



December 2015
Department of Resources Recycling and Recovery

LOCAL GOVERNMENT WASTE TIRE ENFORCEMENT GRANT PROGRAM

APPLICATION GUIDELINES & INSTRUCTIONS

23rd Cycle (TEA23) – Fiscal Year 2015–16

Table of Contents

GRANT CYCLE OVERVIEW	2
Timeline	2
Eligible Applicants.....	2
Collaborative Application Requirements	4
Grantee’s Authority	5
Available Funds	5
Determining Maximum Awards	5
Grant Term, Grant Performance Period, and Report Preparation Period	6
Eligible Costs	6
Ineligible Costs	16
Questions.....	16
APPLICATION INSTRUCTIONS	17
Application Access.....	17
Application Contents and Instructions.....	17
Application Submittal and Deadline	19
APPLICATION DOCUMENTS	20
CalRecycle Documents.....	20
Staff Contact Information	20
Applicant’s Documents	20
Resolution.....	20
Collaborative Applications.....	21
Resolution (for Collaborative Applicants)	21
Letter of Designation.....	21
Letter of Permission	22
GRANT REVIEW AND AWARD PROCESS.....	23
Grant Application Review Process.....	23
Grant Award Process.....	23
Grant Award Conditions.....	23
GRANT PROGRAM ADMINISTRATION	24
Grant Agreement	24
Reporting Process	24
Payment Request Process	24

GRANT CYCLE OVERVIEW

This resource document provides applicants with instructions to access and complete the application online and information about grant administration. The application can be accessed on [Grant Management System \(GMS\) webpage](http://www.calrecycle.ca.gov/Grants/GMS/default.htm) (<http://www.calrecycle.ca.gov/Grants/GMS/default.htm>).

The Department of Resources Recycling and Recovery (CalRecycle) offers the Local Government Waste Tire Enforcement (TEA) Grant Program (Program) pursuant to Section 42889(b)(4) of the Public Resources Code.

The purpose of the grant is to provide sufficient, stable and non-competitive funding to California jurisdictions for the enforcement of waste tire permitting, hauling and storage laws.

TIMELINE

Date	Activity
January 28, 2016	Application Due Date <ul style="list-style-type: none"> • Applications must be submitted in GMS by 11:59 p.m. on this date. • Customer service will be available until 4:00 p.m. on this date.
February 29, 2016	Secondary Due Date If Resolution not submitted with the application: <ul style="list-style-type: none"> • Approved Resolution must be uploaded in GMS by this date.
March 2016	Grants Awarded CalRecycle considers funding recommendations, and if approved, conditionally awards grants during this month (tentative).
September 30, 2017	Grant Term Notice to Proceed to this date
June 29, 2017	Grant Performance Period May incur program or project costs after issuance of the Notice to Proceed to this date.
June 30, 2017 – September 30, 2017	Report Preparation Period May only incur costs for preparation of Final Progress Report and final Payment Request.
September 30, 2017	Final Progress Report, final Payment Request and Request for 10 percent withhold Deadline.

ELIGIBLE APPLICANTS

Eligible applicants are a city, county, or city and county that works closely with a managing entity to implement and oversee the Program. (See below for the definition of a managing entity)

New Applicants

New applicants are those applicants that did not receive a TEA grant award for Fiscal Year (FY) 2014–15 (TEA22 cycle). All counties may apply for this grant, and new applicants must meet the following requirements at the time of application:

- Applicant counties must have 50 or more active* business in their jurisdictions with Tire Program Identification (TPID) numbers.
- Applicant cities must have 100 or more active* businesses in their jurisdictions with TPID numbers.

New applicants that are under the jurisdiction of an existing TEA grantee that is also applying for a TEA grant may apply for this grant only if the new applicant:

- Meets the eligibility requirements of this Program.
- Notifies the existing grantee and CalRecycle in advance of its intent to apply.
- Meets with the existing grantee and CalRecycle.
- Demonstrates that complementary services are needed in its jurisdiction(s).

Reapplying Grantees

Reapplying grantees are applicants that received a grant award in the previous cycle. Reapplying grantees must meet the TPID requirements:

- Applicant counties must have 50 or more active* businesses in their jurisdictions with TPID numbers.
- Applicant cities must have 100 or more active* businesses in their jurisdictions with TPID numbers.

*"Active" means the *Business Status* is "Active" in CalRecycle's Waste Tire Management System (WTMS).

The city, county, or city and county is eligible to apply for a TEA grant if it satisfactorily performed in accordance with its TEA21 Grant Agreement, including, but not limited to, the Terms and Conditions, Procedures and Requirements, Work Plan and Budget. CalRecycle will use joint field inspections and other performance measures to determine if a reapplying grantee has satisfactorily performed in the TEA21 grant cycle.

Listed below are examples of performance measures and standards that may be reviewed to determine if a reapplying grantee performed satisfactorily in prior grant cycles.

- Expending at least 80 percent of awarded funds on eligible and approved items and activities.
- Completing at least 80 percent of inspections estimated in the application in accordance with the **Inspection Priorities** as described in the Procedures and Requirements.
- Submitting complete Progress Reports, Payment Requests, and other required grant documents by the due date.
- Attending all mandatory training events.
- Complying with all requirements of the Grant Agreement.

CalRecycle staff will work closely with reapplying grantees which are not performing satisfactorily. If a reapplying grantee does not perform satisfactorily, staff may recommend that the reapplying grantee not receive TEA grant funding.

Managing Entity

All applicants must designate a managing entity to implement and oversee the Program. The managing entity must be one of the following:

- A Local Enforcement Agency
- An Environmental Health Agency, department, office, etc.
- A Code Enforcement Agency, department, office, etc.
- Another agency, department, office, which has inspection and code enforcement authority, experience and capability

COLLABORATIVE APPLICATION REQUIREMENTS

Two or more eligible entities may agree to apply with a Collaborative Application. A Collaborative Application requires one of the eligible entities to act as the Lead Collaborative Jurisdiction (LCJ) and the other entities will be Participating Collaborative Jurisdiction(s) (PCJ). Under a Collaborative Application, a PCJ voluntarily allows an LCJ to perform waste tire enforcement activities in its jurisdiction. The following examples describe requirements for the different types of Collaborative Applications:

County/County

Two counties agree to collaborate. The counties agree that one county will submit a Collaborative Application for a TEA grant as the LCJ with the other county listed as a PCJ on the application. The LCJ will perform waste tire enforcement activities in the PCJ. Both the LCJ and the PCJ are be required to submit resolutions.

