



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Division of Solid & Hazardous Waste

RECYCLING ENHANCEMENT ACT TAX FUND (REA)
MUNICIPAL TONNAGE GRANT PROGRAM (MTG) N.J.S.A. 13:1E-96

2018 PROCEDURAL GUIDE (GUIDE)
ISSUED FEBRUARY 7, 2019

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FORWARD

2018 MTG PROCEDURAL GUIDE

New Jersey's Municipal Tonnage Grant (MTG) program provides grants to local and county governments to encourage recycling of solid waste. To ensure that these grants provide the maximum benefit to recycling, and to improve the Department of Environmental Protection's (DEP or the Department) ability to administer, oversee, and monitor this program, DEP is implementing several changes to the program. These changes are also designed to allow DEP to calculate and disburse awards as early in a program year as possible, and track how grant money generally is spent.

This Guide explains in detail the current program requirements, schedule, and conditions. Grant applicants should carefully read this Guide to be sure that their applications and programs comply with the current program parameters described in this document.

Applicants must comply with all of the due dates, deadlines, parameters, and timeframes for the MTG program in order to be eligible for a grant. Please note that **applications are due no later than April 30, 2019. Municipalities or Counties whose applications are submitted late, or that do not meet the conditions of the program, will not be eligible for a 2018 MTG.**

This Guide includes information about:

- Completing applications for the 2018 MTG which are due no later than April 30, 2019. Applications received after April 30, 2019 will not be processed and the grant will be forfeited except as identified in Section F1 herein.
- What a municipality should do if it wishes to guarantee that the MTG award will not be less than the amount of recycling tax paid for 2018 and explains that the amount of recycling tax paid in 2018 shall be identified in the field provided for on the 2018 recycling tonnage reporting form.
- The DEP - issued form on which to submit a summary of how funds from the 2015 MTG awards were spent. Submission of receipts/invoices are not required. This information is for Department planning purposes only; this is not an audit and amounts of funds spent for the different appropriate grant uses may be estimates. See required form uploaded at <http://www.nj.gov/dep/dshw/resource/Tonnage/index.htm>.
- Agreement to attend at least one County Recycling Coordinator (CRC) sponsored recycling meeting during calendar year 2019 and required reporting of same for reporting year 2019.
- Agreement to tour at least one Class A recycling center during calendar year 2019 and required reporting of same for reporting year 2019.
- How to complete the required statement that the municipality complied in calendar year 2018 with [N.J.A.C. 7:26A-11](#) (Standards for Municipalities) and intends to comply with same in calendar year 2019. See required form uploaded at <http://www.nj.gov/dep/dshw/resource/Tonnage/index.htm>.
- A municipal resolution is no longer required to be submitted to DEP as part of a MTG application. Applicants shall comply with any/all Department of Community Affairs requirements as appropriate.

Should you have any questions, please contact Erin Jensen at (609) 984-4250 or tonnagegrant@dep.nj.gov

A. Scope

This 2018 MTG Guide (Guide) constitutes the guidelines of the Department concerning its authority and responsibilities in the administration of the State Recycling Fund N.J.S.A. 13:1E-96 and Recycling Enhancement Act Tax Fund – 2018 Municipal Tonnage Grant Program pursuant to the Recycling Act P.L. 2007 c.311 (REA or Act). Failure to act in accordance with this Guide may result in the denial, rescission, or return/refund of Grant funds.

B. Purpose

This Guide was developed to establish and disseminate conditions, requirements, procedures and policies for the administration and distribution of recycling tax funds pursuant to the Act to municipal and/or qualifying county governing bodies for recycling activities as authorized in the Act.

C. Recycling Enhancement Act Tax Fund

The “Clean Communities and Recycling Act” of 1981 created the MTG Program, whereby municipalities could receive a grant for the amount of materials documented as being recycled during the previous calendar year.

