July 2010
CALIFORNIA NATURAL RESOURCES AGENCY
Department of Resources Recycling and Recovery (CalRecycle)

PARTIAL GRANTS TO PUBLIC ENTITIES TO ABATE SOLID WASTE DISPOSAL SITES GRANT PROGRAM

APPLICATION GUIDELINES & INSTRUCTIONS

Fiscal Year (FY) 2010/11

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GRANT SUMMARY AND GUIDELINES

OVERVIEW

Assembly Bill 2136 (Eastin, Stats 1993, Ch. 655) required the Department of Resources Recycling and Recovery (CalRecycle) to initiate the Solid Waste Disposal and Codisposal Site Cleanup Grant Program (Program) for cleanup of solid waste sites and solid waste at codisposal sites where the responsible party either cannot be identified or is unwilling or unable to pay for timely remediation and where cleanup is needed to protect public health and safety and/or the environment.

Public entities bear a financial responsibility for maintaining closed and publicly operated landfill sites in compliance with State regulations and standards. The Program provides financial assistance in the form of reimbursement grants up to $750,000 in matching funds for eligible costs to assist public entities requiring financial assistance, and committed to accelerating the pace of cleanup, restoring sites, and protecting public health and safety and the environment.

GRANT APPLICATION

The application is designed to provide the information necessary for Applicants to successfully complete the application and for CalRecycle to evaluate, prioritize, and award cleanup grants. This package contains instructions for completing and submitting the grant application and the required attachments in compliance with CalRecycle's policies, regulations, and statutes.

ELIGIBLE APPLICANTS [14 CCR §18921]

Grants are available to public entities, including counties, cities, districts, and State agencies, for site cleanup needed to protect public health and safety and/or the environment. Applicants must provide adequate documentation of financial need for assistance and show evidence of ability to pay for their matching share of costs and costs that are ineligible and/or that exceed the maximum grant amount.

AVAILABLE FUNDS [PRC § 48021]

Applicants may request funding up to 50 percent of the costs determined by CalRecycle to be eligible and necessary. Maximum grant funding shall not exceed $750,000. For special cases, CalRecycle might consider approval of partial grants that provide greater than 50 percent of the project cost up to a maximum of seven hundred fifty thousand dollars ($750,000). This will depend on the type of the proposed project, in-kind services from the applicant; the lack of availability of other appropriate funding sources to remediate the site; the degree of public benefit; the presence of innovative and cost-effective programs to abate or prevent solid waste problems to be addressed by the grants; and other factors as determined by CalRecycle. Program staff shall work with the Applicant to determine eligible and ineligible costs and, if necessary, adjust proposed costs prior to preparation of funding recommendations for grant awards to the Director.

GRANT TERM, GRANT PERFORMANCE PERIOD AND REPORT PREPARATION PERIOD

The Grant Performance Period begins on the date indicated in the Notice to Proceed letter that the Grantee will receive from CalRecycle. Eligible grant expenditures may start no earlier than the date indicated in the Notice to Proceed. In all cases, all eligible Program costs must be incurred no later than the end of the Grant Term.

The Grant Term encompasses both the Grant Performance Period and the Report Preparation Period. Therefore, the Grant Term begins on the same date as the Grant Performance Period and ends at the conclusion of the Report Preparation Period. ***Costs incurred to prepare the Final Report and Final Payment Request are the only costs that are eligible for reimbursement during the Report Preparation Period.***

Summary of Grant Term, Grant Performance and Report Preparation periods,

Grant Cycle Number	Grant Term	Grant Performance Period	Report Preparation Period
Cycle No. 1	Starts: *Date of the Notice to proceed* Ends: *June 30, 2013*	Starts: *Same as the grant term* Ends: *May 15, 2013*	Starts: May 16, 2013 Ends: *June 30, 2013*
Cycle No. 2	Starts: *Date of the Notice to proceed* Ends: *June 30, 2013*	Starts: *Same as the grant term* Ends: *May 15, 2013*	Starts: May 16, 2013 Ends: *June 30, 2013*
Cycle No. 3	Starts: *Date of the Notice to proceed* Ends: *June 30, 2013*	Starts: *Same as the grant term* Ends: *May 15, 2013*	Starts: May 16, 2013 Ends: *June 30, 2013*

ELIGIBLE/INELIGIBLE COSTS [14 CCR §§ 18904 AND 18921]

Eligible costs may be incurred only during the "Grant Performance Period" which starts when the Grantee receives a "Notice to Proceed" from CalRecycle and ends on a date to be specified in the Grant Agreement. The Notice to Proceed, which is issued after the Grantee and CalRecycle have both executed the Grant Agreement, is a formal notification from CalRecycle that authorizes the Grantee to begin the Grant Project and incur costs.