See Application Documents section titled Resolution for Collaborative Applicants for further information.

Cities Within the Same County

Two or more cities within the same county agree to collaborate. The cities agree that one city will submit a Collaborative Application for a TEA grant as the LCJ with the other city/cities listed as PCJ(s) on the application. The LCJ will perform waste tire enforcement activities in the PCJ(s). Both the LCJ and the PCJ are be required to submit resolutions.

See Application Documents section titled Resolution for Collaborative Applicants for further information.

Cities Collaborating With a Different County or with a City in a Different County

Another scenario might be a county collaborating with a city from an adjacent county. It is possible that a city is not receiving waste tire enforcement services from the county in which it is located; therefore, the city may collaborate with another county or with another city outside of its county. Both the LCJ and the PCJ are be required to submit resolutions. In addition, the LCJ must obtain a Letter of Permission from the County Administrator's Office of the county in which enforcement action will be taken.

See Application Documents section titled Resolution for Collaborative Applicants and Letter of Permission for further information.

Note: An incorporated city that is not an active TEA grantee, and which is already within the jurisdiction of the county within which it is located for purposes of the Program, does not need to become a Collaborative Jurisdiction with its own county.

(See section titled "Grantee's Authority").

GRANTEE'S AUTHORITY

CalRecycle is responsible for performing all activities related to enforcing waste tire permit, hauling and storage laws and regulations. When a local jurisdiction receives a TEA grant and becomes a grantee, it is authorized to enforce waste tire laws and regulations under CalRecycle's authority, not its own. Some grantees or managing entities have authority as Local Enforcement Agencies or code enforcement agencies; however, that authority is not applicable to the waste tire enforcement program.

County grantees may perform waste tire activities in the following areas:

- The unincorporated area of its own county, and the incorporated areas of all cities within the boundaries of the county that are not TEA grantees or Participating Collaborative Jurisdictions on any other jurisdiction's TEA grant application
- The unincorporated and incorporated area of any Participating Collaborative Jurisdiction(s)

City grantees may perform waste tire activities in the following areas:

- The incorporated area of its own city
- The unincorporated and incorporated areas of any Participating Collaborative Jurisdiction(s)

City and county grantees may perform waste tire activities in the following areas:

- The unincorporated and incorporated areas of its own city and county
- The unincorporated and incorporated areas of any Participating Collaborative Jurisdiction(s)

AVAILABLE FUNDS

- A total of \$ 7,000,000 is available for this grant cycle, fiscal year 2016–17, subject to funding availability.
- Applicants may request up to and including the maximum award amount allowed for their qualifying populations. The maximum award for any applicant is:
 - \$300,000 for applicants with qualifying populations equal to or less than 900,000.
 - \$450,000 for applicants with qualifying populations 900,001 through 2,000,000.
 - \$600,000 for applicants with qualifying populations of 2,000,001 or more.

DETERMINING MAXIMUM AWARDS

Qualifying populations for maximum award amounts are determined from the California Department of Finance report, [E-1 Population Estimates for Cities, Counties and the State with Annual Percent Change](http://www.dof.ca.gov/research/demographic/reports/estimates/e-1/view.php) (<http://www.dof.ca.gov/research/demographic/reports/estimates/e-1/view.php>). The report is generally published in May of each year.

Following is a description of how an applicant's qualifying population is determined.

For a county applicant, the qualifying population includes all of the following:

- The population of the unincorporated area of the applicant county and the population of all incorporated cities within the boundaries of the county that are not included on any other TEA application.
- The population of the unincorporated and incorporated areas of any Participating Collaborative Jurisdiction(s).

For a city applicant, the qualifying population includes all of the following:

- The population of the incorporated area of the applicant city.
- The population of the unincorporated and incorporated areas of any Participating Collaborative Jurisdiction(s).

For a city and county applicant, the qualifying population includes all of the following:

- The population of the unincorporated and incorporated areas of the applicant city and county.
- The population of the unincorporated and incorporated areas of any Participating Collaborative Jurisdiction(s).

GRANT TERM, GRANT PERFORMANCE PERIOD, AND REPORT PREPARATION PERIOD

The Grant Term and Grant Performance Period both begin on the date indicated on the Notice to Proceed. The Grant Term ends on September 30, 2017. This is also the date the Final Progress Report and final Payment Request are due to CalRecycle.

The Grant Performance Period begins on the date indicated in the Notice to Proceed and ends on June 29, 2017. Grant-eligible program expenditures may be incurred no earlier than the date a Notice to Proceed is issued and not later than June 29, 2017. In all cases, eligible program costs must be incurred no later than June 29, 2017.

The period from June 30, 2017 to September 30, 2017 is the Report Preparation Period. **Costs incurred to prepare the Final Progress Report and final Payment Request are the only costs eligible for reimbursement during the Report Preparation Period.**

ELIGIBLE COSTS

Eligible costs may be incurred only during the Grant Term. (See “Grant Term, Grant Performance Period, and Report Preparation Period” for additional information).

Eligible costs include, but are not limited to:

- Conducting and reporting on inspections of waste tire facilities to ensure compliance with current waste tire laws and regulations. Investigating illegal tire disposal activities.
- Identifying and issuing Notices of Violation to noncompliant entities.
- Conducting and reporting field patrolling, investigations and other enforcement activities to remediate waste tire disposal and hauling.
- Referring all illegal and unregistered waste/used tire haulers to CalRecycle. Conducting program-related outreach and educational efforts with local businesses.

