required Components of an Effective Program. Under requirements in Chapter 287 of the statutes and Chapter NR 544 of the administrative code, a responsible unit is required to administer an effective recycling program that has all of the following components:

1. A local ordinance to require recycling of the banned materials in all residences and non-residential facilities and properties. The ordinance must: (a) prohibit the landfilling or burning of materials subject to the 1995 bans that are separated for recycling; (b) require residents of single-family, two- to four-unit residences, multiple-family

dwellings, and non-residential properties to separate the banned materials from solid waste or send the materials to a materials recovery facility for recycling; (c) require owners of multi-family dwellings and non-residential properties to provide recycling containers; (d) require owners of nonresidential properties to notify users of how to recycle materials; and (e) provide for enforcement and penalties.

2. A public education and information program about how to recycle materials, reduce waste and reuse materials.

3. A method for collecting, processing and marketing of recyclables from single-family and two- to four-unit residences.

4. Curbside collection in urban municipalities with populations of 5,000 or greater and a population density greater than 70 persons per square mile. These municipalities must provide, at least monthly, curbside collection of materials that are set out at the curb of the residence where they were generated, from single-family and two- to four-unit residences for at least newspaper, glass, aluminum and steel containers, plastic containers made of PETE (polyethylene terephthalate or #1 plastic) or HDPE (high-density polyethylene or #2 plastic), and either corrugated paper or magazines, and must provide drop-off collection for materials that are not collected curbside.

5. Drop-off collection in rural municipalities with populations of less than 5,000 or a population density of 70 persons per square mile or less. These municipalities must provide collection of materials at centralized locations where people who generate the recyclables deliver or "drop off" the materials for single-family and two- to four-unit residences.

6. Collection of eight recyclable materials that equals or exceeds 83.7 pounds per person per year in rural municipalities or 108.2 pounds per person per year in urban municipalities.

7. Equipment and staff necessary to operate and enforce the program.

8. Provisions for the management of post-consumer waste that is generated within the responsible unit.

9. A reasonable effort to reduce the amount of recyclable materials subject to the 1995 landfill bans that are generated as solid waste and disposed of in a landfill.

10. A compliance assurance plan describing how the responsible unit will address non-compliance with recycling requirements specified in its recycling ordinance.

11. Submittal of an annual program report to DNR that describes how the local program meets state requirements.

In June, 2022, a scope statement was approved to make changes to Chapter NR 544 and related code chapters. The rule changes have not been released in draft form as of December, 2022, but are anticipated to clarify and update various program implementation and reporting requirements for responsible units.

Implementation of Effective Recycling Programs. The structure of individual local recycling programs varies. Responsible units generally collect recyclable materials through curbside or drop-off collection.

In 2021, 31% of the state's population lived in responsible units that only had curbside collection programs, 58% lived in responsible units with combination of curbside and drop-off collection and 11% lived in responsible units where only drop-off collection was reported as the primary collection system. The percentage of responsible units with a combination of curbside and drop-off collection is high because: (a) approximately 24% of the population of the state is served by county responsible units, in which some member commu-

nities may have curbside collection and others have drop-off, so the county is reported as having both; and (b) in some responsible units with both curbside and drop-off programs, the drop-off collection is mainly used for items that are not picked up at curbside.

DNR estimates that in 2021, over 97% of the population in responsible units with populations over 2,000 had access to curbside collection or a combination of curbside and drop-off collection. Approximately 67% of the population in responsible units with populations less than 2,000 had access to curbside collection or a combination of curbside and drop-off collection.

Responsible units may choose to own or operate a materials recovery facility (MRF) as part of their effective recycling program, or contract with a separately-owned MRF, or neither. A materials recovery facility is a facility where materials banned from landfills, and not mixed with other solid waste, are processed for reuse or recycling. A MRF is required to submit a self-certification form to DNR that the facility complies with state requirements before the MRF begins to serve a responsible unit. The MRF must also annually submit a certification renewal and report to DNR.

Responsible units reported to DNR that they collected a total of 638,756 tons of recyclable materials from residences in 2021. Approximately 64% of recyclable materials collected in 2021 were materials subject to the 1995 bans, 35% was yard waste subject to the 1993 bans, and the remaining 1% were other recyclable materials. Residential recycling programs collected an average of 138 pounds per capita of the 1995 banned materials in 2021, and an average of approximately 215 pounds of recyclable materials per capita of the recyclable materials reported to DNR. The amount of recyclable materials collected by responsible units in 1994 through 2021, as reported to DNR, is shown in Appendix I.

DNR has contracted with private entities

several times between 1990 and 2021 to conduct waste characterization studies of recyclable materials. In the most recent waste characterization study, released in September of 2021, DNR contracted with SCS Engineers, an environmental consulting and contracting firm. Crews visited 14 landfills and one solid waste transfer station around the state and hand sorted 398 samples of residential and commercial solid waste. In addition, SCS staff visually inspected 659 samples of construction and demolition debris. Samples were sorted into 85 distinct waste components that were grouped into eight waste categories.

The study determined the following percentage breakdown of waste in the state: organic waste (30.4%); paper products (21.3%); plastics (17.1%); textiles, carpets, mattresses, and wood furniture (7.7%); end-of-sample miscellaneous fragments of dirt that pass through sort screens and cannot be categorized further (6.9%); construction and demolition materials (6.8%); metals (4.6%); electronics, batteries, and other hazardous items (3%); and glass (2.2%).

Review and Enforcement of Effective Program Requirements. DNR is required to administer compliance of responsible units with effective recycling program criteria. The Department is also required to annually review the programs of at least 5% of the responsible unit grant recipients to ensure that programs and activities funded by responsible units meet statutory requirements.

Between July, 2020, and June, 2022, DNR reviewed the compliance of effective programs by conducting approximately 100 one-on-one phone conversations with selected responsible units, and holding group evaluations attended by approximately 13 representatives of approximately 12 responsible units. DNR staff in the Madison central office perform work related to responsible units when they review grant-eligible expenses and annual reports.

The Department conducts an annual statewide awards program to recognize responsible units that had outstanding performance during the prior year. The program recognizes local efforts in the categories of projects and initiatives, overall program, special events, and innovation.

In each of 2009 through 2022, DNR notified a few responsible units of minor noncompliance issues through letters, discussions or meetings, but the issues were not serious enough to issue a notice of noncompliance. Examples of noncompliance concerns included responsible units not doing a sufficient job of: (a) providing adequate collection of recyclables; (b) requiring businesses to recycle; (c) inspecting businesses or apartments for compliance; (d) completing a compliance assurance plan; (e) submitting an annual report in a timely manner; (f) documenting compliance activities; and (g) providing adequate recycling education. DNR negotiated corrective action with the responsible units, and all required corrective action was completed.

DNR notifies responsible units that if they do not submit the required annual recycling report by the deadline of April 30 of the year following the calendar year of the grant, they will be placed on probation until the timely submittal of the following year's annual report. If they do not submit the following year's annual report, DNR invoices the responsible unit for repayment of the prior recycling grant, and denies payment of the current grant. DNR did not invoice any responsible unit for repayment of their grant in 2021 or 2022. In 2021 and 2022, DNR placed 12 responsible units on probation for submitting an annual report after May 1 of the following year. However, all reports were eventually submitted, and no RUs were denied a 2021 or 2022 grant due to late submittal.

DNR has worked with responsible units to resolve a small number of complaints, such as: (a) a waste hauler collecting separated recyclables with solid waste and landfilling all of the materials; (b) businesses, apartment buildings, or residences not

separating recyclables; (c) a responsible unit not collecting for recycling all materials banned from landfills; (d) responsible units or solid waste haulers not separating recyclable materials from solid waste; and (e) materials recovery facilities storing recyclable materials outside.

In 2021, responsible units reported to DNR that they took the following actions related to enforcing landfill bans: (a) received 7,280 complaints; (b) issued 1,783 verbal warnings; (c) issued 7,489 written warnings; (d) issued 29,513 warning tags; (e) issued 2,026 citations; and (f) made 18,306 inspections. Almost all the actions under (a) through (e) related to recycling in one- to four-unit dwellings. All of the inspections were related to multi-family dwellings and businesses. DNR does not have information about the reasons for the complaints, or the types of citations.

Waiver to the Effective Program Criteria. In October, 1996, DNR issued a waiver to the collection and disposal requirements for #3 through #7 plastic containers and polystyrene foam packaging, based on a departmental determination that it is not feasible or practical to continue collecting these materials under current market conditions. The waiver will continue until one year after DNR determines that markets are available for these materials. Issuance of a waiver eliminates for effective recycling programs the requirement to separate those recyclable materials, and the prohibition on disposal or incineration of those materials.