Grant funds are intended to be used to abate threats to public health and safety and/or the environment by funding solid waste disposal and codisposal site remediation activities. Grant funds may only be used for eligible costs up to the maximum funding level authorized. Grantees must pay for all costs of ineligible work and all costs of eligible work exceeding the maximum funding level required to complete the project. Eligible activities that are typical to remediation activities at solid waste disposal and codisposal sites and for which costs incurred are typically eligible for reimbursement include, but are not limited to:

(i) Waste removal and disposal;
(ii) Security measures such as fences, barriers, and warning signs;
(iii) Site grading and drainage controls to minimize erosion;
(iv) Slope and foundation stabilization;
(v) Excavation, consolidation, and capping of waste areas;
(vi) Installation of landfill gas and leachate control systems;
(vii) Field and laboratory testing; and
(viii) Health and safety measures required for eligible project work.

Ineligible actions include, but are not limited to:

(i) Expenses for services rendered or goods purchased prior to issuance of Notice to Proceed, or any expenses incurred after the end of the Grant Performance Period;
(ii) Overhead or indirect costs (unless pre-approved in writing by the CalRecycle Grant Manager, but in no event an amount in excess of 10% of the amount approved for reimbursement);
(iii) Costs explicitly for the profit of the Grantee;

(iv) Bonus payments for early completion of grant project or any phase of the grant project;

(v) Any portion of a program currently covered or incurred under another CalRecycle contract, loan, grant or grant cycle;

(vi) Overtime costs (except for local government staffing during specially scheduled evening or weekend events that have been pre-approved in writing by the CalRecycle Grant Manager when law or labor contracts REQUIRE overtime compensation or when such staffing and/or costs are pre-approved in writing by the CalRecycle Grant Manager);

(vii) Cellular phones, personal digital assistants, personal electronic devices, pagers, and similar electronic and telecommunications devices;

(viii) Programs that are not cost effective, as determined by the CalRecycle Grant Manager;

(ix) Travel and per diem expenses (unless pre-approved in writing by the CalRecycle Grant Manager) (See Terms and Conditions, attached as Exhibit A, subsection (e) under Payment);

(x) Any food or beverages (e.g. as part of meetings, workshops, training, events, etc.);

(xi) Equipment or other materials that are not predominantly used to implement the approved project;

(xii) Staff training that is not directly related to the implementation of the approved project;

(xiii) Interest charges or other payments on bonds or indebtedness required to finance the project;

(xiv) Any personnel costs incurred as a result of time an employee assigned to the project funded by the grant does not actually work on the project (e.g. use of accrued vacation, sick leave, etc.);

(xv) Costs connected with contractor claims/liens against the Grantee;

(xvi) Fines or penalties due to violation of federal, state or local laws, ordinances, or regulations;

(xvii) Permit, inspection and use fees;

(xviii) Closure activities as defined by 27 CCR 9 20164;

(xix) Ground water remediations;

(xx) Operation and maintenance of monitoring systems;

(xxi) Postclosure maintenance activities;

(xxii) Preparation of closure and/or postclosure maintenance plans;

(xxiii) Improvements to property for postclosure land uses;

(xxiv) Removal, abatement, and cleanup or otherwise handling of only hazardous substances as defined in the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 [42 U.S.C.§ 9601(14)] not codisposed with nonhazardous solid waste; and

(xxv) Any other costs not deemed reasonable or related to the purpose of the grant by the CalRecycle Grant Manager.

Those costs not specifically listed as eligible or ineligible are deemed discretionary and may be considered by CalRecycle for approval. Any deviations from the approved budget will require the pre-approval in writing from the CalRecycle Grant Manager.

CalRecycle may consider costs incurred prior to the submittal and approval of the grant application as a factor in CalRecycle's consideration of awarding a grant that provides greater than 50 percent of the project costs. These costs may include expenditures for site investigations and project design. However, CalRecycle will not reimburse cost for services rendered prior to grant performance period.