The following information is provided to assist the applicant in the preparation of the TEA23 Budget. Review this information very carefully as eligible activities/costs are specified within each Budget Category. Eligible activities may include, but are not limited to, the activities listed under the following Budget Categories. Please see

Exhibit B (Procedures and Requirements) “Eligible Costs” for additional information. Applicants are encouraged to contact the Grant Manager if further clarification about whether or not certain activities are eligible or ineligible.

ADMINISTRATIVE COSTS

Direct Administrative Costs

Direct Administrative Costs must be less than or equal to 15 percent of the total approved Budget.

The following direct administrative activities/costs are eligible:

- Preparing and submitting Progress Reports, Payment Requests, and all other required documents, forms and information.
- Grant-related communications with the CalRecycle Grant Manager, Evaluation staff, Enforcement staff and state auditors.
- Costs related to compliance with performance evaluation or audits.
- Developing and maintaining a system to accurately capture and report staff time, activities, and costs for waste tire enforcement, including maintenance of records.

Indirect Costs

Grantees may charge actual indirect cost rates not to exceed 20 percent of approved direct costs.

Grantees must employ an indirect cost rate that conforms to Generally Accepted Accounting Principles and which is prepared by their accounting, finance or budget office or external accounting contractor.

Grantees must maintain, and shall provide if requested, documentation to support the indirect charges, the components thereof, and demonstrate how the charges were calculated.

EDUCATION

The amount requested and reimbursed under Education must be less than or equal to 10 percent of the approved Budget, unless the Grant Manager has approved an educational and outreach plan with a larger percentage. Eligible education activities and costs are as follows:

1. Identifying new TPIDs, which may include:
 - Obtaining Waste Tire Management System (WTMS) reports of newly issued TPID numbers, or
 - Canvassing business areas to determine if new or established businesses perform waste tire activities
2. Printing and distributing CalRecycle flyers when conducting educational visits for TPIDs. (<http://calrecycle.ca.gov/Tires/Enforcement/Grantee/Resources.htm>)
3. Informing businesses, and business owners/operators about applicable waste tire laws and regulations and available compliance resources.
4. Providing tire related education to Local Conservation Corps.
5. Providing other outreach activities as requested by CalRecycle.

ENFORCEMENT

Enforcement Actions and Surveillance

Eligible enforcement and surveillance activities include steps taken beyond normal inspection activities that a Grantee undertakes to identify illegal waste tire activity and collect evidence, as defined below.

1. ALL eligible enforcement and surveillance activities MUST be related to conducting and reporting on investigations, researching, surveilling, identifying, and documenting at least one of the following:
 - Illegal (unpermitted) waste tire storage sites and activities with 500 or more waste tires.
 - Individuals responsible for illegal dumping of waste tires.
 - Private property on which illegal dumping of waste tires is occurring or has occurred with 500 or more waste tires.
 - Unregistered waste tire haulers.
2. Eligible enforcement and surveillance activities may include the following activities:
 - Coordinating and working with CalRecycle, the California Highway Patrol, local DA, task forces, TEAs, and other local law enforcement on:
 - Gathering and sharing information and resources.
 - Providing training to local law and code enforcement personnel within the TEA jurisdiction to encourage referrals or citations.
 - Establishing and conducting checkpoints to identify unregistered waste tire haulers.
 - Attending administrative, court and/or CalRecycle hearings, and supporting case development.
 - Assisting CalRecycle with investigations and referrals
 - Making waste tire enforcement referrals, as approved or required.
 - Investigating waste tire referrals, complaints, violations, discrepancies, legal records searches, etc., as requested.
 - Obtaining inspection and other warrants as needed, participating with local law enforcement activities, performing interviews and field investigations, developing enforcement cases.
 - Researching databases and past enforcement activities.
 - After appropriate enforcement and surveillance, coordinating with other agencies to remediate environmental damage due to illegal dumping and storage of waste tires, including:
 - Review regulations and procedures with Local Conservation Corps to coordinate cleanups, and other related activities.
 - Coordinate with CalRecycle for cleanup and lien options.

Note: Private property with more than 500 illegal stored waste tires must be referred to CalRecycle for enforcement prior to seeking remediation.

 - Record Keeping
 - Production and maintenance of documents and files to track waste tire enforcement-related activities.
3. Grantees must report enforcement and surveillance activities to CalRecycle Inspection Liaison as follows:

- Report to CalRecycle all enforcement actions on waste tire-related cases, including any referrals to the DA's Office and any actions taken by the DA's Office on waste tire related cases within 15 days.
- Making waste tire enforcement referrals, as approved or required. See "Inspection Referral."

Field Patrolling and Small Cleanup

Field Patrolling is an enforcement activity with the sole purpose of reducing and deterring illegal hauling and dumping of waste tires. The Grantee shall be limited to fifteen percent of the total approved Budget, and adhere to the following:

1. All field patrolling activities must be documented and supported by filling the CalRecycle Field Patrolling form (CalRecycle 229).
2. Eligible field patrolling activities include:
 - Preparation and planning of field patrol
 - Follow-up on locations with known illegal waste tire dumping and on illegal dumping complaints and referrals
 - Cleanup of small tire piles with 35 or less tires on public land including disposal fees
3. The Grantee must report field patrolling activities quarterly in the following manner:
 - The Field Patrolling forms shall be submitted electronically to WasteTire@CalRecycle.ca.gov to the attention of their CalRecycle Inspector Liaison.
 - List of violations of illegal waste tire dumpers or unregistered waste tire haulers.
 - Summary of documented fluctuations, increases and decreases in illegally dumped waste tires, etc.
4. The grantee shall be limited to patrolling areas every quarter, unless otherwise approved by CalRecycle.

EQUIPMENT

ONLY equipment, materials and supplies necessary to perform eligible waste tire activities under the TEA Grant are eligible for reimbursement and shall be limited to ten (10) percent of the total approved Budget, and as described below.

