

**REQUEST FOR APPROVAL**

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

**From:** Laurie Kikumoto  
Acting Branch Chief, Financial Resources Management Branch

**Request Date:** October 1, 2013

**Decision Subject:** Eligibility Criteria and Evaluation Process for the Local Government Waste Tire Enforcement Grant Program (Tire Recycling Management Fund, FYs 2013/14 and 2014/15)

**Action By:** October 15, 2013

---

**Summary of Request:** This request seeks approval of the proposed eligibility criteria and the evaluation process for the Local Government Waste Tire Enforcement (Tire Enforcement) Grant Program for FYs 2013/14 and 2014/15. In July 2013, CalRecycle adopted the *Draft Five-Year Plan for Waste Tire Recycling Management Program – (7th Edition Covering Fiscal Years 2013/14-2017/18)*, ([Draft Five-Year Plan](#)) which allocates \$7,000,000 each for FYs 2013/14 and 2014/15 for the Tire Enforcement Grant Program.

Staff will conduct the FYs 2013/14 and 2014/15 grant cycles using the application review and evaluation process applied in FY 2012/13, except for minor administrative changes described under *Proposed Changes*.

**Recommendation:** Staff recommends approval of the proposed eligibility criteria and evaluation process for the Tire Enforcement Grant Program for FYs 2013/14 and 2014/15.

---

**Deputy Director Action:** On the basis of the information and analysis in this Request for Approval and the findings set out herein, I hereby approve the eligibility criteria and evaluation process for the Local Government Waste Tire Enforcement Grant Program for FYs 2013/14 and 2014/15.

**Dated:** 10/15/13  
  
Howard Levenson  
Deputy Director

## **Background and Analysis:**

### Statutory Authority

CalRecycle receives an annual appropriation from the California Tire Recycling Management Fund (Tire Fund) to administer the California Tire Recycling Act (Senate Bill 937, Vuich, Statutes of 1990, Chapter 35) (Public Resources Code (PRC) Sections 42860 et seq.). PRC Section 42872 authorizes CalRecycle to award grants to public entities who take actions to reduce illegally disposed waste tires. PRC Section 42889(b)(5) specifically authorizes CalRecycle to pay the costs of cleanup, abatement, removal, or other remedial action related to tire stockpiles throughout the state, including all approved costs incurred by other public agencies involved in these activities by contract with CalRecycle.

In July 2013, CalRecycle adopted the *Draft Five-Year Plan*, which allocates \$7,000,000 each for FYs 2013/14 and 2014/15 for Tire Enforcement Grants.

### Program Background

The purpose of this grant program is to enhance the statewide waste tire enforcement infrastructure in California. This grant program augments CalRecycle's enforcement efforts in overseeing the proper management and flow of waste tires throughout the state. In general, grant funds can be used for activities such as identifying waste tire sites; conducting waste tire facility inspections; investigating illegal tire disposal activities; reviewing waste tire hauler documents; issuing Notice of Violations. Also, for ensuring tire dealers, auto dismantlers, tire haulers, and others comply with all applicable laws, storage standards and manifest requirements.

Eligible applicants are a city, a county, or a city and county. Applicants may apply individually or as a participant in a collaborative program that involves a city/county. New city applicants must have 50 or more active waste tire businesses within their jurisdiction that have Tire Program Identification numbers.

Priorities for this grant program are to:

- Offer a sufficient, stable, and non-competitive funding source;
- Ensure consistent statewide inspection and enforcement coverage;
- Ensure cost-effective and successful local waste tire enforcement programs;
- Evaluate and assess grantee performance and enforcement program effectiveness; and
- Streamline grant program processes that will result in improved efficiencies.

Participation in the Tire Enforcement Grant Program has grown from nine grantees in FY 1997/98 and has since stabilized at 46 grantees (see Table below). As a direct result of the Tire Enforcement grants, local agencies have a more vital and expanded role in the enforcement effort.

The following table summarizes grant awards in the Tire Enforcement Grant Program:

<b>Fiscal Year</b>	<b>Number of Awards</b>	<b>Amount Awarded</b>
1997/98	9	\$315,266
1998/99	9	\$356,325
1999/00	8	\$499,645
2000/01	0	0*
2001/02	8	\$764,804
2002/03	24	\$3,720,473
2003/04	36	\$4,712,549
2004/05	38	\$5,249,335
2005/06	39	\$5,667,495
2006/07	39	\$5,702,800
2007/08	41	\$6,558,142
2008/09	39	\$6,749,989
2009/10	43	\$7,528,740
2010/11	46	\$7,775,000
2011/12	47	\$7,775,000
2012/13	46	\$7,000,000
<b>Totals</b>		<b>\$70,375,563</b>

\* No funds available—sunset of tire fee.

Proposed Process and Eligibility

Staff will conduct the FYs 2013/14 and 2014/15 grant cycles using the application review and evaluation process applied in FY 2012/13, except as noted below under *Proposed Changes*. 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. Staff will perform a review of all applications to confirm applicant eligibility and determine the recommended grant amount.

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

- Up to \$300,000 for jurisdictions with populations equal to or less than 900,000;
- Up to \$450,000 for jurisdictions with populations 900,001 through 2,000,000; and
- Up to \$600,000 for jurisdictions with populations of 2,000,001 or more.

In accordance with past practice, if the grant program is oversubscribed (i.e., more requests for funding than is allocated), staff may recommend a grant amount based on factors including, but not limited to: applicant’s population, number/priority of sites to be inspected and historical usage of grant awards.

Proposed Changes

No significant changes are proposed at this time. In order to improve the program and reduce the administrative burden on grantees, staff recommends the following minor administrative changes for FYs 2013/14 and 2014/15:

- Provide grantees with a priority listing of waste tire facilities to inspect;
- Clarify inspection priorities and language, especially related to: never inspected sites, closed and inactive sites and in response to complaints;
- Require the use of CalRecycle forms for grant reporting; and
- Miscellaneous changes in order to conform to the online grant application and management system (GMSWeb) including: eliminating separate Work Plan and Budget documents; and considering Inspection and Enforcement as main budget (as opposed to sub-budget) categories.

Tentative Timeline for FY 2013/14

As shown in the table below, staff will post a Notice of Funds Available (NOFA) on CalRecycle’s website informing potential applicants of the funding, eligibility requirements, deadlines and other important information. The NOFA will be sent to current and past Tire Enforcement Grant Program recipients, other interested parties and appropriate CalRecycle staff.

Target Date	Activity
October 2013	Post Notice of Funds Available, Application and related instructions/documents on the website
November 2013	Applications due
December 2013	Secondary due date for Resolutions
Jan/Feb 2014	Conduct application evaluation/review process; determine funding for eligible applicants
March/April 2014	Grant awards presented at CalRecycle Public Meeting
April 2014	Grant Agreements distributed and executed
August 31, 2015	Grant term ends

*The FY 2014/15 grant cycle timeline will be similar to the tentative FY 2013/14 grant cycle. Please refer to the [Local Government Waste Tire Enforcement Grant Program website](#) for more information.*