

**CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD**  
**2004/2005 Local Government Waste Tire Cleanup Grant Application**

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Applicant

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Applicant's Address	City	County	Zip Code
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Program Director	Title	Phone	email address
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Primary Contact	Title	Phone	email address
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Contractor(s) (if applicable)

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Federal Tax Identification Number

Legislative District

Project/Site Description - Include the location, parcel number and a description of each site, which includes proximity to populated areas or sensitive environments, number of tires, proposed method of remediation, and end use. Photographs should also be included. If there are more than 500 tires on a site and the owner is not responsible for the illegal disposal of the tires, then an affidavit should be included with the application for **each site**. (You may attach additional pages if more space is needed).

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Total Grant Request: \$ \_\_\_\_\_

**Certification: I declare, under penalty of perjury, that all information submitted for the California Integrated Waste Management Board's consideration for allocation of grant funds is true and accurate.**

Name and Title of Person Authorized by Resolution:

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Signature \_\_\_\_\_ Date: \_\_\_\_\_ Phone: \_\_\_\_\_

## INSTRUCTIONS FOR APPLICATION COVER SHEET

### **Applicant**

List the name and address of the local governmental agency applying for the grant award. If other jurisdictions have agreed to participate in the proposal, please list them on a separate sheet of paper and attach to Cover Sheet. Two or more government agencies overseeing a waste tire cleanup program, under an existing agreement, are also eligible to apply. A formal inter-agency agreement such as a Joint Powers Authority (JPA) or Memorandum of Understanding (MOU) must be in place before the application deadline.

### **Program Director**

The person who has primary responsibility at the local level for the program. "Title" means the official position in the local government agency, e.g. Public Works Director. **The Program Director must be a local government employee.**

### **Primary Contact**

The person responsible for carrying out the project objectives (this may be the same person as the Program Director). All correspondence from the CIWMB will be directed to this individual. **The Primary Contact must be a local government employee.**

### **Contractor(s)/Subcontractor(s)**

List any contractors and subcontractors who will be retained by the **applicant** for any aspect of program implementation.

### **Federal Tax Identification Number (if applicable) & Legislative District Number(s)**

List the Federal Tax Identification Number(s) of private contractors and the Legislative District Number(s) for all waste tires sites proposed for cleanup.

### **Project Description**

Describe in detail the proposed project in the space provided. Additional information may be requested by the grant manager if enough detail is not provided. If you need more space, please attach a separate page if necessary.

### **Total Grant Request**

Specify the total amount of funds requested from the CIWMB to complete the project.

### **Applicant's Certification**

By signing, the applicant is certifying under penalty of perjury that all application materials and supplemental information submitted are true and correct. The person signing this application must be the individual given signature authority in the resolution or authorizing document.

**CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD**  
**Local Government Waste Tire Cleanup Grant Program**  
**FY 2004-2005**

**Application Instructions**

**Program Description**

Public Resources Code Section 42889 (e) authorizes the California Integrated Waste Management Board (CIWMB) to allocate monies from the California Tire Recycling Management Fund (Tire Fund) to pay the costs of cleanup, abatement, or other remedial action related to the disposal of waste tires. Grants will be awarded to local governments on a competitive basis for the removal, transportation, and disposal of waste tires from illegal tire piles and areas where illegal dumping has occurred along public right-of-way.

**Grant Funding**

The maximum amount of grant funding an applicant can request from the CIWMB will be \$200,000 per applicant (including applications from regional programs) with a maximum of \$50,000 allowed per individual tire site. Grants will not be awarded to two agencies within the same jurisdiction (example: City of Sacramento Public Works Department and City of Sacramento Health Department). The CIWMB may at its sole discretion fund only certain portions of a grant proposal; sites that have had previous enforcement action against them may be denied.

**Applicant Eligibility**

Local governments, including Local Enforcement Agencies, county and city departments, fire districts, code enforcement agencies, and California Native American organizations are eligible. Two or more government agencies overseeing a waste tire cleanup program, under an existing agreement, are also eligible to apply. A formal inter-agency agreement such as a Joint Powers Authority (JPA) or Memorandum of Understanding (MOU) must be in place before the application deadline.