1. The Grantee may claim only the cost of an item that is proportionate to its use in the waste tire enforcement program.
2. The only eligible equipment and quantity/cost of equipment under the grant is that listed in the Budget, or that has been subsequently pre-approved by the Grant Manager. The following are examples of eligible equipment:
 - Personal Protective Equipment: including boots, reflective vests or other logo/identifying windbreaker or clothing, hard hat/sun hat, gloves, binoculars, faces mask, safety glasses
 - Field equipment: including measuring devices, GPS, camera and accessories, clipboard
 - Cell phones, mobile WiFi hotspots and cell service
 - Computers or tablets and related standard accessories

INSPECTIONS

Inspections are the core component of the grant and the activity on which the Grantee shall spend most of its time and money. Unless otherwise approved, the eligible

activities are listed below and the grantee must perform inspection activities in accordance with the following:

1. Priority and Eligibility - the grantee shall inspect TPIDs as authorized and described in the Inspection Priority Work Plan and as described below, unless prior written approval is given by CalRecycle Inspector Liaison and the Grant Manager.

(If any of the below are not achieved, CalRecycle may withhold payment.)

- a. All inspections on the “*Inspection Priority Work Plan*” must be completed by June 29, 2017.
- b. Active TPIDs with an outstanding Notice of Violation (NOV) must be inspected within 15 days of the compliance deadline. Grantees may make referrals to CalRecycle after the first inspection, but must do so within 15 days and as described under “Inspection Referrals”.
- c. The Grantee shall inspect tire locations or refer to CalRecycle within 15 days, under the following circumstances and as directed below:
 1. If requested by the CalRecycle Inspector Liaison
 2. The Grantee receives a waste tire regulation related complaint or becomes aware of:
 - an illegal (unpermitted as defined in 14 CCR 18420) waste tire facility with 500 or more waste tires.
 - an illegal (unregistered as defined by 14 CCR 18451) waste or used tire hauler.
 - a tire location that poses an immediate risk or threat to public health and safety, and/or the environment. (This does not apply to illegal sites that the Grantee knows CalRecycle is aware of and/or actively pursuing enforcement actions against.)
 3. Grantees must note on the Inspection Report the information they received that necessitated the inspection, and must mark “Referral” as the Inspection Type.
- d. If all TPIDs listed in the “*Inspection Priority Work Plan*” can and will be inspected within the grant period, the Grantee may inspect Active TPIDs not on the “*Inspection Priority Work Plan*” any time during the grant cycle except for ineligible inspection activities listed below. Inspection scheduling is the responsibility and at the discretion of the Grantee.
- e. Only **inspections at the following frequencies** are eligible:
 - Only one routine inspection is allowed per active TPID.
 - A maximum of two re-inspections may be performed per active TPID if an NOV was documented during the original routine inspection.
 - Only one observation inspection may be performed, as described below, per active TPID.
- f. Only the following are **eligible inspection activities**:
 - On-the-job **inspection training** for TEA staff designated to the Program.
 - Scheduling and pre-inspection research,
 - Physically **inspecting** the TPID locations, taking photographs, interviewing personnel, writing and submitting a complete and correct inspection report.
 - Researching, updating or correcting WTMS records and the Grantee's own database.

- Providing technical assistance to tire businesses on waste tire laws and regulations, which occurs during or after an inspection.
- Conducting an **observation inspection** in the following conditions:
 - A TEA inspector must already be in the field conducting other eligible waste tire activities and observe the potential for a violation.

Note: The Inspection Report must document the circumstances that prompted the inspection, and “Observation” must be marked as the Inspection Type.

- g. Reports may only be completed when the Inspector performs an inspection at the TPID's physical address.
- h. Ineligible inspection activities include inspections of the following except as otherwise approved or requested by the CalRecycle Inspector Liaison:
 - Locations where the TPID does not have a site (physical) address in the Grantee's jurisdiction or at an address that is not listed in WTMS.

Note: When the Grantee learns of a new or changed TPID site (physical) address, that information must be submitted to the Hauler Hotline or to the CalRecycle inspector liaison assigned to the Grantee within 7 days and be noted on the Inspection Report.

- Closed and inactive TPIDs (refers to the TPID's Business Status in the WTMS)
 - Small quantity generators (refers to the TPID' s Business Role identified in the WTMS)
 - Farm/Ranch/Dairy/Ag Sites
 - Permitted Major or Minor Waste Tire Facilities
2. Quality of Inspections - Inspections shall be conducted in a manner consistent with state laws and regulations and according to CalRecycle guidance and business practices implementing sound investigative techniques, and as described below:
- a. Inspection reports shall be filled out completely and correctly and shall contain, at a minimum, the following on all reports:
 - A statement that permission to inspect the facility was requested and obtained and the name and title who granted the inspector permission to conduct the inspection (including taking photos and making site maps),
 - Waste tire count for the facility including indicating the counting method(s) used (e.g., direct count, volumetric estimation, combination, etc.). If volumetric estimation was used, a description of the tire piles, their location, dimensions, and all volume calculations and conversions to waste tires,
 - Results of the CTL review and any discrepancies noted. If applicable, any additional information that would support a future enforcement action (if necessary) and that would enable the report to stand on its own without any explanations or additional information.