Out-of-State Waste. In 1999, the U.S. Seventh Circuit Court of Appeals ruled that Wisconsin could not require governmental units located outside Wisconsin to enact local ordinances in compliance with Wisconsin's effective recycling programs in order to dispose of solid waste in Wisconsin. Consequently, DNR does not enforce effective recycling program criteria on waste disposed of in Wisconsin landfills, if the waste is generated out-of-state.

Solid Waste Haulers

Haulers who collect and transport solid waste are required to be licensed by DNR under solid waste management statutes and are required to comply with the solid waste landfill bans. Haulers who collect and transport municipal solid waste are required to notify their clients (the contracting entity or the entity that arranges for collection and transportation service) of the need to comply with state and local recycling requirements. Haulers are also required to provide information to responsible units about the amount of recyclable materials collected under contract with the responsible unit, within four weeks of a written request from the responsible unit.

DNR sends annual notifications to licensed haulers of solid waste and recyclable materials as part of the annual license renewal process to review the recycling and landfill ban requirements. This includes reminding haulers of the requirements that haulers must: (a) annually notify their customers about state and local recycling requirements and landfill bans; (b) keep collected recyclable materials separate from solid waste; (c) maintain separated recyclables in clean condition; and (d) report the weight of collected recyclables to contracted responsible units.

In 2020 through July, 2022, DNR staff held multiple recycling hauler stakeholder meetings and training sessions. Between July, 2020 and July, 2022, DNR received 31 complaints regarding recycling at businesses and multi-family dwellings. DNR states that the issues were resolved through discussions with the respective responsible units. Additionally, DNR issued two notices of noncompliance to haulers.

Municipal and County Recycling Grant Program

The municipal and county recycling grant program was created in 1989 Act 335 to provide financial assistance to responsible units for eligible recycling expenses.

Appropriations

The municipal and county recycling grant program was appropriated \$19,000,000 annually in each of 2021-22 and 2022-23. In addition, \$1,000,000 was appropriated in each year for recycling consolidation grants. The recycling consolidation grant program is a voluntary program for municipalities that have taken certain actions, and is described in a later section. Appendix II shows annual appropriations for the two grant program components from 1990-91 through 2022-23.

Eligibility for Grant Awards

Responsible units with DNR-approved effective recycling programs are eligible for grants under the municipal and county recycling grant program. Eligible uses of grant funds include expenses for planning, constructing or operating one or more of the components of an effective recycling program, or to comply with the 1993 yard waste ban. Eligible capital expenses may include annual depreciation, or equipment on an hourly use basis.

Responsible units are required to submit an application, with estimated net eligible recycling costs, by October 1 for a grant for the following calendar year. DNR pays the grant award by June 1 of the calendar grant year.

Current Grant Formula. Beginning in the 2001 grant year through the 2023 grant year, responsible units receive a grant equal to the same percentage of the total grant funding as the

responsible unit received, or would have received, in 1999. For example, if a responsible unit received 1% of the total grant funds in 1999, the responsible unit received 1% of the total grant funds in 2022. Appendix III describes the prior recycling grant program formulas for 1990 through 2000.

Late applications receive a reduced grant as follows: (a) 95% of the awarded amount if submitted between October 2 and October 10; (b) 90% if submitted between October 11 and October 20; (c) 75% if submitted between October 21 and October 30; and (d) no grant if submitted after October 30. A submittal is considered made by the date the application is submitted online or the postmark date if mailed.

Grant Awards. For the 20 grant periods from 2003 through 2022 (2021-22 grants), Appendix IV shows the number of responsible units of government eligible for awards, the total award amount, and the average award per capita. Appendix IV includes information about the basic grants for all years, recycling efficiency incentive grants between 2003 and 2011, and recycling consolidation grants in 2012 through 2022.

Awards as a Percentage of Recycling Costs. Table 2 shows the total state grant award as a percentage of the net eligible recycling costs. In 1992, the first year of the grant formula, grant awards averaged 52% of net eligible recycling costs. The award as a percentage of costs decreased in subsequent years to an estimated 13.7% in 2022. (Net eligible recycling costs were not calculated in the first grant cycle, which covered 1990 and 1991.)

2022 Award Characteristics

In 2021-22, for calendar year 2022, DNR issued awards in May of 2022 totaling \$19,000,000 for basic municipal and county recycling grants and \$1,000,000 for recycling consolidation grants. While the 2022 combined basic plus consolidation grant awards averaged 13.7% of the estimated \$145.9 million in net eligible recycling costs, the

Table 2: Municipal and County Recycling Grants: Eligible Cost, Grant Award and Award as Percentage of Costs (\$ in Millions)

Calendar Year	Net Eligible Recycling Costs	Award* Amount	Grant Award as % of Net Eligible Costs
1992	\$35.6	\$18.5	52.0%
1993	48.5	23.7	48.9
1994	56.5	29.8	52.7
1995	61.0	29.1	47.7
1996	66.3	29.2	44.0
1997	68.8	29.2	42.4
1998	71.4	23.9	33.5
1999	73.3	24.1	32.9
2000	76.6	24.3	31.7
2001	84.1	24.3	28.9
2002	82.6	24.3	29.4
2003	84.4	26.3	31.2
2004	85.7	26.4	30.8
2005	90.1	26.3	29.2
2006	94.0	26.3	28.0
2007	98.4	26.3	26.7
2008	99.1	32.7	33.0
2009	108.0	29.3	27.2
2010	104.0	29.3	28.2
2011	103.5	19.0	18.3
2012	105.9	20.0	18.9
2013	109.3	20.0	18.3
2014	112.2	20.0	17.8
2015	116.7	20.0	17.1
2016	116.5	19.0	16.3
2017	119.3	20.0	16.8
2018	122.0	20.0	16.4
2019	131.9	20.0	15.2
2020	137.9	20.0	14.5
2021	130.3	20.0	15.4
2022**	145.9	20.0	13.7

*In the 2003 through 2011 grant years, includes basic grant plus efficiency incentive grant. As of 2012, includes basic grant plus consolidation grant.

**Estimated net eligible recycling costs.

award as a percentage of net eligible recycling costs varied considerably for individual responsible units.

The 2022 basic grant amount was calculated as the same percentage of the 2022 award amount of \$19.0 million as the responsible unit received or would have received of the 1999 appropriation of \$24,000,000. The actual grant amount for each

responsible unit was capped by the projected net eligible recycling costs for the responsible unit, and was reduced by any late application penalty. The recycling consolidation grant amount was calculated by adding the population of all responsible units that were eligible for the recycling consolidation grant, and dividing the \$1,000,000 recycling consolidation grant appropriation by that population total, to reach a per capita consolidation grant amount of about \$0.25.

For the 2022 grant year, Tables 3 through 7 show the distribution of grant awards in several different ways and include: (a) the population represented by the responsible units receiving those awards; (b) the estimated net eligible recycling costs for 2022; (c) the total grant award; (d) the per capita grant award; and (e) the grant award as a percentage of net eligible recycling costs.

Table 3 shows the distribution of 2022 basic plus consolidation grant awards by type of local government unit. While 57.8% of the responsible units were towns, towns represented 15.4% of the population of responsible units that received grant awards and 10.9% of the total grant award dollars. Responsible units that are cities represented 45.1% of the population and 48.6% of the total grant award dollars. While the statewide average award as a percentage of the net eligible recycling costs was 13.7% and the average award per capita was \$3.39, these measurements varied by responsible unit.

The majority of the responsible unit grant recipients had populations under 2,500. As shown in the Table 4 distribution by population size, the 742 responsible units with populations under 2,500 represented 70.8% of the responsible units that received grants, 12.7% of the population served through the grants and 11.1% of the total grant award dollars in 2022. In comparison, six responsible units with populations of 100,000 or greater represented 0.6% of the responsible units, but included 26.5% of the population that received grants and 27.9% of the total grant award dollars

in 2022.

Table 5 lists the number and total dollar amount of 2022 recycling grant awards received by the size of the award and includes the population represented within each category. Table 5 shows that 643 grant awards, totaling \$1,279,803, were less than \$5,000 each, and were made to responsible units representing a total population of 630,600. These grants represent approximately 10.7% of the population of grantees and 6.4% of the awarded grant dollars. Four grant awards were each \$500,000 or larger, totaling \$4,663,734, and were made to approximately 22.9% of the population served, with approximately 23.3% of the grant dollars awarded in 2022.

Table 6 shows that the distribution of grants by per capita category varied among responsible units. Approximately 32.4% of the grantees, with 14.8% of the total grantee population, received awards that averaged less than \$2 per capita, with awards averaging 7.2% of total net eligible recycling costs. In comparison, 21 responsible units, with 1.2% of the total grantee population, received awards that averaged \$8 and over per capita, with these awards averaging 26.4% of the net eligible recycling costs of the 21 responsible units.

