

REQUEST FOR APPROVAL

To: **Howard Levenson**
Deputy Director, Materials Management and Local Assistance Division

From: **Shirley Willd-Wagner**
Branch Chief, Financial Resources Management Branch

Request Date: March 5, 2013

Decision Subject: Awards for the Local Government Waste Tire Enforcement Grant Program
(Tire Recycling Management Fund, FY 2012/13)

Action By: March 20, 2013

Summary of Request: Staff requests approval of grant awards for the Local Government Waste Tire Enforcement (TEA) Grant Program, FY 2012/13. CalRecycle received 46 eligible applications requesting a total of \$7,879,790.56.

Recommendation: Staff recommends approval of 46 grant awards, as listed in Table 1 below, for \$7,000,000.

Table 1. Local Government Waste Tire Enforcement Grant Program Recommended Awards

Applicant	Total Award
Alameda County	\$350,000
Butte County	\$42,000
Calaveras County	\$64,000
City of Adelanto	\$13,000
City of Bakersfield	\$46,000
City of Berkeley	\$144,000
City of Fresno	\$290,000
City of Lancaster	\$137,000
City of Los Angeles	\$51,000
City of Madera	\$14,000
City of Modesto	\$50,000
City of San Diego	\$175,000
City of Sunnyvale	\$27,000
City of Victorville	\$56,000
Contra Costa County	\$216,000
El Dorado County	\$41,000
Fresno County	\$318,000
Glenn County	\$29,000
Imperial County	\$105,000
Kern County	\$245,000
Lake County	\$33,000

Los Angeles County	\$528,000
Madera County	\$221,000
Marin County	\$61,000
Mendocino County	\$29,000
Merced County	\$110,000
Monterey County	\$119,000
Napa County	\$75,000
Nevada County	\$80,000
Orange County	\$362,000
Placer County	\$263,000
Riverside County	\$577,000
Sacramento County	\$287,000
San Diego County	\$171,000
San Joaquin County	\$209,000
San Luis Obispo County	\$43,000
San Mateo County	\$87,000
Santa Barbara County	\$47,000
Santa Clara County	\$381,000
Solano County	\$191,000
Sonoma County	\$266,000
Stanislaus County	\$117,000
Tehama County	\$60,000
Tuolumne County	\$53,000
Yolo County	\$111,000
Yuba County	\$106,000
Total	\$7,000,000

Funding: The *Five-Year Plan for Waste Tire Recycling Management Program – (6th Edition covering Fiscal years 2011/12-2015/16)* allocates \$7,000,000 for the TEA Grant Program for FY 2012/13.

Fund Source	Amount Available	Amount to Fund Item	Amount Remaining	Line Item
Tire Recycling Management Fund (FY 2012/13)	\$7,000,000	\$7,000,000	\$0	Local Assistance/Grants
Total	\$7,000,000	\$7,000,000	\$0	

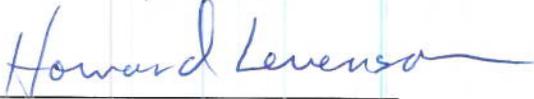
Deputy Director Action: On the basis of the information and analysis in this Request for Approval and the findings set out herein, I hereby conditionally approve the grant awards for the TEA Grant Program as listed in Table 1. Each proposed grantee’s award is conditional upon:

1. The full payment within 90 (ninety) days of the date of this grant award of all outstanding debt(s) or scheduled payment(s) owed by the proposed grantee to CalRecycle;
2. The return by the proposed grantee of a completed and executed Grant Agreement within 90 (ninety) days from the date that CalRecycle staff emails the Grant Agreement; and

Condition Subsequent

After the Grant Agreement has been executed by both parties, the Grant will be subject to the following condition subsequent: The Grantee may not file for protection under Chapter 9 of the U.S. Bankruptcy Code or declare a fiscal emergency any time within the Grant Performance Period.

Dated: 3/6/13



Howard Levenson
Deputy Director

Background and Findings:

Statutory Authority

Public Resources Code (PRC) Section 42889(b)(4) requires the Department of Resources Recycling and Recovery (CalRecycle) to consider designating a city, county, or city and county as the local enforcement authority for storage of waste and used tires. This section also states that if a local entity is designated for this purpose, sufficient, stable and non-competitive funding, based on available resources, shall be provided by CalRecycle.

In May 2011, CalRecycle adopted the draft *Five-Year Plan for the Waste Tire Recycling Management Program (Sixth Edition Covering Fiscal Years 2011/12 – 2015/16) Report to the Legislature* (Draft Five-Year Plan). The Draft Five-Year Plan allocates \$7,000,000 to the TEA Grant Program for FY 2012/13.

Program Background

TEA grants are available, on a non-competitive basis, to all cities and counties having 50 or more waste tire facilities in their jurisdictions, and existing Waste Tire Enforcement grantees that have demonstrated satisfactory performance, as determined by CalRecycle. The purpose of the TEA Grant Program is to provide sufficient and stable funding to eligible applicants for the enforcement of waste and used tire permitting, movement and storage laws and regulations.

Grant funds may be used for certain expenditures necessary to implement local waste tire inspection, surveillance and enforcement activities for CalRecycle. Typical eligible expenditures include, but are not limited to, conducting required inspections and enforcement activities; attending or providing training; and purchasing necessary equipment such as surveillance equipment, GPS units, etc.

Criteria and Process

Eligibility criteria and the evaluation process was discussed at the September 20, 2011, CalRecycle meeting and subsequently approved by the Deputy Director. The Notice of Funds Available was placed on the CalRecycle website with applications due November 29, 2012. The grant term is from date contained in the Notice to Proceed to August 31, 2014.

CalRecycle received 46 eligible applications requesting a total of \$7,879,790.56. FY 2012/13 funding is \$7,000,000. Applications were reviewed for completeness and evaluated consistent with the approved eligibility criteria and evaluation process. Due to the program being oversubscribed

(more funds requested than available), staff considered the following information, described in the Application Guidelines and Instructions, to determine the recommended grant amount for each applicant:

- grant funds used and/or unused in previous grant cycles;
- the number of active permitted sites and other businesses with TPIDs;
- known threats to public health and safety or the environment;
- the number of waste tire complaints and referrals received in previous grant cycles;
- the number of illegal waste tire dump sites identified in previous grant cycles;
- the number of inspections completed in previous grant cycles; and
- enforcement and surveillance activities in previous grant cycles.

Based on the above factors, and in consultation with the applicants, staff made adjustments to the requested amounts in order to equal the \$7,000,000 allocation. All of the applicants have been informed, and agree, with their recommended amounts. The recommended amounts are reflected in Table 1.