In 1987, the “New Jersey Statewide Mandatory Source Separation and Recycling Act” (the Act), specifically N.J.S.A. 13:1E-99.16, mandated the governing body of each municipality to submit an annual Recycling Tonnage Report summarizing the amount of material recycled during the previous calendar year.¹

In January 2008, the “Recycling Enhancement Act” N.J.S.A. 13:1E-96, specifically P.L. 2007, c. 311, reestablished funding for local recycling programs through a tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at solid waste facilities in New Jersey except those designed exclusively to transport waste by railroad (N.J.S.A. 13:1E-96.5). The REA requires that a Certified Recycling Coordinator (CRC- sometimes referred to as a Certified Recycling Professional - CRP) certify recycling tonnage reports, specifies that grants received may only be expended on recycling (N.J.S.A. 13:1E-96(b)1), and that the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality (N.J.S.A. 13:1E-96(b)1).

D. Administration of the MTG

Pursuant to N.J.S.A. 13:1E-96a., the DEP, Division of Solid and Hazardous Waste (DSHW) administers the MTG Program.

¹ Pursuant to N.J.S.A. 13:1E-99.16(e), should a municipality not apply for a MTG, that municipality is still required to submit a recycling tonnage report by July 1 for the previous calendar year. Failure to submit an REA Municipal Tonnage Grant Application or recycling tonnage report is a violation of the above statute and may subject the municipality to appropriate enforcement action including, but not limited to, the assessment of civil administrative penalties. Submission of a complete and timely MTG Application also satisfies the recycling tonnage report requirement at N.J.S.A. 13:1E-99.16(e) and a second, separate submission is not necessary.

E. Naming of the Grant Years

Grant years are named for the year in which the recycling was accomplished. For example, for the 2018 MTG program, municipalities shall submit recycling tonnage reports (and other information such as recycling tax payments) utilizing data for materials recycled and recycling tax paid during the 2018 calendar year.

F. Application Schedule and Requirements

Failure to timely and completely comply with these requirements may cause the municipality to forfeit or return their MTG for the year being applied for. For an application to be considered complete, the Recycling Tonnage Report, the informal expenditure report of how 2015 MTG funds were spent, agreement that the Municipal Recycling Coordinator (MRC) will attend at least one County-sponsored recycling meeting, agreement that the MRC will complete at least one tour/visit of a Class A recycling center, and the statement that the municipality complied in 2018 with the Standards for Municipalities identified at [N.J.A.C. 7:26A-11](#) and intends to comply with same in 2019, must be submitted to tonnagegrant@dep.nj.gov no later than April 30, 2019. An Application missing one or more of the required parts is incomplete and will not be eligible for a Grant award. Pursuant to Section F1 below, the Recycling Tonnage Report form may be entirely replaced (not modified) with updated recycling data by June 15, 2019.

Complete application packages shall be submitted via email to tonnagegrant@dep.nj.gov. To facilitate timely and efficient processing of submitted applications, emails submitting applications shall display the name of the municipality whose application is being submitted in the subject heading, as well as the grant year the submission pertains to. The contact name and phone number of the CRC signing the Recycling Tonnage Report and the municipal official endorsing the submission of the Recycling Tonnage Report shall be included in the body of the email.

1. Municipalities may, contingent on all application requirements being met, including a 2018 Recycling Tonnage Report, the statement that the municipality complied in 2018 with the Standards for Municipalities identified at [N.J.A.C. 7:26A-11](#) and intends to comply with same in 2019, an informal 2015 expenditure report, agreement that MRC will attend at least one County sponsored recycling meeting and agreement that MRC will complete at least one tour/visit of a Class A recycling center, submitted by April 30, 2019, replace in entirety (not modified but completely replaced) their 2018 Recycling Tonnage Report by June 15, 2019. No Recycling Tonnage Report replacement will be accepted subsequent to June 15, 2019. Unless a timely and complete replacement of the Recycling Tonnage Report is filed by June 15, 2019, the Department will utilize the Recycling Tonnage Report submitted by April 30 as the basis for calculating the awards. Only the Tonnage Report should be submitted during the resubmission process, the other pieces of the application do not need to be resubmitted. The resubmitted Tonnage report must be submitted by the CRC signing off on the report.
2. A complete 2018 MTG application consists of:
 - a. A 2018 Recycling Tonnage Report in the prescribed Excel format provided by the Department at: <http://www.nj.gov/dep/dshw/resource/tonnage/>. A copy can also be obtained by emailing tonnagegrant@dep.nj.gov.
 - i. The Recycling Tonnage Report must be signed by a CRC by typing their name into the CRC field at the top of the tonnage report.
 - ii. The MRC compiling the tonnage report must “sign” their name into the MRC field at the top of the tonnage report by typing their name into the box provided on the Recycling Tonnage Report.