**Project Eligibility**

Grant funding is for the cleanup of waste tire piles and waste tires occurring as litter along roads, alleys, and waterways. Sites can be located on private or public property. If a grant is awarded, the cleanup project must be completed and all invoices submitted by December 31, 2006 in order to receive grant reimbursement. Invoices for cleanup activities prior to the date of receipt of the CIWMB's Notice to Proceed will not be reimbursed. In addition, the cleanup project must be performed to achieve maximum cost effectiveness and efficiency. The grant manager will reduce the applicant's budget if the cost per tire for the cleanup projects is considered too high. In addition, unreasonable expenditure of cleanup costs is ineligible and either will not be reimbursed or will be questioned after an audit is conducted.

**Eligible Project Expenses**

The following waste tire site cleanup activities are eligible for grant funding:

- The cost for collecting and loading waste tires into transporting vehicles;
- The cost for transporting waste tires by a waste tire hauler, registered or exempted by the CIWMB, to a permitted, excluded or exempted waste tire storage facility;

- The cost of recycling waste tires for a specific end use, however waste tires must be transported to a facility that is approved by the CIWMB to accept waste tires;
- The cost for disposing of waste tires at a permitted, excluded, or exempted waste tire storage facility or disposal site;
- The reasonable cost (not greater than 5% of project costs) of fencing, gates, signs and other method to secure the property from future illegal tire disposal; and

### **Ineligible Project Expenses**

Ineligible project expenses include, but are not limited to the following:

- Salaries and benefits for personnel not directly involved in cleanup activities;
- Administrative overhead (costs for rental/lease of space, utilities, copying, office supplies, etc.);
- Overtime costs (unless approved by CIWMB);
- The development and distribution of educational materials or advertising of the cleanup program;
- Costs for obtaining necessary permits and licenses;
- Activities associated with the preparation of a waste tire cleanup grant application;
- Waste tire public awareness activities or waste tire amnesty day events;
- Cleanup/removal of tires where an operating business is located or where there the owner or operator of the property is actively stockpiling tires; and
- Research costs for specific end use projects associated with the site cleanup.

### **Application Submittal and Review Schedule**

Completed applications must be received at the CIWMB Sacramento office at the address below by 3:00 PM on Friday, February 11, 2005. Facsimiled or e-mailed applications will not be accepted. Late applications regardless of postmark date will not be considered for grant funding for this Fiscal Year. Applications will be reviewed for completeness, eligibility, and adequacy, and additional information will be requested, if necessary. Each site will be ranked using the Priority Ranking Criteria.

**Submit one original and two copies to:**

**California Integrated Waste Management Board  
Grants Administration Unit - MS 10  
P.O. Box 4025  
Sacramento, CA 95812-4025  
Attn: Elizabeth Huerta**

Grant applicants must submit the following information for proposed waste tire cleanup projects. All application materials will become the property of the CIWMB. A Waste Tire Cleanup Grant application **must**:

- include an original and two copies of the entire application package;
- provide information in the order listed below;
- have all pages numbered consecutively; and
- be double sided on 8.5" x 11" recycled paper.

All exhibits included in this application package may be adapted to each local jurisdiction's software; however, the format must be followed as provided on the form attached to this document.

### **Application Cover Sheet**

The Application Cover Sheet includes basic information identifying the project, the applying jurisdiction(s), and the individuals responsible for the program implementation. The person signing this document must be the individual given signature authority (or their designee) in the jurisdiction's resolution (see Sample Resolution, Exhibit C). Please designate who will be responsible for the performance of this grant as follows:

#### **Work Statement (Exhibit A)**

The Work Statement must list all tasks necessary to complete the project.

Description of Task(s) - Activities proposed within each task of the project.

Budget - Grant Funds necessary to complete each task.

Product or Results – State what was is to be accomplished by that task.

Staff/Contractor - The person who will be responsible for implementing each task.

Time Period - The number of months for the implementation and completion for each task.

Major tasks should be broken into sub-tasks. The Work Statement attached to this document as Exhibit A may be adapted to each applicant's computer software, or reproduced as necessary. The Work Statement must address all objectives required to complete the project.