Eligible costs to be reimbursed include costs for eligible activities and tasks specified in the budget provided with the approved grant application. Any deviations from the approved budget will require the Grant Manager's written approval. If the Grantee fails to obtain such prior written approval, the Director, at his or her sole discretion, may refuse to provide funds to pay for such work or costs.

APPLICATION QUESTION AND ANSWER PROCESS

All application-related questions must be submitted in writing to CalRecycle. Questions regarding the application or grant process may be submitted either in writing or by e-mail to the following:

Via US Mail: Mr. Wes Mindermann
Cleanup Branch (MS10-18A)
Department of Resources Recycling and Recovery (CalRecycle)
P.O. Box 4025
Sacramento, California 95812-4025

Via e-mail: wes.mindermann@calrecycle.ca.gov

Questions received by any other method will not be accepted. Questions must be received no later the following dates:

August 1, 2010 for applications due September 15, 2010.
November 1, 2010 for applications due December 15, 2010.
February 1, 2011 for applications due March 15, 2011.

Questions and answers (Q &A) will be posted periodically at http://www.calrecycle.ca.gov/LEA/GrantsLoans/SolidWaste/. It is the applicant's responsibility to check the website regularly to ensure that it is aware of all program details. Similar or related questions may be grouped together or reworded for clarity and responded to as one question.

APPLICATION SUBMITTAL AND DEADLINES

All materials submitted will become the property of CalRecycle and will be retained for a minimum of three years. Applicants must submit one original and three (3) copies of the entire application package.

Grant applications are accepted on a continuous basis up to the last Cycle deadline. CalRecycle provides three opportunities to submit an application during the fiscal year. Applications must be postmarked on or before the deadlines stated below. Hand delivered Applications must be received and date stamped by CalRecycle Staff no later than 3:00 p.m. on the date listed below. For Cycles 1 and 2, applications received after the deadline will be considered during the next cycle. Applications postmarked after the deadline for Cycle 3 will be returned unopened to the Applicant with a letter of explanation. For applications submitted prior to and at the deadline, the deadline shall be considered the date of receipt for the applications. Applications e-mailed or faxed will not be accepted. The cycle timelines for FY 2010/11 are as follows:

Deadlines for Fiscal Year 20010/11

Cycle Number	Application Due Date	Award Date	Resolution Due Date
1	September 15, 2010	November 2010	October 15, 2010
2	December 15, 2010	February 2011	January 18, 2011
3	March 15, 2011	May 2011	April 15, 2011

U.S. Postal Service:

Department of Resources Recycling and Recovery
Grant and Loan Resources Branch, 9th Floor
ATTN: Danielle Abila

Commercial Carrier or Hand-Delivered:

California Environmental Protection Agency Building
Department of Resources Recycling and Recovery
Grant and Loan Resources Branch, 9th Floor
ATTN: Danielle Abila

P.O. Box 4025
Sacramento, California 95812-4025

1001 I Street
Sacramento, California 95814

Any application received by CalRecycle before the required deadline may be withdrawn or modified by written request of the Applicant. Withdrawal of the application does not prejudice the right of the Applicant to modify and/or submit a new application before the deadline. Applicants may withdraw an application after the final deadline but may not modify it for resubmission in the same cycle; no modifications may be made to an application after the final deadline.

CalRecycle encourages applicants to send their Applications by a means that provides an addressed and dated receipt and permits tracking by the sender. In the event an application is lost or misdirected by the U.S. Postal Service or other commercial delivery service, a dated receipt will be required to verify timely mailing of the application.

APPLICATION EVALUATION

Applicants must submit a complete application including, at a minimum, all the documents required in the Section entitled "Application Instructions". CalRecycle may reject any application if it is conditional, incomplete, or contains irregularities. CalRecycle may waive immaterial deviations, such as clerical or calculation errors, when considered in the best interest of CalRecycle. Waiver of immaterial deviations shall in no way modify the application requirements.

CalRecycle's Grant and Loan Resources Branch Staff and Program staff will perform a general completeness and eligibility review for each application within 30 days of receipt. Applications that are determined to be incomplete may be resubmitted any time prior to the deadline of the grant cycle in which they were submitted. Ineligible applications may not be resubmitted.