- iii. To the extent information is available, end market information should be entered on the form. End Market name is required.
 - iv. The Recycling Tonnage Report, identified in section 2a above, must be submitted in the format provided for by the Department as an Excel document attachment.
 - v. A scanned or faxed copy of the Recycling Tonnage Report will **not** be accepted by the Department and the submission will be considered incomplete. The Department has automated the processing of the recycling data which can only be accomplished by receipt of an appropriately completed Microsoft Excel spreadsheet.
- b. An informal expenditure report on the required form indicating how the 2015 MTG funds (funds received in the fall of 2017) were spent. Click [here](#) for payout information. If a municipality is holding a part of these awards for a future purchase or expenditure, please indicate this on the form. The expenditure reporting form is available at <http://www.nj.gov/dep/dshw/resource/Tonnage/index.htm>. This information is for Department planning purposes only; is not an audit, and the amount of funds spent for the different appropriate uses may be estimates
- i. A scanned/PDF copy of the informal expenditure report will **not** be accepted by the Department and the submission will be considered incomplete. The Department must receive an appropriately completed Microsoft Excel spreadsheet as an attachment.
- c. A statement that the municipality complied in calendar year 2018 with the Standards for Municipalities, identified at [N.J.A.C. 7:26A-11](#) and intends to comply with same in calendar year 2019. The Mayor (or equivalent) of the municipality submitting the MTG application must complete the certification on behalf of the municipality regarding this application requirement. The certification form is available at <http://www.nj.gov/dep/dshw/resource/Tonnage/index.htm>.
- d. A statement that the MRC of the Municipality submitting the application will attend at least one County- sponsored recycling meeting during calendar year 2019.
- i. The reporting of this statement must be included in the 2019 MTG application.
 - ii. The CRC's are required to hold at least 2 meetings annually. Sign in sheets for these meetings will be submitted to the Department by the CRC holding the meeting as verification of the MRC's attendance.
- e. A statement that the MRC of the Municipality submitting the application will tour/visit at least one Class A recycling center during calendar year 2019.
- i. The reporting of this statement must be included in the 2019 MTG application.
 - ii. It is important to notice/inquire about the contamination issues facing the facility.
 - iii. If possible, visits are encouraged to be done at a facility where the subject Municipality's recyclables are being sent and to view some of the subject municipality's loads being tipped.
3. Should a municipality elect to have their 2018 MTG award compared to the amount of 2018 recycling tax paid (receiving the higher of the two) the amount of recycling tax paid in 2018² must be submitted with the 2018 Recycling Tonnage Report as provided for in the Recycling Tonnage Report form. If no recycling tax amount is submitted with the 2018 Recycling Tonnage Report the Department cannot compare the calculated award with the recycling tax paid and the applicant will receive the calculated award regardless of any recycling tax paid. The submission of the 2018 recycling tax amount is optional and must be submitted only if the municipality elects to have the 2018 calculated award compared to the 2018 recycling tax paid (receiving the higher of the two).

² For the 2018 MTG program, 2018 calculated grant award will be compared to the 2018 recycling tax paid, if submitted, (with the applicant receiving the larger of the two) and the award issued in the fall of 2020.