Table 7 shows the distribution of grants by grant award as a percentage of the net eligible recycling costs. The award as a percentage of net eligible recycling costs varied widely for individual RUs, ranging from 0.03% to 100% of net eligible recycling costs. In the group of 24 responsible units that had awards that averaged 60% or more of net eligible costs, the per capita award ranged from \$0.48 to \$17.54. Six of the 24 responsible units received awards equaling 100% of net eligible recycling costs. The variation in the award as a percentage of net eligible cost is due to factors such as: (a) what activities responsible units choose to include in their recycling program; (b) what activities responsible units included in 1999 when the current formula was created, as responsible units since 1999 have received the

same percentage of the total grant as they received in 1999; (c) the costs of various curbside collection or drop-off collection program components; and (d) the costs of transportation of collection activities in densely or sparsely populated responsible units.

Table 8 lists the 71 responsible units with grant awards of \$60,000 or greater for the 2022 grant year. These responsible units include 32 counties, 33 cities, and six villages. Grants to the 71 responsible units include 60.7% of the total grantee population and 68.7% of the total grant award dollars paid.

Table 3: 2022 Municipal and County Recycling Grants to Responsible Units (RUs) by Governmental Unit Type

Type	Number of RUs	Population	Net Eligible Recycling Costs	Combined Basic Plus Consolidation Grant Award	Average Per Capita Grant Award	Average Award as a % of Net Eligible Recycling Costs
Town	606	910,702	\$20,407,676	\$2,183,692	\$2.40	10.7%
Village	258	833,099	24,397,696	2,358,513	2.83	9.7
City	132	2,666,522	72,472,683	9,710,471	3.64	13.4
County	33	1,419,502	26,477,448	5,483,460	3.86	20.7
Tribe	10	40,720	1,596,973	164,608	4.04	10.3
Other	<u>9</u>	<u>34,022</u>	<u>517,063</u>	<u>99,251</u>	2.92	19.2
Grand Total	1,048	5,904,567	\$145,869,539	\$19,999,995	\$3.39	13.7%

Table 4: 2022 Municipal and County Recycling Grants to Responsible Units (RUs) by Population Size

Population	Number of RUs	Population	Net Eligible Recycling Costs	Combined Basic Plus Consolidation Grant Award	Average Per Capita Grant Award	Average Award as a % of Net Eligible Recycling Costs
Less than 2,500	742	751,332	\$19,886,509	\$2,218,268	\$2.95	11.2%
2,500 to 4,999	130	450,212	12,213,733	1,384,308	3.07	11.3
5,000 to 9,999	66	477,628	12,536,702	1,528,110	3.20	12.2
10,000 to 24,999	66	1,008,962	26,481,401	3,647,369	3.61	13.8
25,000 to 49,999	29	1,028,694	20,054,588	3,416,120	3.32	17.0
50,000 to 99,999	9	621,812	14,888,669	2,217,508	3.57	14.9
100,000 and Over	<u>6</u>	<u>1,565,927</u>	<u>39,807,937</u>	<u>5,588,312</u>	3.57	14.0
Grand Total	1,048	5,904,567	\$145,869,539	\$19,999,995	\$3.39	13.7%

Table 5: 2022 Municipal and County Recycling Grants to Responsible Units (RUs) by Amount of Award

Award Amount	Number of RUs	Population	Net Eligible Recycling Costs	Combined Basic Plus Consolidation Grant Award	Average Per Capita Grant Award	Average Award as a % of Net Eligible Recycling Costs
\$1 to \$4,999	643	630,600	\$13,117,219	\$1,279,803	\$2.03	9.8%
\$5,000 to 9,999	173	433,178	11,490,776	1,255,688	2.90	10.9
\$10,000 to \$24,999	111	645,495	19,217,198	1,761,633	2.73	9.2
\$25,000 to 49,999	39	459,161	11,385,783	1,349,612	2.94	11.9
\$50,000 to 99,999	47	825,424	19,502,165	3,530,827	4.28	18.1
\$100,000 to 499,999	31	1,557,429	35,606,407	6,158,697	3.95	17.3
\$500,000 and Over	<u>4</u>	<u>1,353,280</u>	<u>35,549,991</u>	<u>4,663,734</u>	3.45	13.1
Grand Total	1,048	5,904,567	\$145,869,539	\$19,999,995	\$3.39	13.7%

Table 6: 2022 Municipal and County Recycling Grants to Responsible Units (RUs) by Award Per Capita

Award Per Capita	Number of RUs	Population	Net Eligible Recycling Costs	Combined Basic Plus Consolidation Grant Award	Average Per Capita Grant Award	Average Award as a % of Net Eligible Recycling Costs
\$0.01 to Less Than \$1.00	105	190,964	\$2,163,237	\$134,503	\$0.70	6.2%
\$1.00 to Less Than \$2.00	235	681,868	13,776,913	1,017,649	1.49	7.4
\$2.00 to Less Than \$3.00	236	1,159,314	23,080,205	2,952,342	2.55	12.8
\$3.00 to Less Than \$4.00	257	2,731,649	73,368,324	9,682,660	3.54	13.2
\$4.00 to Less Than \$6.00	133	853,859	23,759,798	3,904,514	4.57	16.4
\$6.00 to Less Than \$8.00	61	213,674	6,571,037	1,476,247	6.91	22.5
\$8.00 to Less Than \$10.00	8	50,859	1,666,886	435,871	8.57	26.1
\$10.00 and Over	<u>13</u>	<u>22,380</u>	<u>1,483,139</u>	<u>396,209</u>	17.70	26.7
Grand Total	1,048	5,904,567	\$145,869,539	\$19,999,995	\$3.39	13.7%

Table 7: 2022 Municipal and County Recycling Grants to Responsible Units (RUs) by Award as a Percentage of Net Eligible Recycling Costs

Award as % of Net Eligible Recycling Costs	Number of RUs	Population	Net Eligible Recycling Costs	Combined Basic Plus Consolidation Grant Award	Average Per Capita Grant Award	Average Award as a % of Net Eligible Recycling Costs
0.01% to Not More Than 10.00%	386	1,752,960	\$62,920,408	\$4,573,667	\$2.61	7.3%
10.00% to Not More Than 20.00%	424	2,624,459	63,381,723	9,261,324	3.53	14.6
20.00% to Not More Than 30.00%	121	900,919	13,610,419	3,303,334	3.67	24.3
30.00% to Not More Than 40.00%	52	299,724	3,426,680	1,204,618	4.02	35.2
40.00% to Not More Than 50.00%	30	78,560	707,717	312,606	3.98	44.2
50.00% to Not More Than 60.00%	11	31,690	410,708	228,310	7.20	55.6
60.00% to 100%	<u>24</u>	<u>216,255</u>	<u>1,411,884</u>	<u>1,116,137</u>	5.16	79.1
Grand Total	1,048	5,904,567	\$145,869,539	\$19,999,995	\$3.39	13.7%

Table 8: 2022 Municipal and County Recycling Grants to Responsible Units (RUs) - Largest 71 Grant Awards Includes All Awards of \$60,000 or Greater

Municipality/County	Population	Net Eligible Recycling Costs	Combined Basic Plus Consolidation Grant Award (Total Award)	Per Capita Grant Award	Total Award as a % of Net Eligible Recycling Costs
Milwaukee, City of	587,976	\$13,398,885	\$2,313,413	\$3.93	17.3%
Waukesha, County of	297,419	10,241,472	972,857	3.27	9.5
Madison City Of	259,233	9,670,356	806,834	3.11	8.3
Outagamie, County of	208,652	2,239,278	570,630	2.73	25.5
Eau Claire, County of	107,438	1,436,544	490,954	4.57	34.2
Green Bay, City of	105,209	2,821,402	433,624	4.12	15.4
Kenosha, City of	98,998	2,086,370	388,624	3.93	18.6
Racine, City of	76,887	4,580,000	314,655	4.09	6.9
West Allis, City of	59,614	1,686,678	253,600	4.25	15.0
Oshkosh, City of	65,840	1,182,657	236,961	3.60	20.0
Janesville, City of	64,198	1,405,383	226,051	3.52	16.1
Chippewa, County of	60,785	779,505	219,895	3.62	28.2
Manitowoc, City of	33,687	309,400	217,756	6.46	70.4
Pierce, County of	43,460	773,781	202,577	4.66	26.2
Neenah, City of	26,961	1,163,687	202,442	7.51	17.4
Saint Croix, County of	81,990	249,161	199,150	2.43	79.9
Portage, County of	62,631	1,752,601	197,984	3.16	11.3
Sheboygan, City of	49,822	1,787,810	193,460	3.88	10.8
Wauwatosa, City of	48,604	814,404	186,117	3.83	22.9
La Crosse, City of	50,869	1,166,314	180,588	3.55	15.5
Waupaca, County of	41,701	675,394	173,152	4.15	25.6
Oconto, County of	20,010	217,465	166,147	8.30	76.4
Polk, County of	44,995	744,802	160,248	3.56	21.5
Fond Du Lac, City of	44,349	727,486	156,843	3.54	21.6
Wausau, City of	39,182	738,650	147,289	3.76	19.9
Vernon, County of	31,082	984,709	142,918	4.60	14.5
Columbia, County of	42,406	1,161,100	138,219	3.26	11.9
Beloit, City of	36,376	792,791	137,463	3.78	17.3
Monroe, County of	46,212	515,399	131,705	2.85	25.6
Greenfield, City of	36,856	790,422	124,239	3.37	15.7
Vilas, County of	22,088	480,399	116,114	5.26	24.2
West Bend, City of	32,269	667,361	108,514	3.36	16.3
Watertown, City of	24,091	1,738,225	105,531	4.38	6.1
Fitchburg, City of	31,869	919,253	105,314	3.30	11.5
Superior, City of	26,950	457,254	100,564	3.73	22.0
Buffalo, County of	11,640	260,950	99,270	8.53	38.0
Richland, County of	17,290	279,630	98,965	5.72	35.4
Allouez, Village of	13,687	515,343	98,572	7.20	19.1
De Pere, City of	24,817	826,633	97,691	3.94	11.8
Adams, County of	18,804	357,191	97,060	5.16	27.2
Oak Creek, City of	37,608	854,142	94,732	2.52	11.1
Taylor, County of	16,391	302,043	88,735	5.41	29.4
Iron, County of	5,918	119,650	88,298	14.92	73.8
Barron, County of	34,881	590,574	88,075	2.53	14.9
Burnett, County of	15,249	91,464	87,550	5.74	95.7