Complete applications that meet the minimum eligibility requirements will be reviewed and scored by a panel consisting of one Program staff person, a staff person from CalRecycle's Grant and Loan Resources Branch Staff, and one other CalRecycle staff person using CalRecycle-approved scoring criteria listed in Table 1. All eligible proposals 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 strong detail and justification are provided 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 made in rank order according to applicant 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 CalRecycle 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.

For qualifying applications, CalRecycle Staff will develop funding recommendations for the CalRecycle Director's consideration and approval during the Waste Compliance and Mitigation Program Monthly Public Meeting tentatively scheduled for November 2010, February 2011, and May 2011. CalRecycle reserves the right to partially fund or fund individual phases of selected proposals, and with the Applicant's prior agreement, CalRecycle may fund an amount less than requested. CalRecycle reserves the right to not award any grant funds under one or more cycles.

GRANT PERFORMANCE PERIOD AND GRANT AGREEMENT

Grant periods are three (3) fiscal years, including the fiscal year in which the grant is awarded. Grants awarded by CalRecycle are administered through grant agreements. Program staff will prepare and send the agreements to Grantees for execution after the grants are awarded.
Following CalRecycle's conditional approval of the Grant awards, Grantees will be mailed a Grant Agreement Package. The Grant Agreement consists of the following items:

- Grant Agreement Cover Sheet (CalRecycle 110).
- Exhibit A–Terms and Conditions: contain CalRecycle's standard legal requirements for Grants.
- Exhibit B–Procedures and Requirements: contain specific requirements for administering this Grant, including but not limited to project, reporting, and audit requirements.
- Exhibit C – Work Plan: contain approved project work plan submitted with the approved grant application.
- Exhibit D – Budget: contain approved project budget.
- Attachment 1–Forms: CalRecycle forms to be used throughout the Grant Performance Period.

INVOICING AND PAYMENT OF GRANT FUNDS

All payments are reimbursed in arrears and are based on verified actual costs as well as compliance with the grant agreement. Only expenses identified in the budget will be reimbursed. Eligible costs are authorized for reimbursement upon CalRecycle Grant Manager's approval of the Payment Request, and if required, the accompanying Progress/Final Report. Payment Requests must include itemized documentation of claimed expenses (e.g., itemized receipts and proof of payment of invoices). Advance payments will not be authorized. Expenses incurred prior to the Notice To Proceed of the Grant Agreement and after the end of the Grant Performance Period (except for report preparation costs incurred during the Report Preparation Period) are not reimbursable. The Grantee will be paid ninety (90) percent of the funds requested and approved by the Grant Manager. CalRecycle will withhold ten (10) percent of funds requested and approved until the Grantee completes the project and fulfills all grant requirements.

Grantees will be allowed to submit invoices monthly to the Grant Manager for reimbursement. Invoices must be sequentially numbered and prepared in triplicate with all supporting documents (e.g., receipts, cancelled checks, payroll stubs, etc.). All submitted documents will require annotations that specifically link the expenditure to the approved Work Plan.

REPORTING REQUIREMENTS

Grantees must provide the Grant Manager with requested interim verbal or written reports to show compliance with the grant agreement.

A final grant report must summarize the overall results of the grant. Grantees are required to provide a detailed written final report prior to or with the final request for payment that will include at a minimum the following:

A. Introduction
    1. Disclaimer: "The statements and conclusions of this report are those of the Grantee and not necessarily those of the Department of Resources Recycling and Recovery (CalRecycle), its employees, or the State of California. The State makes no warranty, express or implied, and assumes no liability for the information contained in the succeeding text."
    2. Report Purpose
B. Project Information

1. Site Location
2. Site Background
3. Project Participation

C. Construction/Cleanup Activities
1. Project Scope of Work
2. Reference Documents (if applicable)
3. Summary of Construction/Cleanup Activities)
4. Sampling and Analysis (if applicable)
5. As-Built Plans and Specifications

D. Operations and Maintenance Plans to ensure ongoing compliance with applicable CalRecycle State Minimum Standards (include as stand alone documents or incorporate documents submitted previously by reference)

E. Summary of Expenditures

F. Statement that all contractors and subcontractors have completed the Reliable Contractors Declaration (CalRecycle 168) see http://www.calrecycle.ca.gov/Grants/Forms.

