REQUEST FOR APPROVAL

To: Mark De Bie
Deputy Director, Waste Permitting, Compliance, and Mitigation Division

From: Wes Mindermann
Supervising Waste Management Engineer, Engineering Support Branch

Request Date: April 20, 2014

Decision Subject: Eligibility Criteria and Evaluation Process for the Solid Waste Disposal and Codisposal Site Cleanup Grant Program (Solid Waste Disposal Trust Fund, FYs 2014/15 and 2015/16)

Action By: June 15, 2014

Summary of Request:
This memo requests Deputy Director approval of the proposed eligibility criteria and evaluation process for the Solid Waste Disposal and Codisposal Site Cleanup Grant Program (program). The current criteria was approved in August 2012 and were effective until June 30, 2014. The scoring criteria remains the same as used in the previous two fiscal years and is included in Attachment 1.

Recommendation:
Staff recommends approval of the proposed eligibility criteria and evaluation process for the grant program for FYs 2014/15 and 2015/16.

Deputy Director Action:
On the basis of the information and analysis in this Request for Approval and the findings set out above, I hereby approve the proposed eligibility criteria and evaluation process for FYs 2014/15 and 2015/16.

Mark De Bie
Deputy Director
Waste Permitting, Compliance, and Mitigation Division

6/5/14
Date

Background and Analysis:

Statutory Authority
The Department of Resources Recycling and Recovery (CalRecycle) is authorized to expend funds from the Solid Waste Cleanup Trust Fund directly for cleanup, to provide loans to responsible parties who demonstrate the ability to repay, to provide matching grants to public entities for site cleanups, and to provide full grants to public entities for the abatement of illegal disposal sites. Statutory authority for the program is contained in Public Resources Code sections 48020 et seq. and Assembly Bill 2136 (Eastin, Chapter 655, Statutes of 1993) created the program.

Program Background
CalRecycle implements this program to clean up solid waste disposal sites and solid waste at codisposal sites where the responsible party either cannot be identified or is unable or unwilling to pay for the timely remediation and where the cleanup is needed to protect public health and safety or the environment.

CalRecycle has previously adopted policies regarding the prioritization of grant applications for competitive grant programs. In addition, the statutes and regulations governing the implementation of the program contain specific requirements regarding the prioritization of sites. The proposed scoring criteria meets the statutory, regulatory, and policy requirements of CalRecycle.

Proposed Process and Eligibility

Staff will conduct an initial review of all applications to confirm applicant eligibility and application completeness. Eligible applicants must be a public entity, including counties, cities, districts, and state agencies.

The maximum grant award that eligible applicants may request and be awarded is as follows:

- $ 500,000 for applicants in the Illegal Disposal Site Abatement Grant Program
- $ 750,000 for matching grants in the Legacy Disposal Site Abatement Partial Grant Program

All eligible applications will be ranked according to the total number of points received. An application may receive a maximum of 100 possible points, with a 70-point minimum score required to be considered eligible for funding under the program. Concise applications with strong detail and justification will be given maximum points. Applications that are concise and include specific details and justifications have a better chance of receiving maximum points compared to applications lacking detail and justification. Applications receiving a passing score in each cycle will be recommended for funding. Grant recommendations will be in rank order according to applicant's score (highest passing score to lowest passing score) until funds are exhausted. When eligible grant requests among applicants with tie scores exceed funding availability, the tie shall be brought forward to the Director at the time the awards are considered. The Director shall make the determination on tie scores, as to which applicant, if any, shall receive an award or portion of an award, in a manner that is both fair and equitable.

Tentative Timeline for FY 2014/15

As shown in the table below, staff will post a Notice of Funds Available on CalRecycle's website informing potential applicants of the funding, eligibility requirements, deadlines, and other important information.