Table 8: 2022 Municipal and County Recycling Grants to Responsible Units (RUs) - Largest 71 Grant Awards Includes All Awards of \$60,000 or Greater (continued)

Municipality/County	Population	Net Eligible Recycling Costs	Combined Basic Plus Consolidation Grant Award (Total Award)	Per Capita Grant Award	Total Award as a % of Net Eligible Recycling Costs
Wausara, County of	23,784	\$232,335	\$86,976	\$3.66	37.4%
Door, County of	29,090	443,740	86,611	2.98	19.5
Oneida, County of	27,298	297,650	86,158	3.16	28.9
Jackson, County of	20,379	235,766	84,707	4.16	35.9
Two Rivers, City of	11,411	571,408	83,431	7.31	14.6
Washburn, County of	16,088	99,086	83,323	5.18	84.1
Rusk, County of	13,464	82,022	82,022	6.09	100.0
Forest, County of	9,251	138,169	81,595	8.82	59.1
South Milwaukee, City of	20,743	539,550	81,580	3.93	15.1
Menomonee Falls, Village of	39,379	610,800	80,488	2.04	13.2
Menominee, County of	4,306	168,600	80,345	18.66	47.7
Muskego, City of	25,704	784,000	79,550	3.09	10.1
Weston, Village of	16,538	362,757	79,284	4.79	21.9
Florence, County of	4,504	78,997	78,997	17.54	100.0
Marquette, County of	14,437	210,139	78,954	5.47	37.6
Ashwaubenon, Village of	17,532	619,994	76,250	4.35	12.3
Monroe, City of	10,660	334,783	74,714	7.01	22.3
Wisconsin Rapids, City of	18,839	618,270	72,142	3.83	11.7
Menasha, City of	17,741	639,254	70,195	3.96	11.0
Franklin, City of	36,646	743,900	69,079	1.89	9.3
Caledonia, Village of	25,391	636,270	67,484	2.66	10.6
Pepin, County of	8,494	106,901	67,432	7.94	63.1
Cudahy, City of	18,093	802,216	67,013	3.70	8.4
Whitefish Bay, Village of	14,081	474,244	63,896	4.54	13.5
Marshfield, City of	19,684	440,560	62,083	3.15	14.1
Glendale, City of	<u>12,411</u>	<u>522,338</u>	<u>61,587</u>	4.96	11.8
Subtotal, Largest Grants	3,582,942	\$86,147,767	\$13,747,275	\$3.84	16.0%
Subtotal, Grants Less than \$60,000	2,321,625	\$59,721,772	\$6,252,721	\$2.69	10.5%
Statewide Total	5,904,567	\$145,869,539	\$19,999,995	\$3.39	13.7%

The grant award for the 71 responsible units as a percentage of net eligible recycling costs varied from 6.1% to 100%, depending on the 1999 grant amount and estimated net eligible costs.

2011-12 through 2020-21 from the segregated environmental management account.

DNR is required to distribute the funds on a per capita basis to responsible units that operate effective recycling programs and meet one of the following criteria:

1. The responsible unit is a county.
2. The responsible unit is a federally recognized Indian tribe or band.
3. The responsible unit has a population of

Recycling Consolidation Grant Program

In 2011 Wisconsin Act 32, a recycling consolidation grant program was created. The program has been appropriated \$1,000,000 annually in

25,000 or more and consists of one or more municipalities.

4. The responsible unit is not eligible under (1) through (3) above, but one of the following applies by October 1 in the year before the grant year: (a) the responsible unit consists of what had previously been at least two responsible units; or (b) the responsible unit enters into a cooperative agreement with another responsible unit for the joint provision of at least one of the following elements of an effective recycling program: (1) performing comprehensive program planning; (2) collecting and transporting recyclable materials; (3) sorting recyclable materials at a materials recovery facility; (4) developing and distributing education materials relating to waste reduction, reuse, and recycling; (5) carrying out a program of technical assistance to businesses and owners and occupants of multifamily dwellings to increase the availability and convenience of recycling; or (6) any other program element approved by DNR.

The sum of the recycling consolidation grant and basic grant for specific responsible units cannot exceed the amount of eligible recycling costs.

Table 9 summarizes the recycling consolidation grants awarded in 2021-22 by type of eligibility. Grant categories show the responsible units meeting eligibility for each categorization. Responsible units may qualify under multiple

criteria, and the categories therefore are not summative. The table includes the number of responsible units that received recycling consolidation grants, total population of those responsible units, amount of award received by the category, and the award amount per capita.

Electronics Recycling Program

DNR administers the electronics recycling program established under 2009 Wisconsin Act 50. DNR refers to the program as "E-Cycle Wisconsin." The program includes requirements for sales and recycling of covered electronic devices used by households, public K-12 schools, tribal schools, charter schools, and private school choice program schools (covered schools). It also includes requirements for manufacturers, retailers, collectors, and recyclers of covered electronic devices. Covered electronic devices include televisions and computer monitors with a tube or screen at least seven inches at its longest diagonal measurement, computers, and printers.

Sale of Covered Electronic Devices

Since February 1, 2010, a manufacturer may only sell, offer to sell, or deliver to a retailer for

Table 9: Recycling Consolidation Grants, 2021-22

Eligibility Category	Number of RUs	Population	Award Amount
County	33	1,419,502	\$358,899
Tribal Government	10	40,720	10,295
Population > 25,000	44	3,216,433	813,226
Cooperative Agreement	135	762,359	192,751
Total*	200	3,955,153	\$1,000,000
Per Capita grant = \$0.253			

*Grants show the number of RUs, population, and award amounts that qualified in each category. The categories are not mutually exclusive and therefore not summative. Actual totals can be seen below the listed categories.

subsequent sale, covered electronic devices to households or covered schools if the manufacturer labels the devices, recycles or arranges for recycling the devices, registers with DNR, pays annual registration fees, submits annual reports to DNR, finances and ensures the recycling of a certain amount of electronics annually, and pays shortfall fees if it recycles less than certain target amounts.

Since July 1, 2010, a retailer may only sell or offer to sell a new covered electronic device to a household or covered school if the retailer determines that the brand of covered electronic device is on the DNR's Internet site list of registered manufacturers.

Requirements for Manufacturers

The program defines manufacturers as any person who: (a) manufactures covered electronic devices to be sold under the person's own brand; (b) sells covered electronic devices manufactured by someone else under the person's own brand; or (c) licenses the person's brand for manufacture and sale of covered electronic devices by others.

Registration and Recycling Targets. Manufacturers are required to register with DNR annually by March 1, beginning in 2024. (Prior to changes made under 2021 Wisconsin Act 79, registration was to be made by September 1.) Manufacturers must include information in the registration about the brands and weight of covered electronic devices they sell in the state, the total weight of eligible electronic devices used by households or covered schools that were collected by or delivered to the manufacturer for recycling, and other required information.

From July 1, 2020, through June 30, 2021, 155 manufacturers of covered electronic devices registered under the program. For the period July 1, 2021, through June 30, 2022, 140 manufacturers submitted registrations.

