

REQUEST FOR APPROVAL

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

From: 

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Prepared On: February 1, 2012

Attachments: A. Grant Information for the Legacy Disposal Site Abatement Partial Grant Program

Subject: **AWARDS FOR THE SOLID WASTE DISPOSAL AND
CODISPOSAL SITE CLEANUP GRANT PROGRAMS (SOLID
WASTE DISPOSAL TRUST FUND, FY 2011/12)**

TIME FACTOR: Approval required no later than February 21, 2012.

SUMMARY: Staff has completed an evaluation and recommends approval of a new grant proposal pursuant to the Solid Waste Disposal and Codisposal Site Cleanup Program (Program). Table 1 provides general information on the grant. Detailed project information for the grant recommended for approval is in Attachment A.

OPTIONS: The Deputy Director may decide to:

1. Approve the proposed grant award and direct staff to enter into a grant agreement with the awarded applicant; or
2. Disapprove the proposed award and direct staff as to further action.

Table 1. Summary of legacy disposal site abatement partial grant.

Score-Based Rank	Applicant	Requested Funding	Recommended Funding
1	Santa Barbara County	\$76,983	\$76,983

RECOMMENDATION: Staff recommends Option 1.

DISCUSSION: The Program addresses cleanup of solid waste disposal and codisposal sites where the responsible party either cannot be identified or is unable or unwilling to pay for a timely remediation and where cleanup is needed to protect public health and safety or the environment. Cleanup projects are implemented through contracts, grants, and loans. The California Integrated Waste Management Board [now the Department of Resources Recycling and Recovery (CalRecycle)] approved Program policies in February and September 1994; March and September 1995; and February, June, and August 1999. Regulations incorporating the approved policies were adopted by the Board in May 2000 and became effective September 11, 2000. In addition, CalRecycle approved the grant scoring criteria and the evaluation process for fiscal years 2010/11 and 2011/12 in August 2010.

As these are grants, any applicant's need for the funds is to be considered. Each grant application has a section for applicants to substantiate the need for the grant funds that is evaluated by staff as part of the General Scoring Criteria. In all cases, the applicants have expressed that their current funding is inadequate to complete the project. In addition, there is also a section for the substantiation of the threat to public health and safety and/or the environment, which is also evaluated by staff as part of the General Scoring Criteria. Based on the evaluations, the need for funding and threat being remediated are quantified and included in the grant's overall score and subsequent prioritization.

Title 14, California Code of Regulations, section 18904 specifically lists eligible and ineligible remedial actions under the Program and allows CalRecycle to consider approval of any other remedial actions not specified as ineligible. Unless otherwise noted, specific actions proposed for each project are specifically eligible pursuant to the regulations.

Legacy Disposal Site Abatement Partial Grant Program

The funding of the proposed grant totaling \$76,983 is summarized in Table 2. A brief summary of the recommended grant is included in Attachment A.

Table 2. Funding summary of legacy disposal site abatement partial grant.

Fund Source	Amount Available	Amount to Fund Item	Amount Remaining	Line Item
SWDTF (FY 2011/12)	\$779,500	\$76,983	\$702,517	Grants

With respect to legacy disposal site abatement partial grants, CalRecycle may award partial grants to public entities to clean up (among other sites) publicly operated solid waste disposal and codisposal sites that have always operated as public facilities. As a grant is essentially a bestowal of funds, cost recovery is not an issue in those cases, even though the public entity grantee is the “responsible party” for the cleanup. Therefore, this applicant is not subject to cost recovery by CalRecycle.

I hereby approve this grant in the amount of seventy-six thousand nine hundred eighty-three dollars (\$76,983) and direct staff to develop and execute a Grant Agreement with the following:

Legacy Disposal Site Abatement Partial Grant Program

Santa Barbara County\$76,983

The award of the grant is conditioned upon full payment within ninety (90) days of the date of this grant award of all outstanding debt(s) or scheduled payment(s) owed by the proposed grantee to CalRecycle.

The award of the grant is further conditioned upon the return by the proposed grantee of a complete and executed Grant Agreement within ninety (90) days from the date of the mailing of the grant agreement package by the Program.



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

2/9/12

 Date