Target Date	Activity
July 2014	Post Notice of Funds Available, Application Guidelines and Instructions, and related documents on the CalRecycle website
August 5, 2014 November 5, 2014 February 4, 2015	Applications due
September 4, 2014 December 4, 2014 March 4, 2015	Secondary due date for Resolutions
October 2014 January 2015 April 2015	Grant awards presented at CalRecycle Public Meeting
Oct/Nov 2014 Jan/Feb 2015 April 2015	Grant Agreements distributed and executed: grant term ends June 30, 2016

The FY 2015/16 grant cycle timeline will be similar to the tentative FY 2014/15 grant cycle. Please refer to CalRecycle's website for more information.

Attachment: Scoring Criteria for FY 2014/15 & 2015/16

Attachment 1

SOLID WASTE DISPOSAL AND CODISPOSAL SITE CLEANUP GRANT PROGRAM GRANT SCORING AND ELIGIBILITY CRITERIA FOR FISCAL YEARS 2014/15 AND 2015/16	
Applicants must score 70 Percent (i.e., 70 points out of 100 points) to be considered for funding.	
Points	**Description**
GENERAL CRITERIA	
40	**NEED**: Grant proposal clearly and convincingly describes and demonstrates why the project should be funded (e.g., benefits, end products, etc.) **SUBSTANTIATION OF THREAT TO PUBLIC HEALTH AND SAFETY AND/OR THE ENVIRONMENT.** Include documentation such as: site investigation reports and regulatory inspections, investigations, and enforcement orders. (20 points maximum) **SUBSTANTIATION OF NEED FOR GRANT FUNDS.** If the Applicant is the owner or responsible party, include Applicant's financial statements, independent audits, statement of facts, etc. If the owner or responsible party is unable or unwilling to pay for timely and proper remediation, submit evidence of inability or unwillingness. If the site is an abandoned site (i.e., no owner or responsible party) submit evidence of abandonment. List the availability of other appropriate federal or state enforcement and/or cleanup programs to remediate the site. (20 points maximum)
5	**GOALS AND OBJECTIVES**: Describe what you wish to accomplish by completing this grant project. Specify measurable target(s) that must be met on the way to attaining your goal. List and explain the major goals and objectives of the proposed project. Examples include, but are not limited to: improvements to public health and safety and/or the environment; recycling and/or reuse of recovered materials; restoration of land to beneficial uses; implementation of methods to prevent or minimize recurrence of problems corrected by this project; and cost recovery.
15	**WORK PLAN**: Specific list of all grant eligible procedures or tasks used to complete your project. Scope of work includes major work items, field supervision, health and safety requirements, testing, bonds, permits, etc. Eligible and ineligible tasks must be itemized separately.
5	**EVALUATION**: Measures the outcome of the applicant's project. Include as a minimum: proposed personnel qualifications and responsibilities and methods and standards for inspecting, testing, and evaluating the work.

Attachment 1

15	**BUDGET**: Cost (dollar figure) associated with activities necessary to complete the project. Include total anticipated project costs broken down by eligible and ineligible project costs. List sources of funds required to complete the project. Local funds identified must be approved in the local government resolution accompanying the application. Show value of Applicant's initiatives to achieve project cost savings through volunteer labor/equipment, in-kind services, reduced or waived tipping fees, and other savings.
5	**APPLICATION COMPLETENESS, LETTERS OF SUPPORT, EXPERIENCE, ETC.** Applicant is encouraged to include letters, endorsements, and reports from local constituents and regulatory/advisory agencies in support of the project.
5	**USE OF CALIFORNIA CONSERVATION CORPS** Use of the California Conservation Corps (CCC) in performing a portion of the grant activities, if appropriate. To receive full points, Applicant must submit the following documents with its Application: 1) documentation that the CCC can and is available to participate in the grant project; and 2) documentation that Applicant's signature authority or his/her designee has verified that there are no contracting requirements and/or regulations that would preclude the use of the CCC.
90	**SUBTOTAL**
PROGRAM CRITERIA	
10	**PRIOR PROGRAM GRANT FUNDING** Applicant has not been awarded a grant under the Solid Waste Disposal and Codisposal Site Cleanup Program during the current and/or previous two fiscal years.
100	**TOTAL**