A manufacturer is required to achieve a recycling target every year, which is a specified amount of recycling of electronic devices, as determined by weight and a specified formula. A manufacturer is required to recycle 80% of the weight of covered electronic devices it sold to households and covered schools during the 12-month period two years earlier.

A manufacturer may recycle a broader category of "eligible electronic devices" to meet its recycling target. Eligible electronic devices include covered electronic devices (computers, printers, monitors, and televisions), plus devices used by households or covered schools that include computer peripherals (such as keyboards, external hard drives, flash drives, modems, mice, scanners, and speakers used with a computer), facsimile machines, digital video disc (DVD) players, video cassette recorders (VCR), and digital video recorders or players that do not use discs or cassettes.

DNR is authorized to promulgate administrative rule changes to add or subtract types of electronic devices from the list of eligible electronic devices. In June of 2022, DNR submitted proposed rules to the Legislature for review, which would create Chapter NR 530 in the administrative code for the electronics recycling program, as well as add the following items to the list of eligible electronic devices: (a) telephones with video displays (smart phones); (b) telephone accessories that are operated by batteries; and (c) components of video game systems or portable handheld video game devices that are operated by battery but do not meet the definition of a computer monitor or consumer computer. As of December, 2022, the rule is still under review by the Legislature.

Manufacturers are subject to a forfeiture of not more than \$10,000 per violation of the electronics recycling statutes. From July 1, 2021, to June 30, 2022, DNR revoked the registrations of 17 manufacturers for failure to submit required forms or payments. Five of the manufacturers came into

compliance without further enforcement action. DNR determined that the remaining 12 had either stopped selling covered electronics, or DNR could not find current contact information for them.

Registration and Shortfall Fees and Credits.

DNR is required to assess annual registration and shortfall fees to manufacturers. The fees are deposited in the environmental management account of the environmental fund. Fee revenues are only available for expenditure under an appropriation for DNR administration of the electronics recycling program, and cannot be used for other appropriations from the account.

A manufacturer is required to pay annual registration fees by March 1, based on the number of covered electronic devices it sold during the previous program year. 2021 Act 79 changed the registration fees as follows: (a) \$0, if fewer than 250 devices were sold; (b) \$1,250 if 250 to 499 devices were sold; and (c) \$5,000 if at least 500 devices were sold. Fees are to be 50% higher when paid in 2024 only, following an 18-month statutory transition period that will establish the program on a calendar-year registration basis rather than a state fiscal year basis, beginning January 1, 2024.

In its annual report, the manufacturer is required to report on the weight of eligible electronic devices that it recycled during the prior program year. If the manufacturer does not meet its recycling target, that is, it recycles substantially fewer electronic devices than it sells, it must pay an annual shortfall fee to DNR.

Shortfall fees are calculated on a graduated scale determined by how short of the target recycling weight the manufacturer's actual collections were. The fees are calculated by first subtracting the actual recycling weight from the target recycling weight. The manufacturer is allowed to multiply the total recycled weight that it recycled by 1.25 for eligible electronic devices that it collects in rural counties. This is intended to provide an incentive for manufacturers to collect eligible

electronic devices for recycling in rural areas. The statutes designate 33 urban and 39 rural counties for purposes of the collection incentive.

The resulting number of pounds is used to calculate the shortfall fees as follows: (a) 50¢ per pound if the actual weight recycled is less than 50% of the target recycling weight; (b) 40¢ per pound if the actual weight recycled is at least 50% but not more than 90% of the target recycling weight; and (c) 30¢ per pound if the actual weight recycled is more than 90% and less than 100% of the target recycling weight.

Table 10 shows the amount of manufacturer registration and shortfall fees assessed or collected in 2009-10, the first year of the program, through 2021-22. In 2020-21, 94 registered manufacturers paid registration fees totaling \$361,250. The registered manufacturers who did not pay fees were exempt from fees because they sold a minimal number of units. An additional \$67,868 in shortfall fees were assessed to 48 manufacturers. (Shortfall fees are received in the fiscal year following the program year assessed.) In 2021-22, 66 registered manufacturers paid registration fees totaling

Table 10: Electronics Recycling Program -- Manufacturer Fees Collected

Year	Registration Fees	Shortfall Fees	Total
2009-10	\$261,250	\$0	\$261,250
2010-11	270,000	8,453	278,453
2011-12	275,000	19,210	294,210
2012-13	310,000	10,105	320,105
2013-14	310,000	9,467	319,467
2014-15	328,750	12,379	341,129
2015-16	408,750	8,812	417,562
2016-17	375,000	8,124	383,124
2017-18	370,000	14,066	384,066
2018-19	338,750	9,607	348,357
2019-20	358,750	21,203	379,953
2020-21	361,250	67,868	429,118
2021-22	311,250	23,765	335,015

Source: DNR E-Cycle Wisconsin annual reports.

Note: Fees represent amounts attributable to the year shown. However, shortfall fees are typically received in the succeeding fiscal year.

\$311,250. As of November, 2022, the Department had received \$20,821 in shortfall fees from 38 manufacturers out of \$23,765 assessed for 2021-22.

A manufacturer earns a recycling credit if, for a program year, the weight of eligible electronic devices recycled exceeds the target recycling weight. The manufacturer would be entitled to a number of recycling credits equal to the number of excess pounds, or 20% of the target recycling weight, whichever is less. During the three succeeding program years, the manufacturer could use the credits to help meet its recycling target during that time, or it could sell the credits to another manufacturer. In the program year ending June 30, 2022, manufacturers earned recycling credits of 144,800 pounds, and applied 158,800 pounds to meet recycling targets. There were approximately 196,100 recycling credits available for manufacturers to use or sell to other manufacturers in years after June 30, 2022.

A manufacturer may submit, with its registration, a request for relief from the shortfall fee in that year. The manufacturer would have to submit information showing that it made good-faith progress toward meeting its target recycling weight. If DNR determines that the manufacturer has made good faith progress toward meeting its target recycling weight, the Department would waive the shortfall fee. If not, DNR would notify the manufacturer, and the manufacturer would have to pay the shortfall fee within 60 days after receiving the notification. As of November 2022, no manufacturers had submitted a request.

Requirements for Collectors and Recyclers

The program specifies that collectors are persons who receive electronic devices from households or covered schools and deliver them to recyclers. Recyclers accept electronics from collectors, households and schools, for the purpose of recycling.

Collectors and recyclers are required to register with DNR annually by February 1. Collectors are required to report to DNR the total weight of eligible electronic devices collected during the preceding program year, and the names of the recyclers to whom the collector delivered the electronic devices. Registered collectors and recyclers may not use prison labor to collect or recycle eligible electronic devices.

Registered recyclers are required to meet additional requirements. These relate to maintaining specified liability insurance, proof of financial responsibility, specific records, a contingency plan for responding to releases of hazardous substances, and compliance with federal, state, and local requirements for storing, transporting, processing, and exporting eligible electronic devices. Collectors and recyclers are not subject to registration fees. DNR reported that 133 collectors and 22 recyclers were registered with DNR for the program year July 1, 2021, through June 30, 2022.

Between July 1, 2021, and June 30, 2022, registered collectors collected 23.1 million pounds of eligible electronics at 577 registered permanent, temporary, or one-day event collection sites. Of the total amount collected, approximately 19.3 million pounds (84%) was from urban counties. Of the total amount collected in 2021-22, approximately 50% of the weight collected was televisions, 7% was computers, 2% was computer monitors, and 41% was other eligible electronics such as printers. Since the start of the program, a cumulative total of 371.3 million pounds of electronics has been collected between January 1, 2010, and June 30, 2022.

DNR inspected nine recyclers and 57 collection sites between July 1, 2021, and June 30, 2022. DNR also is authorized to audit or contract for the audit of a registered collector or recycler. If the Department does so during the first three years in which the collector or recycler is registered, the collector or recycler is required to pay 25% of the cost of the audit. After the first three years, the

collector or recycler will pay 50% of the cost of the audit. The costs paid by the collector or recycler will be deposited in the electronics recycling appropriation. As of the fall of 2022, DNR had not audited any registered collector or recycler. Collectors and recyclers are subject to a forfeiture of not more than \$1,000 per violation.

Electronics Recycling Grants

2021 Act 79 created a rural electronics recycling grant program, funded by any remaining balance of the electronic waste recycling appropriation under s. 20.370(4)(hr) of the statutes. Grants may be provided to local units of government, tribal governments, businesses, and nonprofit entities to expand electronics recycling in underserved areas of the state. Grants may be used to rent space or acquire materials necessary to host the collection site or collection event, advertise for the site or event, cover staff expenses for the site or event, provide for transportation, and other expenses allowed by the Department.