#### **Project Budget (Exhibit B)**

Please refer to the Ineligible/Eligible Project Expenses section of the application, when completing this form. The Project Budget should demonstrate that the proposed Work Statement (Exhibit A) will be carried out in a realistic and cost effective manner. Do not request more than the allowable maximum of \$50,000 per site or \$200,000 per applicant or what you can reasonably use. All expenses must be itemized and copies of bids or estimates must be attached when applicable. Applicants are encouraged to indicate in the Project Report section of the application, what budget items should have funding priority if only a portion of the grant request is funded. Because these grants may be competitive, grant recipients may only receive a portion of the funds requested.

On the Project Budget form, show the costs associated with each component of the project for which you are requesting grant funds. Complete a separate page for each project component. For each cost, identify the amount of CIWMB Grant funds contributed and the amount of Local Government funds contributed. Itemize all costs and group them under the following Line Items as applicable:

**1. Personnel** - includes salaries, wages, and benefits for each wage-earning person who is employed by the local government agency or contractor who will be directly involved on site with the removal, transportation, and disposal of the waste tires. If removal, transportation, and

disposal of the waste tires is contracted to a private firm, the cost charged to the local jurisdiction would likely be based on a per ton calculation, thus only local government personnel on site during the cleanup activities need to be listed in this section. Salaries will be calculated by multiplying the number of hours for each staff member by the salary rate. **Note:** Benefits are calculated as a percentage of the salaries and wages contributed by the employer for health care, retirement, insurance, etc. Indicate on the form the percentage used to determine benefits, and multiply the total salaries and wages by the percentage to get the total benefits. **Total Personnel** is the sum of salaries and benefits.

**2. Contracts** - include contracts with private companies for the removal, transportation, and disposal of waste tires from the tire sites. **The transportation of the waste tires must be contracted to a waste tire hauler currently registered by the CIWMB; the waste tires must be transported to a facility permitted or excluded by the CIWMB.**

**3. Equipment Rental** - Itemize each piece of equipment to be used on the project and the rental or operational costs requested for reimbursement with grant funds. On a case-by-case basis, the CIWMB will consider purchase of equipment with Local Government Waste Tire Cleanup Grant funds if it is specifically associated with a qualifying site cleanup and it is more cost effective than renting equipment.

**4. Materials and Supplies** - include disposable, protective clothing, gloves, and safety glasses that are to be purchased with grant funds for personnel directly involved in the project. **Itemize all of the materials and supplies by the item to be purchased, quantity, cost per unit, and enter the total dollar amount that will be expended.**

**5. Other Costs** - include training or miscellaneous costs not included in the above categories. Itemize each cost and include as much detail as possible such as the type and cost of training and the number of individuals that will attend.

**6. Line Item Grand Totals** - Total the Line Items for each applicable project component on the bottom line. The **Project Grand Total** is the sum total of the bottom lines for all project components.

#### **Approved Resolution (Exhibit C)**

The applicant must submit an approved resolution from the applicant's governing body that authorizes submittal of a grant application for Fiscal Year 2004/2005 Local Government Waste Tire Cleanup Grant by March 11, 2005 and identifies the **title** of the individual authorized (or their designee) to execute any agreements, contracts, and requests for payment (see Exhibit C). **An application will be disqualified if the final resolution is not received by the March 11, 2005 deadline.**

**Regional Programs** - In addition to the resolution for the lead applicant as described above, applications for regional programs must include one of the following:

1) A letter from each of the participating local jurisdictions stating that they want to participate in the regional program and authorizing the lead applicant to act on their behalf as both the applicant and Primary Contact; or

- 2) A resolution from each of the participating local jurisdictions authorizing the lead applicant to act on their behalf as both the applicant and Primary Contact; or
- 3) A copy of a Joint Powers Authority (JPA) agreement and a letter from each local jurisdictions' County Administrator or City Manager that authorizes the JPA to act on behalf of the jurisdiction as both the applicant and Primary Contact; or
- 4) A copy of a Memorandum of Understanding specifically for this grant proposal from each local jurisdiction that authorizes the lead applicant to act on behalf of the local jurisdiction as both the applicant and Primary Contact.