G. Materials Eligible for Grant Award

1. See [N.J.A.C. 7:26-15.5 \(a\), \(b\), \(c\)](#) for further details on materials eligible for the MTG. Pursuant to [N.J.A.C. 7:26-15.5\(c\)](#), applicants shall be entitled to receive MTG Grants based on the tonnage of recyclable material generated by and recovered for recycling from residential, commercial and/or institutional sources within the municipality.
 - a. Recyclable material generated by residential, commercial and institutional sources shall include:
 - i. All types and grades of paper and paperboard products;
 - ii. All types and grades of glass;
 - iii. Ferrous and non-ferrous metals;
 - iv. Textiles;
 - v. Food;
 - vi. Yard materials;
 - vii. Plastics;
 - viii. Rubber products;
 - ix. Used oil; and
 - x. Additional solid or liquid materials which are non-hazardous which are approved by the Department upon application by the applicant.
2. Pursuant to [N.J.A.C. 7:26-15.5 \(c\)2 and \(c\)3](#) recyclable material which is generated and collected as specified therein shall not be eligible for the purposes of this grant if it is:
 - a. Landfilled;
 - b. Dumped;
 - c. Burned or otherwise used for direct energy recovery³;
 - d. Converted to a fuel or fuel product, except as specifically permitted by the Department upon application by an applicant; or;
 - e. Subject to a deposit or tax imposed by the county or municipality to ensure its return to a collection center.
 - f. Classified as a BUD ([N.J.A.C. 7:26A-1.3](#))
 - g. Used as landfill cover.
3. Tonnages collected from industrial sources, defined in [N.J.A.C. 7:26-2.13\(g\)](#), are **not** eligible to be counted towards the municipality's grant award. However, these tonnages are counted towards the overall recycling rate.
4. Industrial food waste, ID 23, is **not** an authorized material under the Municipal Tonnage Grant program pursuant to [N.J.S.A. 13:1E-96](#) and [N.J.A.C. 7:26-15](#). and will not be counted towards Municipal Solid Waste (MSW) recycling. Industrial food waste shall be counted towards the overall recycling rate and must be included in the tonnage report.
5. Street sweepings managed as a Beneficial Use under a Beneficial Use Determination (BUDs) are **not** eligible for the MTG Program and shall not be included in the tonnage report pursuant to [N.J.A.C. 7:26A-1.3](#).

³ Incineration is a form of disposal as solid waste and thus is not considered recycling or counted as recycling in New Jersey.

H. Allowable/Dis-Allowable Grant Expenses

1. Pursuant to P.L. 2007, c. 311, “All grant monies received by a municipality shall be expended only for its recycling program”. Grant awards must be used solely for recycling activities. Although no specific, exhaustive list of eligible uses has been established, the following are examples of previously approved uses:
 - a. Salary for the Municipal Recycling Coordinator or staff
 - b. Purchase of recycling containers, except for containers used for CEDs (see Section I below)
 - c. Food waste recycling initiatives
 - d. Maintenance of municipal recycling convenience centers
 - e. Management of municipal compost sites
 - f. Tire amnesty events
 - g. Salary and costs related directly to recycling education or recycling compliance monitoring/reporting
2. Purchasing items made from recycled materials but not used for recycling purposes is not an eligible expense.
3. The purchase or lease of vehicles used for any commutation is strictly prohibited. MTG monies may only support appropriate vehicles proportionally to the extent they will be used exclusively for qualifying recycling activities.
4. The Act prohibits municipalities from using grant awards for construction or operation of any facility which bales waste paper or shears, shreds or bales ferrous or non-ferrous metals. (N.J.S.A. 13:1E-96b.)

I. Electronic Waste Recycling

A municipality may only use MTG funds for the collection, transportation, recycling and handling costs of electronic waste (e-waste) that is not otherwise required to be recycled by e-waste manufacturers pursuant to the Electronic Waste Management Act (EWMA) at N.J.S.A. 13:1E-99.94 et seq.⁴ For more information please visit <http://www.nj.gov/dep/dshw/ewaste/collectionplan.html> or contact the Department’s e-waste recycling program at (609) 984-3438 or ecycle@dep.nj.gov.

J. MTG Recycling Report Data Validation, Review Period, Metal Add-On Calculation

1. Recycling Report Data Validation
 - a. The Department shall perform a validation of the recycling data submitted prior to the Department posting for review tonnages of recycling reported by each applicant and draft grant awards.

⁴ The Department shall reject for award any costs incurred for the collection, transportation, or recycling of covered electronic devices required to be recycled by electronics manufacturers pursuant to the EWMA. The January 2017 amendments to the e-waste law defines a covered electronic device as a desktop or personal computer, computer monitor, portable computer, desktop printer, desktop fax machine, or television sold to a consumer. A consumer is defined as a person, State entity, school district, or local government unit who purchases a covered electronic device in a transaction that is a retail sale. ‘Consumer’ does not include any business concern purchasing covered electronic devices.