Recipients of rural electronics recycling grants must provide matching funds equal to at least 20% of the cost of the project. Grants are provided in the following order of priority: (1) projects in counties with no permanent collection sites; (2) projects in counties with no permanent collection sites that are open to all residents; (3) projects taking place in municipalities with a population of 5,000 or more that do not have permanent collection sites; and (4) projects that do not meet the requirements of priorities (1) through (3).

Table 11 shows the rural electronics recycling grants awarded as of June, 2022, under the program's first award cycle.

DNR Administration

DNR is responsible for administration and collection of electronics recycling program fees, compliance and enforcement, and outreach. DNR is required to maintain an Internet site on which it

Table 11: 2022 Electronics Recycling Grants

Recipient	Amount
Dynamic Lifecycle Innovations Inc. (Iron and Kewaunee Cos.)	\$20,000
Pepin County	11,896
Norsec Computer Recyclers LLC (Forest, Kewaunee and Marinette Cos.)	10,472
Riverview Transfer & Recycling (Kewaunee Co.)	10,000
Marquette County	7,920
Crawford County	5,000
Polk County	5,000
Richland County	5,000
Taylor County	5,000
Jefferson County	4,000
Village of Paddock Lake (Kenosha Co.)	2,988
Village of Ridgeway (Iowa Co.)	<u>496</u>
Grand Total	\$87,772

lists the names of registered manufacturers, the names of brands of electronics listed in the manufacturers' registrations, and the names of registered collectors and recyclers.

DNR allocates 2.0 positions from the environmental management account to administer the electronics recycling program. One of the positions is appropriated in an environmental management account appropriation authorized to spend only any electronics registration and shortfall fees. The appropriation may spend all moneys received from the fees, so the appropriation amount is an estimate. The remaining position is appropriated through the DNR recycling administrative appropriation, which is funded from environmental-management account revenues other than the electronics fees.

DNR utilizes the positions to coordinate the program, manage and track reporting by regulated entities, collect fees, prepare an annual legislative report, provide outreach and technical assistance, perform enforcement and compliance, conduct inspections of registered recyclers and collectors, respond to complaints, and review paperwork to ensure electronics are properly managed in the recycling process.

DNR is required to submit an annual report by December 1, to the Legislature and Governor, and include information related to collection of electronic devices, information provided by manufacturers and recyclers under the program, disposal of eligible electronic devices in landfills, enforcement, and recommendations for the program.

DNR submitted annual reports in 2012 through 2022. The report submitted in November, 2022, included the following information: (a) most manufacturers met or exceeded their recycling targets; (b) the number of manufacturers has continued to generally decline each year; and (c) there were registered collection sites in 68 of 72 counties. In the 2022 report, DNR recommended: (a) adjusting manufacturer targets by statute; (b) allowing recyclers to carry over credits; and (c) revising statutory definitions for covered electronic devices.

If the federal government enacts a law relating to the collection and recycling of covered electronic devices sold in the United States, DNR will be required to prepare a report describing the effect of the federal law and to submit it to the Legislature's standing committees with jurisdiction over solid waste policy. As of the fall of 2022, there have been no federal law changes related to the collection and recycling of electronic devices.

Department of Natural Resources Activities

DNR Recycling Staff

In 2022-23, DNR is authorized 21.4 positions from the segregated environmental management account for work on various recycling activities. This includes the following:

1. The Bureau of Waste and Materials Management in the Environmental Management

Division is authorized 13.5 positions. Staff in the central office perform policy development, administrative, planning, evaluation, markets directory, data management, informational and educational functions, technical assistance and outreach to local governments on recycling, process applications for the municipal and county grant program, and track compliance of responsible units. Regional staff provide support to central staff related to the functions transferred from the regions to the central office. In addition, regional staff provide plan review and technical assistance related to recycling facilities, and for solid waste facilities with a purpose related to recycling, such as facilities that process recyclable materials into usable products. Of the 13.5 positions, 2.0 positions staff the electronics recycling program, as described previously.

2. The Bureau of Environmental Analysis and Sustainability staffs 2.0 positions who work with communities and businesses to help improve their environmental performances, including recycling practices.

3. Administration of the recycling grant programs is performed by 3.0 positions in the Bureau of Community Financial Assistance in the External Services Division. During the 2021-23 biennium, these 3.0 staff handled program coordination, annual reporting, registration process oversight, information technology development input, data analysis, writing of the annual legislative report, development of a statewide household survey, public outreach, rule writing, improving program policies using information from other states, file review, and implementation of the rural electronics recycling grant program.

4. Recycling enforcement activities are performed by approximately 2.4 positions in the Law Enforcement program. This is provided by allocating a portion of the time of all Division of Public Safety and Resource Protection staff throughout the state. DNR regional recycling specialists also work on enforcement issues.

5. DNR also has accounting, purchasing and other financial management recycling-related responsibilities that are performed by 0.5 position.

Technical Assistance and Information

DNR is responsible for providing technical assistance and comprehensive public information. DNR is required to provide technical assistance to individuals, groups, businesses, state agencies, counties and municipalities in all aspects of recycling, with an emphasis on material that is easy to read and understand by the general public. This includes: (a) providing information about how to perform a study related to the composition of solid waste; (b) maintaining current estimates of the amount of components of solid waste generated by categories of businesses, industries, municipalities and other governmental entities; (c) providing information about how to manage solid waste consistent with the state's solid waste management priorities; and (d) providing technical assistance to local recycling programs.

The Department is statutorily required to collect, prepare and disseminate information, including educational and training programs that assist in the implementation of the solid waste management programs. The educational programs must inform the public of the relationship between an individual's consumption of goods and services, the generation of different types and quantities of solid waste and the implementation of the solid waste management priorities. DNR is also required to prepare educational programs on a statewide basis for the following audiences: (a) municipal, county and state officials and employees; (b) kindergarten through graduate students and teachers; (c) private solid waste scrap brokers, dealers and processors; (d) businesses that use or could use recycled materials, or that produce or could produce products from recycled materials, and persons who serve or support these businesses; and (e) the general public.

During the 2021-23 biennium, DNR

accomplished these responsibilities as follows:

1. Prepared, updated, and distributed fact sheets, newsletters, updates, and publications related to general recycling issues and specific types of recycling.

2. Maintained DNR websites and social media accounts to provide information about recycling programs, legislation, and grant opportunities, and published a residential food waste reduction webpage.

3. Provided communication and education tools and resources to responsible units for distribution to their residents, businesses, and institutions.

4. Worked with businesses to increase recycling opportunities and use recycled materials in operations.

5. Worked with UW-Green Bay to update and maintain an online recycling markets database. Focused on expanding lists for organics and food residuals.

6. Presented and exhibited at various conferences and fairs on general recycling and waste reduction, business and event recycling, plastic film recycling, composting, electronics, universal wastes (such as batteries and fluorescent tubes), and open burning.

7. Partnered with a statewide recycling association to develop social media campaigns for Earth Day and America Recycles Day.

8. Monitored and provided presentations, press interviews, and guidance on commodity market impacts on Wisconsin's recycling program.

9. Participated in an online green and healthy schools program in partnership with the Wisconsin Department of Public Instruction.

10. Hired a communications waste management specialist in 2019 to focus on internal and external outreach needs and publications.

11. Conducted material recovery facility stakeholder meetings annually. Conducted solid waste and recycling hauler stakeholder meeting and training.

12. Promoted notable recycling and waste diversion activities by communities, businesses, schools, and nonprofits through promotion of Recycling Excellence Award winners.

13. Conducted and disseminated results of a waste characterization study, identifying types and percentages of materials that are being landfilled.

Council on Recycling

The Council on Recycling was statutorily created in 1989 as a part-time advisory body appointed by the Governor and staffed by DNR. There are seven Council members representing business, government, and the public at large. Each member serves a four-year term.

The Council is directed to: (a) promote the efficient and prompt implementation of state programs relating to solid waste reduction, recovery and recycling; (b) advise and assist state and local agencies in the coordination of these programs and the exchange of information related to these activities; (c) advise state agencies concerning the promulgation of administrative rules related to solid waste reduction, recovery and recycling; (d) advise DNR and the University of Wisconsin System concerning educational efforts and research related to these activities; (e) in cooperation with the packaging industry, recommend standards for recyclable packaging; (f) develop recommendations, and advise and assist local officials and the automotive service industry in promoting the

recycling of used oil filters; (g) advise DNR concerning the development of a statewide plan for public service announcements that would provide information about recycling programs and the benefits of recycling; and (h) advise the Governor and the Legislature.

During 2021 and 2022, the Council worked on the following activities: (a) monitored recycling commodity markets and recycling compliance issues; (b) provided feedback on modifications to Chapter NR 544 of the administrative code; (c) supported efforts to address challenges of rechargeable batteries in the waste and recycling streams through an industry survey, development of a rechargeable battery taskforce and assignment of a member of the council to the taskforce; (d) monitored the federal Bipartisan Infrastructure Law as it pertains to recycling; and (d) received presentations on electronics recycling, product stewardship, recycling grants, the waste characterization study, recycling and solid waste data, food waste, designated collection of hard-to-recycle materials, use of robotics and artificial intelligence in recycling processing operations, paper cup recycling, and the results of the household survey.