- b. Inspection reports must be filled out to accurately reflect compliance/noncompliance at the TPID in accordance with the [inspection report instructions](#) (<http://www.calrecycle.ca.gov/Tires/Enforcement/Inspections/FormInstruct.htm#Page2>), the grantee [Toolbox](#) (<http://www.calrecycle.ca.gov/tires/enforcement/Grantee/>), and according to training provided by CalRecycle as follows:
1. The grantee shall conduct a pre-inspection review of hauler records, CTLs, WTMS, authorizations, prior inspections and enforcement actions prior to inspections.
 2. Violations shall be cited correctly and consistently, including citing the correct code sections, through the re-inspection process.
 3. Violations and corrections to violations shall be noted on the inspection report and supported with written comments and documentation. Documentation may include photographs, description of conditions at the site, information gathered through interviews, and any other documentation which support violations or corrections of violations.
 4. Statements or directives the Inspector made to the owner/operator must be noted in the report.
 5. TEA inspectors shall verify that the information in WTMS was current and accurate, including Operational Status, authorizations, addresses, owners, operators, contacts information etc. If discrepancies are noted, the inspector shall submit corrections to the Hauler Hotline or to the CalRecycle Inspector Liaison assigned to the grantee within 7 days. Inspectors are also to note these corrections in the inspection reports.
- c. Inspection reports must be submitted according to established CalRecycle business practices.
- Inspection reports must be submitted no later than 15 calendar days after the inspection date. All inspection reports must be submitted electronically using the WTMS e-reporting process.
 - One, and only one, inspection report is to be submitted per TPID number, regardless of whether there are multiple roles noted in WTMS for the TPID.
- d. Enforcement Referrals to CalRecycle shall be on a CalRecycle 228 form and complete and correct. All inspections resulting in the issuance of an NOV may result in being referred to CalRecycle for enforcement action and shall be handled in the following manner:
1. On the First Inspection:
 - The TEA inspector shall advise the TPID owner/operator or representative of the violation(s) and provide them a copy of the [Notice of Violation and Citable Offenses Handouts](#) (<http://www.calrecycle.ca.gov/Tires/Enforcement/Inspections/Forms.htm#NOV>)
 - Document on the Inspection Report in detail:
 - To whom and how the NOV and Citable Offenses handouts were delivered (e.g., in person, by mail or email).
 - Description of all violations noted and specifically what needs to be corrected.

- Compliance deadline date when all violations must be corrected that shall be no more than 30 days from the date of the inspection, except for violations of recordkeeping or manifest requirements contained in 14 CCR 17357 and 14 CCR 18459.2.1 through 18462, the compliance deadline date shall be no more than 90 days from the date of the inspection to provide adequate time to assess whether corrective action has been taken regarding recordkeeping and manifest issues.
 - If the violation is significant, chronic, or if it is anticipated that the violation will not be corrected, the TEA inspector shall refer the TPID and violation to CalRecycle to allow for an expedited enforcement. See below for more on “Inspection Referrals” to CalRecycle.
2. On the Second Inspection (First Re-inspection).
- The grantee shall re-inspect the site within 15 days of the NOV compliance deadline date.
 - The Inspection Report must include written documentation and evidence (photographs, copies of documents, etc.) that address all of the same violation(s) using the same citations as documented previously inspection, by either documenting:
 - Evidence of correction of the violation(s),
 - Partial correction(s) or good faith effort made, the justification of the extension, and the new compliance deadline date, not to exceed 30 days from the date of the re-inspection, or
 - Continued violation(s) without significant good faith, and refer the TPID and uncorrected violation(s) to CalRecycle for further enforcement action.
 - Document any new violations noted during the inspection. Note: new violations noted during a re-inspection does not extend the limit of two re-inspections authorized under the Grant.
3. If applicable, on the Third Inspection (Second Re-inspection).
- The Grantee shall re-inspect the TPID within 15 days of the extended NOV compliance deadline date.
 - Continue to cite the same codes being violated and the reasons. Also document violations that were corrected since the last inspection.
 - If all violations have not been corrected, including new violations detected during re-inspections, refer the TPID and violation(s) to CalRecycle for further enforcement action by completing/submitting the [CalRecycle Referral Form \(CalRecycle 228\)](#) (<http://www.calrecycle.ca.gov/Tires/Enforcement/Inspections/Forms.htm#Referral>). Indicate the referral in the Enforcement Status section of the inspection report.
 - The referral shall be made within 15 days of the second re-inspection and must include the first and second inspection

reports, photographs, and other documentation and evidence.

- e. The Grantee may make referrals to CalRecycle after the first inspection.
 - f. CalRecycle will provide training and assistance on the above requirements as needed or requested. The grantee shall be responsible for correcting errors so they do not become ongoing or chronic.
3. Timeframes - Inspections and referral documents shall be submitted in a timely manner, as follows:
- All inspections shall be delivered to the TPID representative or owner/operator and be submitted electronically to CalRecycle within 15 days of the inspection date.
 - All NOV's shall be issued with a compliance date 30 days or less.
 - For violations of recordkeeping and manifest requirements contained in 14 CCR 17357 and 14 CCR 18459.2.1 through 18462, the compliance deadline date shall be no more than 90 days from the date of the inspection to provide adequate time to assess whether corrective action has been taken regarding recordkeeping and manifest issues.
 - The first re-inspections (for NOV) shall be conducted within 15 days of the compliance deadline date.
 - The second re-inspections (for NOV), if applicable shall be conducted within 15 days of the compliance deadline date.
 - Outstanding NOV's shall be referred to CalRecycle after the Second Re-inspection or earlier as appropriate.
 - NOV referral packages shall be submitted to CalRecycle within 15 days of the inspection noting "Referred to CalRecycle" in the Enforcement Status section of the inspection report.
 - All unregistered haulers must be referred to CalRecycle within 15 days using the Hauler Observation Report (CalRecycle 775).
4. Reasonable Expenditures to Carry out Inspections
- Any personnel expenditures will be reimbursed based on actual time spent on Inspections.
 - The grantee must record actual time spent on all phases of the inspection including preparation, on-site time, travel time, reporting/follow-up. CalRecycle may require a grantee to report time in more detail or develop a more in-depth time task analysis to support reimbursement requests.
 - Time allocated for conducting physical inspections in the field and pre-inspection research shall be reasonable and relative to the state average for similar sites. The timeframe shall allow be ample enough to conduct a complete and correct inspection.
 - Travel time shall be reduced to the minimum practical, by inspecting as many sites in one area at one time as is practical.

TRAINING

Reimbursement for training is limited to tire enforcement staff and supervisors. In-house training is to be charged under the appropriate category (i.e. inspection training under Inspection budget). Unless otherwise approved, grantee training requirements and eligibility are as follows.

1. Grantee must maintain and provide to CalRecycle a list of inspectors and lead inspectors, their qualifications and the amount time (percentage or quantity inspections) they are committed to the Program.