- b. Validation consists of the Department reviewing submitted recycling data in the Recycling Tonnage Report and determining that the data submitted appears reasonable, consistent with, and/or major deviations from prior years' tonnages are justified.
 - i. When submitting data that significantly deviates from previous years' tonnage, applicants should note, in the body of the email submitting the application, why such deviations have occurred, i.e. large building demolished, road project in town, new store opened, town required additional entities to recycle/report, town started a program to recycle residential cardboard, etc.
 - ii. Most recycling data errors occur because units get reported in pounds, not in tons as required.
 - iii. During this period of the MTG cycle, applicants must be responsive to Department attempts to explain/verify large variations in data. Should the Department not be able to verify significant deviations, unexplained large variations in data may be disallowed at the Department's discretion.
 - iv. Should the Department contact a municipality, via email, to verify an anomaly in reported recycling and not receive a response within 10 business days of contact, the Department shall continue to process the MTG as it deems appropriate

2. MTG Review Period

Subsequent to Validation pursuant to Section J1 above, tonnages reported by each applicant for each material recycled and draft grant awards (subsequent to comparing calculated grant awards with 2018 recycling taxes if submitted, with municipalities receiving the larger of the two and prior to the addition of Metal Add-ons pursuant to Section J3 below) will be posted for applicant review and comment when available. Notice of this MTG Review Period opening and closing dates will be posted on the Department's website at <http://www.nj.gov/dep/dshw/recycling/stats.htm> and distributed via CRC's. Comments and/or corrections to the posted draft recycling tonnages and awards must be received during the MTG Review Period. Comments received after the close of the MTG Review Period will not be considered.

3. Metal Add-Ons

- a. To the extent DSHW receives timely and sufficient recycling information from the Institute of Scrap Recycling Industries and Auto and Metals Recyclers Association (ISRI/AMRA), it will apportion 90%⁵ of the overall statewide metal recycling tonnage as an industrial source and the remaining 10% of same as commercial or residential tonnages to the municipalities in the following manner:
 - i. The Department when calculating the metal add-on, will compare 10% of the tonnage of qualifying metals marketed through an ISRI or AMRA facility with the total amount of qualifying metals reported in the municipal recycling reports. If the 10% value exceeds the total amount of qualifying metals submitted by the municipalities, the difference between the two values will be distributed as an add-

⁵ It is assumed that 10% of the metal reported by ISRI/AMRA was generated by commercial or residential generators and thus qualifies for MTG award. Therefore, 10% of the full amount of ISRI/AMRA metal will be compared to the sum of qualifying metal submitted in municipal recycling reports, and if greater, the difference will be apportioned to the municipalities as an add-on to their MTG in proportion to their population as a percentage of the State's population. For example, if the sum of the metal reported on Recycling Tonnage Reports is 1 Million tons and the amount of metal recycled reported by ISRI/AMRA is 20 million tons, the Department will take 10% of the ISRI/AMRE portion (or 2 million tons) as qualifying for a MTG, and apportion the difference (2 million tons – 1 million tons) of 1 million tons to the municipalities in proportion to their population as related to the overall total State population.

on to all municipalities in proportion to their population according to the most recent statewide census as related to the overall State population. For example, if a municipality's population equaled 2% of the total State population, that municipality would be apportioned 2% of the add-on calculated above.

- b. The Department reserves the right to cancel the process of apportioning metal add-ons at its sole discretion and would in that case exclusively utilize the qualifying metal tonnages submitted in municipal recycling reports as the basis for grant awards.

K. MTG Program Payment Procedure

Following finalization of grant awards, the Department will transmit to the State Treasurer a State Payment Voucher PV 3/93 (Vendor Invoice) to initiate the release of the grant award to the municipality.

L. File Retention

1. Applicants shall retain the appropriate documentation and back-up for five years in the event of a field review or audit. Municipalities are required to keep records to substantiate the following:
 - a. The material is a qualifying material pursuant to [N.J.A.C. 7:26-5.5](#) (i.e., generated from a residential, commercial, or institutional source). The material was generated within the applicant's municipality;
 - b. The total quantity claimed by the generator was eligible for recycling as defined by law;
 - c. The material was recycled or sold for recycling in the year in which it was claimed;
 - d. The material was not landfilled, re-used in the same form or used for energy recovery, and
 - e. The material was not an "industrial-prompt" scrap (i.e. material which was discarded from the manufacturing process, collected and reused as a virgin material by the same manufacturer).
2. If access to the records is denied or reported tonnages are unable to be verified, the reported tonnage in question will be disallowed and grant funds will be denied or repaid.