#### **Property Access Authorization, Enforcement and Cost Recovery (Exhibit D)**

As part of the CIWMB's regulation of waste tire sites, the CIWMB generally pursues enforcement to compel owners of unpermitted sites to remove waste tires from their property and pursues cost recovery when the owner fails to comply and the CIWMB expends funds for the cleanup. For those sites with 500-4,999 passenger tire equivalents, the private property owners must sign a declaration under penalty of perjury (see Exhibit D) that they did not personally bring the tires on their property, did not profit from the placement of tires on their property, did not direct, authorize, license, permit, lease (legally or illegally) or otherwise provide consent to another to bring the tires on site, nor did they inherit property from relatives that conducted any of these activities. This affidavit must be submitted with the application. In cases where such a declaration has been obtained, enforcement and cost recovery will not be pursued under the following circumstances:

1. The private property is located in a remote area and thus mobilization of CIWMB contractors to the site under a CIWMB-managed remediation would be impractical and/or unfeasible;
2. The private property is located in a rural area with potentially overlapping multiple property owners with no discernable or otherwise readily ascertainable property boundaries, making it difficult to determine the specific liability of each owner; and/or
3. Where the private property proposed to be remediated is incidental to a primary project involving the cleanup of illegal tire disposal sites located alongside roads and other public rights-of-ways (i.e., the waste tires on the private site constitute "spill over" from the right-of-way).

For sites that do not meet one of the above criteria or have more than 5,000 passenger tire equivalents, the CIWMB will automatically pursue enforcement prior to awarding any grant funds. All phases of enforcement shall be handled by the CIWMB. Once enforcement has been completed and if the site continues to require remediation, the CIWMB will bring the pending grant application for the site to the Board for consideration at the next scheduled Board meeting. The CIWMB shall obtain site access for the applicant, if needed, and the CIWMB shall seek cost recovery from the property owner of grant funds that are expended for the cleanup of the site.

#### **Permit/License Checklist**

The General Checklist of Business Permits, Licenses and Filing (CIWMB Form 669) must be completed and submitted with the application packages. Also, this form must be updated and submitted with the signed grant agreement, each grant payment request, and the final report. The form is located on the CIWMB's website at [www.ciwmb.ca.gov/grants/forms](http://www.ciwmb.ca.gov/grants/forms).

### Priority Ranking Criteria

Each site will be ranked using the priority ranking criteria listed below. If requests for grant funds exceeds the grant funding available, then those sites with the highest ranking will be funded first.

Priority Ranking	Site Description
1	<i>Serious threat</i> to public health and safety. - Residential homes, schools, commercial, industrial, recreational area, airports, waterways, electrical transmission lines, or an environmentally sensitive area that is within 1,000 feet of the site; or - site/project consists of more than 25,000 tires.
2	<i>Moderate threat</i> to public health and safety. - Residential homes, schools, commercial, industrial, recreational area, airports, waterways, electrical transmission lines, or an environmentally sensitive area that is more than 1,000 feet, but less than a mile of the site; or - site/project consists of more than 1,000 tires but less than 25,000 tires.
3	<i>Potential threat</i> to public health and safety. - Residential homes, schools, commercial, industrial, recreational area, airports, waterways, electrical transmission lines, or an environmentally sensitive area that is more than a mile from the site; or - site/project that consist of less than 1,000 tires.

### Grant Agreement

Following the CIWMB's approval of the grant awards, the recipient will receive a Grant Agreement, Procedures and Requirements, and Terms and Conditions. These documents along with the applicant's Project Budget and Work Statement will comprise the grant agreement. The applicant's signature authority or designee must sign the Grant Agreement and return the document to the CIWMB within 90 days from the date it was sent to the grantee. When returning the signed Grant Agreement, the applicant must submit an updated General Checklist of Business Permits, Licenses, and Filings form. The grant term will begin upon receipt of the Notice to Proceed, and end on December 31, 2006.

### Payment of Grant Funds

Grant funds are paid on a reimbursement basis of actual costs directly related to the implementation of the project as approved. Payment will be made only to the applicant who is awarded a Local Government Waste Tire Cleanup Grant and for costs described in the applicant's approved Project Budget. All payment requests must be prepared as described in the Procedures and Requirements and include an itemization with documentation of claimed expenses (e.g. receipts, invoices, Personnel Expenditure Summary Forms, etc.). A final report must be submitted with the final payment request, which describes the cleanup, removal, and transportation and method of disposal or end use (pictures of the site after cleanup should be included).