2. All inspectors must be trained and approved by CalRecycle prior to conducting eligible inspections. Existing inspectors may be approved without additional training.
3. The following are **mandatory training** activities:
 - New inspector inspection training must be provided & approved by CalRecycle
 - CalRecycle-sponsored waste tire Round Tables*
 - WTMS Training*
 - Annual Technical Training Series*

*Grantee must send at least one inspector to each of these events.
4. The following are eligible non-mandatory training activities/costs:
 - Meetings, training or conferences as requested by CalRecycle
 - Coordinating and hosting Round Tables or other CalRecycle-sponsored training events
 - CalEPA sponsored Enforcement Symposium
 - Basic Inspector Academy
 - Conducting Effective Interviews for Inspectors
 - Environmental Enforcement Training
 - Basic and refresher health and safety classes
 - Costs/training approved in the Budget or that have been pre-approved in writing by the Grant Manager
5. When multiple sessions of a training event are scheduled, grantees must attend the session closest to their location. Exceptions must be supported by a compelling justification.
6. If attending an event with multiple subjects of which only part is related/beneficial to waste tire enforcement, the portion of the class fee charged to the TEA grant must be proportional to the class time devoted to waste tire enforcement.

TRANSPORTATION

The amount budgeted for and eligible for reimbursement under Transportation **must be necessary** to perform waste tire activities under the TEA Grant. The total must be less than or equal to ten (10) percent of the total approved Budget.

Any activities/costs not specifically listed below must be pre-approved in writing by the Grant Manager to be reimbursable. The following activities/costs are eligible:

- Use of grantee-owned or personal vehicle. Grantees may claim vehicle usage costs based upon actual mileage at the lesser of the grantee or state mileage rate. Mileage rates generally cover the cost of fuel, maintenance, insurance, licensing, registration, depreciation, and all other costs associated with operation and usage of the vehicle. Therefore, grantees cannot claim vehicle usage costs using both a mileage rate and the separate cost of the items covered by the mileage rate. Grantees must use the rate in effect at the time the mileage was incurred.
- Travel and per diem. All travel costs must be in accordance with the [California State Travel policies](http://www.calhr.ca.gov/employees/Pages/travel-reimbursements.aspx) (<http://www.calhr.ca.gov/employees/Pages/travel-reimbursements.aspx>). Reimbursable mileage and other travel expenses (per diem) may not exceed the state rates as set forth in the State Administrative Manual. Documentation submitted for travel reimbursement must include departure and return times and dates.

INELIGIBLE COSTS

Any costs not specifically included in the approved Budget and not directly related to performance of eligible activities are ineligible for reimbursement. Contact the Grant Manager if clarification is needed.

Ineligible costs include, but are not limited to:

- Costs incurred prior to receipt of the Notice to Proceed letter or after June 29, 2017.
- Expenditures outside the grantee's jurisdiction(s), or not specified in the approved Budget.
- Any costs that are not consistent with local, state, and federal laws, guidelines and regulations.
- Costs associated with Amnesty Day events, such as creating and distributing hauler exemption letters.
- Investigation of local code violations that don't involve waste tires.
- Educational activities provided to the general public via small and large community events or at events consisting primarily of K-8 children.
- Costs associated with activities related to the use of recycled products.
- Preparing and submitting the next cycle's grant application.
- Costs that the Grant Manager deems unreasonable, excessive, ineligible, inappropriate, duplicative, disproportionate or not related to the Program.

QUESTIONS

If you have any questions or concerns regarding the eligibility of an activity or application process, please consult the Grant Manager, Phanessa Fong at Phanessa.Fong@calrecycle.ca.gov.

APPLICATION INSTRUCTIONS

APPLICATION ACCESS

The application is available in CalRecycle's web-based Grants Management System (GMS). Access to GMS is secure; therefore you must have a CalRecycle WebPass in order to log into the system. Applicants who have not previously obtained a CalRecycle WebPass can create an account at the [CalRecycle WebPass site](https://secure.calrecycle.ca.gov/WebPass/) (<https://secure.calrecycle.ca.gov/WebPass/>).

When you are ready to start an application, log into [GMS](https://secure.calrecycle.ca.gov/Grants/) (<https://secure.calrecycle.ca.gov/Grants/>), select "Apply for a Grant" on the left. Open grant cycles are displayed in a table. Find Local Government Waste Tire Enforcement Grant Program, TEA23: Fiscal Year 2015–16 and select "Start Application." A pop-up window will appear asking for contact information. You will automatically be added as the first contact and Primary Contact for the new grant application however, this can be updated later. The application then opens to the Summary Tab.

APPLICATION CONTENTS AND INSTRUCTIONS

The components of the application are divided into tabs. To fill out an application, click on each tab and complete the sections in each tab as required. General directions are on the top of each tab and detailed information about the requirements for each tab is listed below.

It is the applicant's responsibility to ensure the online application and all required documents are signed and uploaded by the due date(s). Failure to do so will result in disqualification from the Program. Examples of disqualifications include:

- Applicant does not meet the eligibility requirements
- Project is not eligible
- Failure to use required CalRecycle documents or forms
- Uploading incomplete or blank documents to the Documents tab
- Signature Authority fails to sign Application Certification
- Missing information in the online application as required below

Summary Tab

This tab provides a summary of the application, due dates, resource documents and links, application documents, and the Application Submission section. It is the applicant's responsibility to ensure that all required documents, based on the individual grant application/project, are submitted by the appropriate due date.

Applicant/Participant Tab

The applicant name is the legal name of the jurisdiction/organization that is legally responsible for grant administration, if awarded. Do not enter your personal name.

- Select the Add Applicant/Participant button and type in the Applicant Name and County.
- Search the table for the correct applicant name and select Add Applicant/Participant.
- Choose the Lead Participant radio button. Every application must have a Lead Participant even if it is an individual application with no participating jurisdictions.

- If the applicant's name is not listed, click on Add New Applicant/Participant. Complete the items marked with a red asterisk and save the information.
- Enter the applicant/participant name as it appears on the Resolution or Letter of Commitment. Do not include the department or unit name.
- County names must be listed with the name first followed by the word "County," e.g., "Sacramento County."
- City names must be listed as "City of" followed by the city's name, e.g., "City of Sacramento."

For Collaborative Applications

- Add the name of each eligible participating jurisdiction and choose the Participating Jurisdiction radio button.