GRANT AGREEMENT PROVISIONS

As with all Grant Agreement provisions, the following provisions are non-negotiable. Submittal of an Application and execution the Grant Agreement constitutes acceptance of the provisions.

(i) Audit/Records Access. The Grantee agrees that CalRecycle, the Department of Finance, the Bureau of State Audits, or their designated representative(s) shall have the right to review and to copy any records and supporting documentation pertaining to the performance of this Agreement. The Grantee agrees to maintain such records for possible audit for a minimum of three (3) years after final payment or the end of the Grant term, whichever is later, unless a longer period of records retention is stipulated, or until completion of any action and resolution of all issues which may arise as a result of any litigation, dispute or audit, whichever is later. The Grantee agrees to allow the designated representative(s) access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records. Further, the Grantee agrees to include a similar right of the State to audit records and interview staff in any contract or subcontract related to performance of this Agreement.

(ii) Waiver of Personal Jurisdiction: Should CalRecycle seek reimbursement of costs paid to a Grantee as a result of an audit finding, the Grantee hereby waives any jurisdictional defenses and expressly waives tribal sovereign immunity as a defense to any action in any court of the State of California for the recovery of such funds.

COST RECOVERY REQUIREMENTS

Public Resources Code (PRC) Section 48023 directs CalRecycle to seek reimbursement for monies expended under the Program to the extent possible. Expended funds may be recoverable by CalRecycle from the property owners and other responsible parties in a civil action brought by CalRecycle [Public Resources Code Section 48023(c)] and/or by imposing a lien upon the real property owned by the property owners that is subject to the remedial action [Public Resources Code Section 48023.5(a)]. Under the Program cost recovery policy, CalRecycle may decide not to pursue cost recovery based on factors including, but not limited to:

(i) Publicly owned sites maintained for public benefit and use;
(ii) The owner did not cause the disposal of waste;
(iii) The owner will not gain a benefit due to condition of property;
(iv) The value of property significantly less than cost of cleanup;
(v) Hardship to the property owner; or

(vi) No responsible party.

Applicants are advised that cost recovery must be addressed in the application as part of the Goals and Objectives narrative to be included as Attachment G of the application.

Applicants cleaning up public property for the public benefit where no responsible party can be identified may request a waiver of cost recovery. Examples of types of projects where the California Integrated Waste Management Board (CIWMB), the predecessor to CalRecycle, elected to waive cost recovery include cleanup of sites on public rights-of-way, public parks, public lands, and other sites owned by public entities for the benefit of and use by the public.

Applicants not requesting a waiver must address cost recovery, either through their own mechanisms on behalf of CalRecycle, or by assisting CalRecycle in pursuing cost recovery through its own Statutorily authorized mechanisms. See the cost recovery instructions in the Goals and Objectives Section of the application for additional information.

APPLICATION INSTRUCTIONS

OVERVIEW

The application must include the information listed below utilizing the following general format and must be organized in the order shown. Add attachments as needed for reports, investigations, drawings, specifications, and other material too voluminous to include in the main body of the application. Identify all pages using a systematic and consistent numbering system. Type narratives, specifications, etc., on 8-1/2" by 11" 100% recycled content paper, double sided within sections and appendices. Furnish any engineering drawings preferably on 11" by 17" paper, but not on paper larger than 24" by 36".

Each item in the application must have a response. If there is no response for an item the application may be considered non-responsive and the application may be rejected. If the response to an item is "Not Applicable" or "None," so state in the space or Section provided for that item. Failure to submit any required information may cause the application to be deemed incomplete and be rejected.

APPLICATION CONTENTS

The following is a list of attachments that must be completed according to the instructions and submitted as part of the Application:

(A) Application. An Application properly completed and certified. Complete required Applicant information, Legislative District numbers, brief description of the proposed project, total grant request, and Environmental Justice and Environmentally Preferable Purchases and Practices Policy certifications by the person authorized by the resolution to submit the application.

(B) Resolution. A current resolution adopted by the governing board or council is required authorizing submittal of the application, certifying availability of Applicant funds for participation in the cleanup, and identifying the title and name of the individual authorized to execute any agreements, contracts, and requests for payment necessary to carry out the project. Table 2 is an example resolution.

(C) Permit Checklist. A completed General Checklist of Business Permits, Licenses, and Filings Certification, Form CalRecycle 669 for the project.