Department of Agriculture, Trade and Consumer Protection Clean Sweep Grants

The clean sweep program provides grants to counties and municipalities for the collection and disposal of pesticides, farm chemicals, unwanted prescription drugs, and hazardous wastes. The program is administered under administrative rule ATCP 34. Base funding is \$750,000 annually from the environmental management account. DATCP estimates full-time equivalent staffing allocated to the clean sweep program of 0.5 position at a cost of \$49,000 annually from the segregated agricultural management fund during the 2021-23 biennium.

DATCP must award at least two-thirds of the funding available to household hazardous waste and pharmaceuticals collections. Grant awards are made to reimburse local costs, with municipalities providing a match of at least 25% of cash or in-kind services. DATCP sets a maximum grant award, shown in Table 12 for the 2023 grant cycle. Municipalities may apply jointly for a grant to host a singular collection site. Sites may be temporary (up to three days per year), continuous (four or more days per year), or permanent (at least six months and with permanent infrastructure for collections). Beginning in 2016, municipalities may apply for funding of \$1,000 per box (maximum five) to purchase drop boxes for unwanted prescription drugs. As of 2022, DATCP estimates the clean sweep program supports 160 drug drop boxes across the state.

For 2022 events, DATCP grant awards included: (a) \$475,000 for household hazardous waste collections; (b) \$198,000 for collections of agricultural waste; and (c) \$75,000 for collections of unwanted prescription drugs. Of 61 grantees in 2022, 13 were permanent, 25 were continuous, and 23 were temporary. Forty-one grantees collected agricultural waste, 33 collected hazardous household waste, and 20 collected prescription drugs.

Table 12: 2023 Maximum Clean Sweep Grants

Event Collection Type	Single Jurisdiction	Multi-Jurisdictional
Agricultural Waste		
Permanent	\$11,000	\$41,000
Continuous	10,000	40,000
Temporary	8,000	20,000
Household		
Permanent	21,000	66,000
Continuous	20,000	65,000
Temporary	16,000	30,000
Prescription Drug*		
Continuous	5,000	8,000
Temporary	4,000	6,000

*Municipalities may also apply for up to \$5,000 for prescription drug drop boxes, at \$1,000 per box.

Wastes collected at 2021 events totaled approximately 2.2 million pounds, including: (a) 2,058,900 pounds of household hazardous waste; (b) 70,300 pounds of waste from agricultural sources; and (c) 12,900 pounds of unwanted prescription drugs. In addition, collection sites received 231,200 pounds in waste from other small businesses, known as very small quantity generators (VSQGs), for a total of 2.4 million pounds.

Eligible grant expenditures include: (a) costs to hire a hazardous waste contractor; (b) equipment rentals, supplies and services to operate the collection site and handle disposal, including permanent, secure drop boxes for unwanted prescription drugs; (c) staff costs related to a continuous or permanent collection event; and (d) educational and promotional activities. Grants may not be used to collect, among other items: (a) uncontaminated oil; (b) batteries; (c) contaminated soil or debris; (d) fluorescent tubes; (e) triple-rinsed plastic pesticide containers; (f) materials or devices that may be disposed of at other waste or recycling sites; (g) personal care products; (h) infectious waste and hypodermic needles; and (i) chemicals for which there is no federal- or state-approved disposal method.

VSQGs are commercial firms that do not produce more than 220 pounds of hazardous waste a month. VSQGs may bring in hazardous waste for disposal at clean sweep sites. VSQGs must register with the collecting agency or hazardous waste contractor. The collecting agency or contractor must keep records of the amount of waste collected from the VSQG, the total cost to collect and dispose of this waste, and the total amount of payments received from the generator. VSQGs are eligible for up to a 50% subsidy from DATCP for disposal of pesticides or other farm chemical wastes, but must pay the full disposal costs of other waste. For 2021 collections, VSQGs disposed of 9,520 pounds of agricultural waste, none of which was recorded as reimbursable.

APPENDIX I

Recyclable Materials Collected by Responsible Units and Reported to DNR (Tons)

<u>Year</u>	<u>Materials Banned from Landfills as of 1995*</u>	<u>Yard Waste</u>	<u>Other Banned Materials**</u>	<u>Non-Banned Materials***</u>	<u>Total</u>
1994	226,701	213,635	18,018	3,195	461,549
1995	360,669	210,288	22,598	47,316	640,871
1996	361,001	241,492	20,848	76,344	699,685
1997	389,161	280,213	25,950	71,682	767,006
1998	379,772	288,606	26,703	99,240	794,321
1999	389,381	278,275	26,668	70,994	765,318
2000	405,179	252,479	24,956	47,969	730,583
2001	403,915	260,047	23,498	39,596	727,056
2002	397,384	248,165	25,927	43,017	714,493
2003	397,596	260,396	22,097	55,521	735,610
2004	410,548	281,506	19,315	18,254	729,623
2005	410,492	283,489	15,867	18,384	728,232
2006	419,116	267,338	13,558	18,538	718,550
2007	411,047	241,149	14,001	23,521	689,718
2008	423,661	275,869	16,952	19,705	736,187
2009	410,443	270,946	12,972	16,000	710,361
2010	420,047	260,747	16,511	23,269	720,574
2011	396,703	242,731	16,247	NA	655,681
2012	390,824	250,021	15,755	NA	656,600
2013	412,899	259,291	20,035	NA	692,225
2014	412,767	277,955	19,511	NA	710,233
2015	410,192	279,141	17,698	NA	707,031
2016	418,376	251,394	18,319	NA	688,089
2017	421,526	240,007	17,307	NA	678,840
2018	421,495	274,725	17,461	NA	713,681
2019	411,125	245,401	17,625	NA	674,151
2020	423,431	254,085	20,452	NA	697,968
2021	410,011	222,312	6,433	NA	638,756

* 1994 was the year before certain materials were banned from landfills beginning in 1995. Includes newspapers, magazines, corrugated cardboard, office paper, aluminum cans, steel cans, glass containers, plastic containers, commingled containers and polystyrene foam.

** Includes appliances, tires, lead acid batteries, and used oil. Includes electronics for 2010 through 2020. Starting in 2021, values reflect waste tires only.

*** Includes scrap metal, used clothing or textiles, miscellaneous recyclables, and residential mixed paper. Includes electronics through 2009. DNR does not collect this information beginning in 2011.

NA= Not available.

APPENDIX II

Municipal and County Recycling Grant, Efficiency Incentive Grant, and Consolidation Grant Programs: Appropriation Levels 1990-91 Through 2022-23

Calendar Year	Fiscal Year	Municipal and County Recycling Grant Appropriation	Efficiency Incentive or Recycling Consolidation Grant Appropriation	Total Appropriation Amount
July 1, 1990 to Dec 31, 1991	1990-91	\$18,500,000	\$0	\$18,500,000
1992	1991-92	18,500,000	0	18,500,000
1993	1992-93	23,800,000	0	23,800,000
1994	1993-94	29,849,200	0	29,849,200
1995	1994-95	29,200,000	0	29,200,000
1996	1995-96	29,200,000	0	29,200,000
1997	1996-97	29,200,000	0	29,200,000
1998	1997-98	24,000,000	0	24,000,000
1999	1998-99	24,000,000	0	24,000,000
2000	1999-00	24,500,000	0	24,500,000
2001	2000-01	24,500,000	0	24,500,000
2002	2001-02	24,500,000	0	24,500,000
2003	2002-03	24,500,000	1,900,000*	26,400,000
2004	2003-04	24,500,000	1,900,000	26,400,000
2005	2004-05	24,500,000	1,900,000	26,400,000
2006	2005-06	24,500,000	1,900,000	26,400,000
2007	2006-07	24,500,000	1,900,000	26,400,000
2008	2007-08	31,000,000	1,900,000	32,900,000
2009	2008-09	31,000,000**	1,900,000**	32,900,000
2010	2009-10	31,098,100**	0	31,098,100
2011	2010-11	32,098,100**	0	32,098,100
2012	2011-12	19,000,000	1,000,000	20,000,000
2013	2012-13	19,000,000	1,000,000	20,000,000
2014	2013-14	19,000,000	1,000,000	20,000,000
2015	2014-15	19,000,000	1,000,000	20,000,000
2016	2015-16	18,000,000	1,000,000	19,000,000
2017	2016-17	19,000,000	1,000,000	20,000,000
2017	2017-18	19,000,000	1,000,000	20,000,000
2018	2018-19	19,000,000	1,000,000	20,000,000
2019	2019-20	19,000,000	1,000,000	20,000,000
2020	2020-21	19,000,000	1,000,000	20,000,000
2021	2021-22	19,000,000	1,000,000	20,000,000
2022	2022-23	<u>19,000,000</u>	<u>1,000,000</u>	<u>20,000,000</u>
Total		\$774,445,400	\$25,300,000	\$799,745,400

*In 2002-03 through 2008-09, a recycling efficiency incentive grant program provided additional funds for responsible units that consolidated, entered into cooperative agreements with other responsible units, or enacted other efficiencies. The program was repealed in the 2011-13 biennial budget act.