For a list of eligible applicants, please see the Grant Cycle Overview section titled "Eligible Applicants."

Detail Tab

Complete this tab as follows:

- Enter a dollar amount in the Grant Funds Requested field. Do not exceed the maximum grant award amount (See "Available Funds"). Round all amounts to the nearest whole dollar.
- Matching Funds are not required for this grant, skip the Matching Funds field.
- Enter the Assembly Districts and Senate Districts. To select more than one district hold the "Ctrl" key while selecting the numbers.
- Enter the applicant's department name, e.g. "General Services." If the applicant does not have a department the applicant's name may be entered.
- Enter the grant payment mailing address.
- Project Summary/Statement of Use: provide a brief summary of how grant funds will be expended and how these funds will augment your local/regional enforcement efforts.

Contacts Tab

The application is required to have only one Primary Contact and at least one Signature Authority. Each contact entered into the application may be granted access by checking the box on the bottom of the contact's detail screen. The contact will be able to log into GMS using his/her own CalRecycle WebPass and access the application.

- **Primary Contact.** One person who has been authorized by the Signature Authority/Designee to manage and oversee the grant. This person will be the first contact with whom the Grant Manager will communicate.
- **Signature Authority.** The person(s) authorized to sign CalRecycle documents, such as grant applications, grant agreements, etc., as authorized by a board/council-adopted Resolution, Letter of Designation, or Letter of Commitment (if applicable).
- **Secondary Contact.** A person authorized (by the Primary Contact or Signature Authority/Designee) as the alternate person with whom the Grant Manager will communicate. (Not required)
- **Consultant.** A professional who provides advice in a particular area of expertise. If the applicant is awarded a grant, the consultants may manage the grant or only conduct specific activities, based on a written agreement between the applicant and the consultant outlining work to be performed. (Not required)

Budget Tab

Complete the work plan and budget document provided in GMS. Transfer the total of each budget category from the document into the budget tab. The excel version of the work plan and budget document must be uploaded in the Documents tab and the budget amounts must match those entered in the Budget tab. The total must equal the Grant Funds Requested amount shown on the Detail tab.

Documents Tab

See the Application Documents section for documents that must be uploaded in the Documents tab. When uploading a document, enter a document title, select the appropriate document type from the drop down list, and enter the date that it was executed/signed, if applicable, or select "today's date."

After all the application documents are uploaded, return to the **Summary Tab** and print the **Application Certification** from the **Application Submission** section. The applicant must obtain a signature from the authorized Signature Authority (identified in your resolution or letter of commitment), scan the document, upload it, and retain the original hard copy document.

APPLICATION SUBMITTAL and DEADLINE

The **Submit Application** button will be enabled after all required documents have been uploaded. Click the **Submit Application** button and then the application status will change to **Submitted**. The application can only be submitted once, however you will be able to upload documents until the secondary due date.

Applications must be submitted no later than 11:59 p.m. on January 28, 2016. Customer service will be available until 4:00 p.m. on the application due date either by emailing grantassistance@calrecycle.ca.gov or calling 916-341-6047.

APPLICATION DOCUMENTS

CALRECYCLE DOCUMENTS

You can locate the CalRecycle documents on the Summary tab in the Application Documents section. To access the document, click on the link, open it up, fill it out, save it to your computer and then upload it to the Documents tab. Below is a list of the documents.

Staff Contact Information

Applicants are required to provide a list of all field staff, program supervisors, and managers who will work on the grant. Complete the contact information requested for each person included.

Work Plan & Budget

Applicants are required to submit a Work Plan & Budget. Complete the Work Plan & Budget document provided in GMS. The budget document must be uploaded in the Documents tab and the budget amounts must match those entered in the Budget tab. The total must equal the Grant Funds Requested amount shown on the Detail tab.

APPLICANT'S DOCUMENTS

Below is a list of documents that the applicant is responsible for preparing and uploading to their application. For examples of these documents, please see the **Resolution and Letter Examples** link found on the **Summary Tab** under **Resource Links**.

Resolution

Any applicant that is subject to a governing body must upload a Resolution that authorizes specific grant-related matters. A copy of the authorizing Resolution is a required application document that must be uploaded no later than the secondary due date or the application will be deemed incomplete and will be disqualified. Resolution requirements vary for individual and regional lead applications. See the **Resolution and Letter Examples** link for more information.

Individual Application Requirements:

1. The Resolution must authorize submittal of an application for one or more specifically named CalRecycle grant(s) or for all CalRecycle grants for which the applicant is eligible.
2. The Resolution must identify the period of time, up to five years, during which the authorizations are valid. Five years is encouraged; however, periods of less than five years are acceptable. If a Resolution does not specifically identify a period of time, it will be considered valid for one year from the date of adoption.
3. The Resolution must identify the Signature Authority by listing the job title of the person(s) authorized to sign all grant-related documents necessary to implement and close-out the grant(s).

(Optional but encouraged) The Resolution should authorize the Signature Authority to delegate his/her signature authority to another person identified by job title.

Note: The Signature Authority must sign a Letter of Designation **prior** to the Designee's exercise of his/her authority.

Collaborative Applications

- The Lead Collaborative Jurisdiction (LCJ) must submit an approved Resolution that authorizes it to act as a lead for a collaborative program. This Resolution authorizes submittal of a Collaborative Application on behalf of the LCJ and specifically named Participating Collaborative Jurisdiction(s) (PCJ)s.
- PCJs subject to a governing body must provide a Resolution, dated within the last 12 months, to the LCJ authorizing the LCJ to act on its behalf for this cycle. Copies of the Resolutions must be submitted with the application.
- In the event that a PCJ is located within a county that is an active TEA grantee and the LCJ applicant is a different county or is located in a different county, a Letter of Permission from the county in which the PCJ is located authorizing the LCJ to conduct enforcement activities in the PCJ must be submitted with the application.

Resolution (for Collaborative Applicants)

A PCJ is a jurisdiction that voluntarily allows an LCJ applicant to perform waste tire activities in its jurisdiction. Cities or counties may submit Collaborative Applications listing PCJs, but their applications must include authorization from the other cities and/or counties joining as PCJs. If a jurisdiction is listed as a PCJ on an application, it cannot apply individually or as part of another Collaborative Application.