(D) Grant Need Narrative (40 points total). The 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 (20 points). Substantiate the threat to public health and safety and/or the environment by describing the site conditions that constitute an actual or potential threat to public health and safety and/or the environment, as determined by comparison with state minimum standards (27 CCR§§ 20510-21430 and Health and Safety Code § 25356).

For each site proposed for cleanup under the application complete the attached Site Characterization Form. Provide the CalRecycle Solid Waste Information System (SWIS) number (if applicable), location, parcel numbers, and acreage. Describe the method of disposal, types and estimated quantity of waste disposed or to be disposed, period of operation and owners/operators. Topography, proximity to populated areas, environmentally sensitive areas, and other important information should also be included. Attach a copy of the grant deed with legal description of the property on which the site is located. Attach site investigation reports and regulatory inspections, investigations, and enforcement orders. All relevant information is required for each site proposed for cleanup.

The information in the Site Characterization Form and the accompanying information should:

(i) Summarize actions taken to characterize/cleanup site prior to submittal of application (e.g., site investigation reports, regulatory inspections, investigations, enforcement orders, etc.).
(ii) Provide evidence that sites pose a significant risk to public health and safety and/or the environment.
(iii) Provide sufficient detail to substantiate that remedial actions proposed for funding are eligible work as defined in the Program regulations.
(iv) Provide documentation that responsible parties cannot be identified or located, are unable to pay for timely and proper remediation; or are unwilling to pay for timely and proper remediation.

Substantiation of Need for Grant Funds (20 points). Substantiate the need for grant funds by providing documentation that the proposed project site(s) meet(s) Program eligibility requirements, and demonstrate to the satisfaction of CalRecycle that grant funds are needed to assure timely remediation of the site.

If the site is owned by the Applicant or the applicant is a responsible party, submit Applicant's annual financial operating statements for the last three years and interim (within 90 days) independent audits, and other evidence of financial condition, all certified by the original signature of the person completing the application. Identify funds to pay for local government match and project costs not eligible for matching funds included in the project.

If the Applicant is not a site owner/responsible party, provide evidence that the owner/responsible party is unwilling or unable to pay for the cost of remediation, or cannot be identified or located. Substantiate inability to pay by attaching a financial statement or audit of the owner/responsible party. Substantiate unwillingness to pay by documenting refusal of the owner/responsible party to comply with lawful enforcement orders. Substantiate that the owner/responsible party cannot be identified or located by attaching records searches and other actions taken leading to that conclusion. This information is required for each site proposed for cleanup. List the availability of other appropriate federal or state enforcement and/or cleanup programs to remediate the site.

The Applicant must agree to pursue cost recovery for funds expended on private properties to the extent possible, unless waived by CalRecycle. The Applicant must repay CalRecycle any funds collected through cost recovery, sale of liened properties, special tax assessments, or other methods of collection, less any reasonable administrative costs incurred by the Applicant in obtaining repayment. Applicants cleaning up public property for the public benefit where no responsible party can be identified may request a waiver of cost recovery. Applicants not requesting a waiver must address cost recovery, either through their own mechanisms on behalf of CalRecycle, or by assisting CalRecycle in pursuing cost recovery through its own Statutorily authorized mechanisms. Information presented in this section is subject to the review, verification, and approval of CalRecycle's Legal Office.

(E) Goals and Objective Narrative (5 points). Describe what you wish to accomplish by completing this grant project by listing measurable targets, and/or objectives that must be met on the way to attaining your goal. 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; and implementation of methods to prevent or minimize reoccurrence of problems corrected by this project.

(F) Work Plan (10 points). Create a specific list of all procedures or tasks necessary to complete the project. Include major work items, field supervision, health and safety requirements, testing, bonds, permits, etc. Each task must be itemized separately and listed as specifically eligible or ineligible for grant funds.