**DNR awarded less than the appropriated amount to meet part of the Department's obligation to transfer funds to the state's general fund under deficit-reduction requirements of 2007-09 and 2009-11 legislation. DNR awarded \$29.3 million in 2008-09 (\$27.8 million for basic grants and \$1.5 million for recycling efficiency grants), \$29.3 million in 2009-10, and \$19.0 million in 2010-11.

APPENDIX III

Prior Recycling Grant Formulas

Basic Grant. In 1990 (fiscal year 1990-91), the first year grants were awarded under the municipal and county grant program, grants for the period from July 1, 1990, through December 31, 1991, were allocated through a special expedited process.

Grants for 1991 through 1999 were allocated based on a complex formula based on eligible expenses, "avoided disposal costs," and other factors. Avoided disposal costs are those costs, such as landfill tipping fees, that are not incurred by the responsible unit because material is recycled rather than disposed of by landfilling or incineration.

The basic grant award for 1991 through 1999 was determined by first calculating 66% of eligible expenses minus avoided disposal costs, and \$8 per capita, and determining which of the two amounts was less. The second step was to compare this amount with 33% of eligible expenses. The responsible unit received the greater of the two amounts determined in the second step. Third, counties that are responsible units for at least 75% of the county's population were guaranteed a minimum annual grant of \$100,000 if they had eligible expenses equal to or greater than that amount. The final step was to prorate all grant awards by an equal percentage (after providing the minimum \$100,000 grants to certain counties) to meet available funding.

1999 Wisconsin Act 9 changed the grant formula for 2000 and subsequent grant years. The Legislature enacted a change to a per capita-based grant formula. However, as a result of the Governor's partial veto, the formula was changed to a

proportional distribution based on 1999 awards.

In order to be eligible for a grant in 2000, a responsible unit had to have received financial assistance in 1999 and DNR had to have determined that the responsible unit has an effective recycling program. In 2000, 11 responsible units applied for and did not receive grants because they did not receive a grant in 1999.

Beginning in the 2001 grant year, responsible units receive a grant equal to the same percentage of the total grant funding as the responsible unit received, or would have received, in 1999.

Supplemental Grant. Ten percent of the funds available for the basic grants in 1994 through 1999 were allocated for supplemental grants for responsible units that imposed volume-based fees for residential solid waste collection, such as a fee per garbage bag. The supplemental grant was calculated by dividing the available funds by the population subject to volume-based fees in the responsible units that imposed volume-based fees for residential solid waste collection.

Recycling Efficiency Incentive Grant. In grant year 2003 through 2009, \$1,900,000 annually was appropriated for recycling efficiency incentive grants. The voluntary program provided additional recycling program grants for responsible units that consolidate, enter into cooperative agreements with other responsible units, or enact other efficiencies. No funds were appropriated for the program in 2009-10 and 2010-11, and the program was repealed in the 2011-13 biennial budget act.

APPENDIX IV

Summary of Municipal and County Recycling Grant Amounts, 2003 to 2022

<u>Calendar Year</u>	<u>Number of Grantees (1)</u>	<u>Net Eligible Recycling Costs (2)</u>	<u>Actual Award Amount</u>	<u>Per Capita Award Amount</u>
2003 Basic	1,016	\$84,426,600	\$24,404,900	\$4.50
Efficiency Incentive	110	<u>NA</u>	<u>1,900,000</u>	0.71
Total		84,426,600	26,304,900	4.84
2004 Basic	1,013	85,661,000	24,383,300	4.48
Efficiency Incentive	77	<u>NA</u>	<u>1,900,000</u>	0.74
Total		85,661,000	26,283,300	4.83
2005 Basic	1,010	90,136,100	24,409,700	4.43
Efficiency Incentive	148	<u>NA</u>	<u>1,898,200</u>	0.66
Total		90,136,100	26,307,900	4.78
2006 Basic	1,012	93,952,900	24,435,000	4.40
Efficiency Incentive	120	<u>NA</u>	<u>1,900,000</u>	0.71
Total		93,952,900	26,335,000	4.74
2007 Basic	1,008	98,387,100	24,414,600	4.37
Efficiency Incentive	124	<u>NA</u>	<u>1,900,000</u>	0.70
Total		98,387,100	26,314,600	4.71
2008 Basic	1,018	99,118,900	30,787,900	5.47
Efficiency Incentive	227	<u>NA</u>	<u>1,900,000</u>	0.65
Total		99,118,900	32,687,900	5.81
2009 Basic	1,022	107,997,300	27,829,100 (3)	4.92
Efficiency Incentive	161	<u>NA</u>	<u>1,500,000 (3)</u>	0.56
Total		107,997,300	29,329,100	5.18
2010 Basic	1,025	104,028,700	29,294,200 (3)	5.16
Efficiency Incentive	0	<u>NA</u>	<u>0</u>	0.00
Total		104,028,700	29,294,200	5.16
2011 Basic	1,020	103,514,700	18,954,000 (3)	3.34
Efficiency Incentive	0	<u>NA</u>	<u>0</u>	0.00
Total		103,514,700	18,954,000	3.34
2012 Basic	1,026	105,885,200	19,000,000	3.34
Consolidation	186	<u>NA</u>	<u>1,000,000</u>	0.27
Total		105,885,200	20,000,000	3.52
2013 Basic	1,020	109,311,000	18,996,900	3.34
Consolidation	193	<u>NA</u>	<u>1,000,000</u>	0.26
Total		109,310,000	19,996,900	3.52
2014 Basic	1,024	112,172,800	19,000,000	3.32
Consolidation	203	<u>NA</u>	<u>1,000,000</u>	0.26
Total		112,172,800	20,000,000	3.50
2015 Basic	1,027	116,717,400	19,000,000	3.34
Consolidation	201	<u>NA</u>	<u>1,000,000</u>	0.26
Total	1,027	116,717,400	20,000,000	3.49

APPENDIX IV (continued)

Summary of Municipal and County Recycling Grant Amounts, 2003 to 2022

<u>Calendar Year</u>	<u>Number of Grantees (1)</u>	<u>Net Eligible Recycling Costs (2)</u>	<u>Actual Award Amount</u>	<u>Per Capita Award Amount</u>
2016 Basic	1,024	\$116,466,000	\$18,000,000	\$3.31
Consolidation	193	NA	<u>1,000,000</u>	0.26
Total		<u>116,466,000</u>	<u>19,000,000</u>	3.50
2017 Basic	1,029	119,329,600	18,999,500	3.29
Consolidation	197	NA	<u>1,000,000</u>	0.26
Total		<u>119,329,600</u>	<u>19,999,500</u>	3.47
2018 Basic	1,035	121,955,100	19,000,000	3.31
Consolidation	197	NA	<u>1,000,000</u>	0.26
Total		<u>121,955,100</u>	<u>20,000,000</u>	3.48
2019 Basic	1,035	131,928,100	19,000,000	3.29
Consolidation	198	NA	<u>1,000,000</u>	0.25
Total		<u>131,928,100</u>	<u>20,000,000</u>	3.46
2020 Basic	1,038	137,932,900	19,000,000	3.26
Consolidation	206	NA	<u>1,000,000</u>	0.25
Total		<u>137,932,900</u>	<u>20,000,000</u>	3.43
2021 Basic	1,049	130,260,600	19,000,000	3.25
Consolidation	202	NA	<u>1,000,000</u>	0.26
Total		<u>130,260,600</u>	<u>20,000,000</u>	3.42
2022 Basic (Awarded)	1,048	145,869,500	19,000,000	3.22
Consolidation	200	NA	<u>1,000,000</u>	0.25
Total		<u>145,869,500</u>	<u>20,000,000</u>	3.39

NA: Not applicable

(1) All grantees that received an efficiency incentive grant in 2003 through 2009, or a consolidation grant in 2012 through 2022, first received a basic grant.

(2) For final grants, this equals the lesser of the actual net eligible recycling costs and the net eligible recycling costs that were estimated at the time of the initial grant award.

(3) DNR awarded less than the appropriated amount to meet part of the Department's obligation to transfer funds to the state's general fund under deficit-reduction requirements of 2007-09 and 2009-11 legislation