M. Audit

The Department retains the authority to audit, contract for an audit, or request an audit of any part of this program to the extent allowed by law. Failure of applicants to cooperate with audit efforts will be cause for disqualification from program participation for the year under review.

N. Disqualification of Claims

1. Should a subsequent review or audit result in the disallowance for any reason of a tonnage which had been previously awarded, municipalities may be required to repay (or the Department will deduct from the next year's MTG) all or some portion of the grant funds awarded if disallowed.
2. Municipalities will be disqualified from receiving a tonnage grant if any part of the claim is proven to be intentionally falsified. If such a discovery is made after the funds have been disbursed, the Applicant will be required to refund to the State all grant awards pertaining to the disallowed tonnage.

3. Grant awards must be used solely for recycling activities. The Act prohibits municipalities from using grant awards for construction or operation of any facility which bales waste paper or shears, shreds or bales ferrous or non-ferrous metals.
4. Material claims may be disallowed if at the Department's discretion:
 - a. The material, the end market (to the extent known by the municipality) or the quantity is not clearly identified;
 - b. The material claimed is not eligible;
 - c. The tonnage reported is not reasonable; or
 - d. Other reasons as determined by the Department.

O. Commodity Values and Calculation of the Grant Award

1. To calculate the Grant Award, the Department will, after validation and metal add-on, multiply each of the 30 identified commodities by the value assigned to its rate 'band' for that grant year. The Department may modify the rate bands or the commodity designation for any given commodity as it deems appropriate at any time at the Department's sole discretion to prioritize, incentivize, or support the recycling of certain materials, distribute the entire budgeted program allotment, address current issues with recycling, generally support recycling in New Jersey, and/or achieve other goals as provided in the applicable MTG Guide for the applicable program year, or as deemed appropriate by the Department.⁶ The final value for each band will not be determined until after the budgeted amount is known, final recycling tonnages are processed, any bonus grant program implemented, and recycling tax minimums addressed. The following chart represents the rate band values for the 2015 MTG, is for illustrative purposes only, and is subject to change at the Department's discretion.
2. For any municipality whose county does not participate in the MTG program, after the award is calculated based on the final band values and recycling tonnage report, the award total will be compared to the recycling tax amount for the year the recycling was performed (if the municipality provided their REA tax information on the Tonnage Report), and the municipality will receive the larger of the two amounts.
3. In counties in which the county government provides recycling services and applies for a MTG, awards will be calculated in the same manner as above with award amounts distributed to the county pursuant to the commodities (i.e. commodities 1-8) processed by the county, with the municipalities awarded a grant pursuant to the commodities recycled by the municipality. After final awards are calculated, the municipal award will be compared to the recycling tax paid in the year the recycling occurred, with the municipality receiving the larger of the two. Awards to counties who participate in the MTG will be calculated based on the recycling tonnage reports they submit.

⁶ The Act restricts the dollar amount of the tonnage grant monies to no more than \$10.00 per ton for any given material.

P. 2016 REA Rate Band Table

For illustration purposes only - Rates are subject to change without notice.

Band Value per ton	\$6.15	\$4.45	\$0.80	\$0.10	\$0.05
Commodity	21 Consumer Electronics	01 Corrugated	15 Tires	10 Aluminum Scrap (non-ferrous)	09 Heavy Iron
		02 Mixed Office Paper	16 Used Motor Oil	11 White Goods and Light Iron	12 Anti-freeze
		03 Newspaper	17 Brush/Tree Parts	24 Paint/Stain	13 Auto Batteries
		04 Other Paper/Mag/Junk Mail	19 Leaves	24 Dry Cell Batteries	14 Auto Scrap
		05 Glass Containers	29 Textiles	24 Fluorescent Lights	18 Grass Clippings
		06 Aluminum Containers		24 Misc. Materials	20 Stumps
		07 Steel Containers			22 Concrete/Asphalt/Brick/Block
		08 Plastic Containers			25 Other Glass
		23 Food Waste (Non-industrial)			27 Oil Contaminated Soil
		26 Other Plastic			28 Process Residue
					30 Wood Scraps