The proposed Work Plan must be prepared under the supervision of a registered civil engineer or other persons appropriately experienced and qualified, and it should contain the major elements of the proposed remediation. Include in the Work Plan each site proposed for cleanup. Examples of Work Plan elements include, but are not limited to:

(i) Site description and history. Discuss prior site/land uses, ownership, and previous site investigations and characterizations.
(ii) Proposed project goals and objectives, and proposed remediations. Also indicate if a Remediation Action Plan to evaluate remedial alternatives was prepared and approved for the site.
(iii) Include a discussion of all the required regulatory agency approvals and permits and the status of these approvals and permits.
(iv) Site Access. Indicate whether the owner/responsible party has granted access to the site for remediation. If the owner/responsible party has not granted site access at time of application for grant funds, outline measures to be taken by the Applicant to obtain site access.
(ii) Mobilization/logistical preparation.
(iii) Health and safety requirements.
(iv) Quantity estimates by site (e.g. tires, solid waste for disposal, metals for recycling, fencing, revegetation, earthwork, etc.).
(v) Excavation, sorting, loading, and hauling of solid waste to disposal or recycling facilities.
(vi) Sampling and testing to verify clean closure.
(vii) Construction management/inspection.
(viii) Work to be performed by participating organizations (e.g., County Vehicle Abatement Program, County Hazardous Materials Teams, etc.).
(ix) A project schedule from award of grant funds to project completion prior to the expiration of the Grant Performance Period. The schedule should include major elements of the Work Plan, including obtaining necessary contracts, final inspection, and preparation of final project documents.
(x) Documentation that project complies with the California Environmental Quality Act (CEQA). This requires a properly executed Notice of Exemption, Negative Declaration, or Environmental Impact Report.

(G) Evaluation Narrative (5 points). Include, at a minimum, proposed personnel responsible for day-to-day management of cleanup activities and their qualifications, responsibilities, and methods and standards for inspecting, testing, and evaluating the work.

(H) Budget (10 points). Include total anticipated project costs broken down by tasks outlined in the Work Plan and identify eligible and ineligible project costs. Include a list of funding sources required to complete the project. Applicant funds identified must be approved in the local government resolution accompanying the application. Show any value of the Applicant's initiatives to achieve project cost savings through volunteer labor/equipment, in-kind services, reduced or waived tipping fees, and other savings. Be sure to identify separately the costs for which grant funds are requested and any participating costs by the Applicant and/or others.

For each work item show the estimated cost for labor, equipment, materials, contracts, consultants, and other costs (e.g., donated resources). Itemize work that is not eligible for grant funds. Include the cost of all activities directly related to implementing and completing the project, using the following guidelines.

Indirect costs of local government/state/federal entities and agencies (e.g., administrators, clerical, attorneys, local enforcement agency representatives, etc.) are generally ineligible costs and should not be included in the cost estimate unless supporting justification is attached to the application. In no case shall indirect costs exceed ten (10) percent of the total grant amount.

If an Applicant proposes to utilize its own resources for the site cleanup activities and to be reimbursed with grant funds, allowable costs shall be determined in accordance with procedures in *State Department of Transportation Standard Specifications* Section 9-1.03, Force Account Payment, except that overhead and profit markups to direct cost of labor, materials, equipment or subcontractors will not be allowed...; or

(ii) The Applicant shall submit its proposed costs along with any justification for review and approval and personnel rate breakdown (i.e. actual salaries, benefits, overheads, etc.) must be provided

The evaluation of this section will be based on the following:

(i) The demonstration that the project is cost effective and maximizes the use of available funds through cost savings, such as use of volunteer labor, in-kind services, and recycling options;
(ii) Detail that expenses are reasonable with all work plan tasks itemized in the budget; and
(iii) The Applicant's ability to adequately remediate the site with available funds, including the proposed matching funds.

(I) Application Completeness, Letters of Support, Experience, Etc. (5 points). Applicants are encouraged to include letters, endorsements, and reports from local constituents and regulatory/advisory agencies in support of the project. Factors used in evaluating this section are:

(i) Grant proposal is clearly presented and completed as required in the application instructions;
(ii) The proposal describes past grants received from CalRecycle or the CIWMB; and
(iii) Includes letters, endorsements, and reports from local constituents and regulatory/advisory agencies in support of the project.

(J) California Conservation Corps (CCC) or Local Conservation Corps (LCC) (5 points). This criterion is intended to promote the use of the CCC or the LCC as a (sub) contractor in approved grant projects, where appropriate. To receive full points, Applicant must submit the following documents with its Application: 1) documentation that the CCC or the LCC 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 or the LCC.