In addition to the Resolution for the applicant, in which the LCJ is authorized by its governing body to act on behalf of the PCJs, the application must also include the following documents for each PCJ:

1. A Resolution from each PCJ authorizing the LCJ to act on its behalf as both applicant and Grant Administrator (entity that implements the grant program); and,
2. If the PCJ is within the county of an active TEA grantee and the LCJ is a different county or located in a different county, a Letter of Permission from the County Administrator's office stating that it agrees that the LCJ may conduct waste tire enforcement activities in the PCJ and that it will not be performing such activities there.

The inclusion of the PCJ(s) name(s) in the LCJ's Resolution does not take the place of the required PCJ's Resolution.

Letter of Designation

A Letter of Designation is required **ONLY** when the authorized Signature Authority delegates his/her authority to another person. First, the approved Resolution must indicate the Signature Authority's ability to delegate or designate his/her authority. Second, the letter must be uploaded **prior** to the Designee's exercise of his/her authority. For example, if the Designee signs the Application Certification in place of the Signature Authority, the letter must be uploaded when the Application Certification is submitted. The letter must:

- Be on the applicant's letterhead.
- Identify the job title of the Designee.
- Identify the scope of the Designee's authority.
- Identify the period during which the Designee may exercise the authority. The Designee's authority may not extend beyond the effective date of the approved Resolution (for example, if the Resolution is effective until December 31, 2016,

then the Letter of Designation may not be effective beyond December 31, 2016). If a time period is not identified then the letter will follow the same time frame as the Resolution.

- It must be signed by the Signature Authority.

Letter of Permission

A Letter of Permission is required when cities are collaborating with a different county or with a city in a different county. The LCJ must obtain a letter, on letterhead, from the County Administrator's Office for the county in which the enforcement action will be taken stating that the county agrees that: (1) the LCJ may perform waste tire enforcement activities in the PCJ(s); and (2) that the county will not perform any such activities in the PCJ(s).

GRANT REVIEW AND AWARD PROCESS

GRANT APPLICATION REVIEW PROCESS

After the close of the application period, CalRecycle staff will review the applications for completeness and eligibility. Only complete applications can be considered for award.

If total grant requests received exceed the allocated amount of \$7,000,000, the grant requests will be adjusted so the total of grant awards does not exceed the allocated amount. CalRecycle staff will initially consider the applicant's qualifying population to set a potential base grant award as follows:

- \$70,000 for applicants with qualifying populations less than or equal to 99,999
- \$90,000 for applicants with qualifying populations 100,000 through 499,999
- \$130,000 for applicants with qualifying populations 500,000 through 1,000,000
- \$210,000 for applicants with qualifying populations of 1,000,001 or more

CalRecycle staff may also consider the following information to determine the recommended award amount for each applicant.

- The number of active permitted sites and other businesses with TPIDs.
- Known threats to public health and safety or the environment.
- The number of waste tire complaints and referrals received in previous grant cycles.
- The number of illegal waste tire dump sites identified in previous grant cycles.
- Grant funds expended in previous grant cycles.
- The number of inspections completed in previous grant cycles.
- Enforcement and field patrolling activities in previous grant cycles.
- The results of the Grantee's Performance Evaluation (beginning in TEA23).

GRANT AWARD PROCESS

For qualifying applications, CalRecycle staff will develop funding recommendations for the consideration and approval of CalRecycle's Director, or his/her designee; this is tentatively scheduled for May 2016. CalRecycle reserves the right to partially fund or fund individual phases of selected proposals, and CalRecycle may fund an amount less than requested.

CalRecycle reserves the right to not award any grant funds under one or more cycles.

GRANT AWARD CONDITIONS

When awarded, this grant will be subject to two conditions:

- 1) The recommended grantee's Signature Authority (or where delegation is authorized), his/her Designee must sign and return the Grant Agreement to CalRecycle within 60 days from the date of mailing by CalRecycle.
- 2) The recommended grantee must a) pay all outstanding debts due CalRecycle, or b) bring current outstanding payments owed to CalRecycle within 60 days from the date CalRecycle conditionally awarded the grant.

Failure to comply with either requirement will void the grant award.

GRANT PROGRAM ADMINISTRATION

GRANT AGREEMENT

The Grant Agreement binds the Grantee to CalRecycle's requirements as outlined in the Grant Agreement documents. These documents shall guide the Grantee's administration of the grant project.

Following CalRecycle's conditional approval of the grant awards, grantees will be emailed the following:

- Award email.
- Grant Agreement Cover Sheet (CalRecycle 110).
- Exhibit A – Terms and Conditions: contain CalRecycle 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 – Grantee's approved application with revisions, if any, and any amendments.
- Attachment I–Forms Guide: CalRecycle forms to be used throughout the Grant Performance Period.

Note: See [CalRecycle Grant Forms Website](http://www.calrecycle.ca.gov/Funding/Forms/)

(<http://www.calrecycle.ca.gov/Funding/Forms/>) to download the forms.

REPORTING PROCESS

Grantees are required to report on the progress of their grant on a bi-annual basis. The Final Progress Report is due on September 30, 2017. Detailed reporting information is included in the Procedures and Requirements of the Grant Agreement.

PAYMENT REQUEST PROCESS

Eligible costs are authorized for reimbursement upon the Grant Manager's approval of the Payment Request, and if required, the accompanying Progress/Final Progress Report. Payment Requests must include itemized documentation of claimed expenses (e.g., itemized receipts and proof of payment of invoices). Ten percent of each approved Payment Request amount will be withheld by CalRecycle until the Grant Manager approves the Final Progress Report, the final Payment Request and all required supporting documentation. Failure to submit these final documents by the deadline specified in the Procedures and Requirements or failure to receive the Grant Manager's approval of these documents by September 30, 2017, may result in the nonpayment of otherwise eligible costs. Detailed payment information is included in the Procedures and Requirements of the Grant Agreement.