### Audit Requirements

The Grantee agrees that the CIWMB, the State Controller's Office, and the State Auditor General's Office, or their designated representatives, will have an absolute right of access to all of the Grantee's records pertaining to the grant to conduct reviews and/or audits, including, but

not limited to the Grantee's contractors, subcontractors, vendors, and any entity receiving benefit from the grant funds. These records pertaining to the grant funds will be made available to the designated auditor(s) upon request for the reviews and/or audits. Such records will be retained for at least three (3) years after expiration of the agreement, or until completion of any action and resolution of all issues which may arise as a result of any litigation, claim, negotiation, or audit, whichever is later. If an audit reveals the grant funds are not being expended, or have not been expended in accordance with the agreement, the Grantee may be required to forfeit the unexpended portion of the funds and/or repay the CIWMB for any improperly expended monies.

**EXHIBIT A**  
**WORK STATEMENT**  
**2004/2005 LOCAL GOVERNMENT WASTE TIRE CLEANUP GRANT**

Grant Applicant \_\_\_\_\_

Date \_\_\_\_\_

Proposed Project \_\_\_\_\_

Task #	Description of Task	Budget	Product/Results	Staff/Contractor	Time Period (Dates)

**EXHIBIT B  
PROJECT BUDGET**

**Applicant:** \_\_\_\_\_

**PROJECT COMPONENT:**

Line Item	Title/Classification	No. Of Hours	Salary Rate	Benefit %	Total	Total Funds
Personnel						
Contracts (removal, transportation, disposal)		Materials & Supplies	Equipment Rental	Other Costs		

**PROJECT GRAND TOTAL: \$** \_\_\_\_\_

**EXHIBIT C**  
**SAMPLE RESOLUTION**

**WHEREAS**, Public Resources Code (PRC) Sections 42800 et. seq. established the waste tire program for the State of California and assigns responsibility to the California Integrated Waste Management Board (CIWMB); and

**WHEREAS**, PRC Section 42889(e) allows the CIWMB to expend available money in the California Tire Recycling Management Fund to pay the costs of cleanup, abatement, or other remedial action related to the disposal of used whole tires; and

**WHEREAS**, the CIWMB allocated eight hundred thousand dollars (\$1,000,000) for Fiscal Year 2004/2005 Local Government Waste Tire Cleanup Grant Program; and

**WHEREAS**, said procedures established by the CIWMB require the applicant to certify by resolution the approval of the application before submission of said application to the CIWMB; and

**WHEREAS**, the applicant will enter into agreement with the CIWMB for implementation of the project;

**NOW, THEREFORE, BE IT RESOLVED** that the \_\_\_\_\_ (Title of Governing Body) \_\_\_\_\_ authorizes the submittal of an application to the CIWMB for a Fiscal Year 2004/2005 Local Government Waste Tire Cleanup Grant. The \_\_\_\_\_ (Title of Official) of the \_\_\_\_\_ (Name of Jurisdiction) or their designee is hereby authorized and empowered to execute in the name of the \_\_\_\_\_ (Name of Jurisdiction) all necessary applications, contracts, agreements, and amendments hereto for the purposes of securing grant funds to implement and carry out the purpose specified in the grant application.

The foregoing resolution was passed by the \_\_\_\_\_ (Title of Governing Body) this

\_\_\_\_\_ Day of \_\_\_\_\_, 2005. Effective \_\_\_\_\_, 2005.

ATTEST:

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
(Name and Title of Official Authorized to Sign)

**EXHIBIT D**  
**Property Access Authorization and Responsibility Affidavit**  
**For Private Property**

I, [name of property owner], certify that I am the legal owner or authorized agent of the legal owner of [site/property description or address] and have the authority to grant access to the property. Neither I nor any licensee or lessee or person I inherited from personally brought any of the subject waste tires onto my property. Nor did I direct, authorize, permit or otherwise provide consent to another to bring the tires on my property. Specifically, to the best of my knowledge the circumstances of how the tires were brought onto my property, and the manner in which I became aware that the tires were on my property, are as follows:

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I hereby authorize [the city or county representatives applying], their designated contractors and representatives, and other state and local agencies authorized to access to the property described below for the purpose of removing tires. This cleanup is being performed under the Local Government Waste Tire Cleanup Grant Program.

I understand that by signing authorization to access the property, I am not admitting liability or responsibility for the cleanup of the property.

I declare, under penalty of perjury, that all the above information is true and accurate to the best of my knowledge and belief.

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Signature

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Printed Name

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Telephone Number

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Date