Table 1

SOLID WASTE DISPOSAL AND CODISPOSAL SITE CLEANUP GRANT PROGRAM GRANT SCORING CRITERIA FOR FISCAL YEARS 2010/11 and 2011/2012 *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.
10	**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.
10	**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.
15	**EVIDENCE OF A RECYCLED-CONTENT PURCHASING POLICY OR DIRECTIVE** Provide evidence that a recycled-content purchasing policy is in place or evidence to show that the policy will be adopted during the application period requiring the grantee to purchase recycled content products, recyclable or reusable products, or engage in other waste reduction activities where appropriate and feasible.
90	**SUBTOTAL**
PROGRAM CRITERIA	
5	**USE OF CALIFORNIA CONSERVATION CORPS or LOCAL CONSERVATION CORPS** Use of the California Conservation Corps (CCC) or the Local Conservation Corps (LCC) 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 or the LCC 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 or the LCC.
5	**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**

Table 2

The following Resolution is for example purposes only. Please consult with your attorney to determine the Resolution language appropriate for the Application.

SOLID WASTE DISPOSAL AND CODISPOSAL SITE CLEANUP PROGRAM
EXAMPLE MATCHING GRANT RESOLUTION

Resolution Number: _____

RESOLUTION OF
THE_____
(Title of Governing Body/City Council/ Board of Supervisors)

OF _____APPROVING THE APPLICATION FOR GRANT FUNDS
(City, County)

FROM THE SOLID WASTE CLEANUP PROGRAM for the following project:
_____
_____
_____

WHEREAS, the people of the State of California have enacted Assembly Bill 2136 (Eastin, Stats. 1993, Ch. 655) that authorizes the Department of Resources Recycling and Recovery (CalRecycle) to initiate and administer a program for cleanup of solid waste disposal sites and for cleanup of solid waste at codisposal sites where the responsible party either cannot be identified or is unable or unwilling to pay for timely remediation, and where cleanup is needed to protect public health and safety or the environment; and

WHEREAS, said procedures established by CalRecycle require the applicant to certify by resolution the approval of the submittal of the application before submission to the State of California; and

WHEREAS, the applicant will enter into an agreement with the State of California for the site cleanup;

NOW, THEREFORE, BE IT RESOLVED that the
_____HEREBY:
(Title of Governing Body/City Council/Board of Supervisors)

1. Approves the filing of an application for the cleanup of solid waste using funds from the Solid Waste Cleanup Program for the project specified above; and

2. Certifies that said applicant has or will have matching funds for the project, plus funds to pay for all ineligible work and eligible work in excess of the grant awarded; and

3. Certifies that said applicant has or will have sufficient funds to operate and maintain the project; and

4. Appoints the _____, or his or her designee, as agent of the
_____

(Title - Not Name) *(Title of Governing Body/City Council/Board of Supervisors)*
to conduct all negotiations, execute and submit all documents including, but not limited to applications, grant agreements, amendments, payment requests and so on, which may be necessary for the completion of the aforementioned project.

Approved and Adopted this _____ day of _____, _____.

I the undersigned, hereby certify that the foregoing Resolution Number _____ was duly adopted by the _____
following roll call vote:
(Title of Governing Body/City Council, Board of Supervisors)

Ayes:

Noes:

Absent:

_____

Table 3

The following Letter of Designation is for example purposes only.

LETTER OF DESIGNATION INFORMATION

-for Applicants who authorize their Signature Authority to delegate his/her authority

This letter to CalRecycle is not an Application requirement; however, it is required prior to the Designee's exercise of his/her authority. The letter must be on the Applicant's letterhead, dated within the last 12 months, and signed by the Signature Authority. The letter must:

- identify the job title of the Designee; and
- identify the scope of the Designee's authority.

The following letter is for example purposes only. Please consult with your attorney to determine the language most appropriate for the Application.

LETTER OF DESIGNATION EXAMPLE

I am the designated Signature Authority for **(name of Applicant/Grantee)**. I am authorized to execute on behalf of **(name of Applicant/Grantee)** all grant documents, including but not limited to, applications, agreements, amendments and requests for payment, necessary to secure grant funds and implement the approved Grant Project. I am authorized to delegate this authority. Accordingly, I hereby delegate this authority to the **(Job Title of Designee)**, who is specifically identified below.

Name & Job Title
Mailing Address
City, State, Zip Code
Telephone Number