



November 2009

NATURAL RESOURCES AGENCY

Department of Resources Recycling and Recovery (CalRecycle)

**LOCAL GOVERNMENT WASTE TIRE CLEANUP AND AMNESTY
EVENT GRANT PROGRAMS**

APPLICATION GUIDELINES & INSTRUCTIONS

TCA6 Cycle – FISCAL YEAR (FY) 2009/10



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GRANT PROGRAM OVERVIEW AND GUIDELINES

The Department of Resources Recycling and Recovery (CalRecycle) has allocated two million one hundred thousand dollars (\$2,100,000) for the Local Government Waste Tire Cleanup and Amnesty Event Grant Programs in Fiscal Year 2009/10. Public Resources Code (PRC) Section 42889(b)(5) authorizes CalRecycle to expend funds from the California Tire Recycling Management Fund (Tire Fund) to pay for the cost of cleanup, abatement, or other remedial actions related to the disposal of waste tires.

ELIGIBLE APPLICANTS

California jurisdictions including cities, counties, special districts, other political subdivisions and jurisdictions joined together by formal agreements, as well as Qualifying Indian Tribes are eligible. CalRecycle is reserving twenty-five percent (25%) of the amnesty events' funding allocation for funding grants to eligible rural entities, defined as any county, city, district or Qualifying Indian Tribe within a county, which has a 2000 U.S. Census population of less than two-hundred thousand (200,000).

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).

ELIGIBLE PROJECTS/EVENTS

Waste tire cleanup projects include the collection, removal, transportation, recycling, and disposal of waste tires from illegal tire piles and areas where illegal dumping has occurred along public rights-of-way. Sites can be located on private or public property. The waste tires must be transported by a waste tire hauler who is registered or exempted from registration requirements by CalRecycle pursuant to Public Resources Code section 42954. Additionally, the waste tires must be transported to a CalRecycle approved solid waste facility or a waste tire storage facility or disposal site that is permitted, excluded or exempted by CalRecycle to accept waste tires). Projects not eligible for grant funding are sites where an operating business, including a farm or ranch, buys, sells, or otherwise trade tires, or that is actively stockpiling waste tires. Sites located on property that is zoned agricultural will be considered ineligible for this grant program until they have first attempted to obtain a grant through CalRecycle's Farm and Ranch Grant Program. In addition, sites with more than 500 waste tires may be referred for CalRecycle-managed cleanup if they do not meet the eligibility requirements of either the Farm & Ranch or Local Government Waste Tire Grant Cleanup Program, or if it is determined to be more cost effective to remediate a site through that program.

Amnesty events are intended to be date specific events for the public and are not intended for the disposal of waste tires from waste tire generating businesses (PRC §42954(a)(7)). Amnesty events 1) allow citizens to bring waste tires to convenient locations for proper management up to twice per month per location or 2) can consist of a coupon program that allows citizens to bring in waste tires on specified days.

The Grantee may accept and provide amnesty for up to 20 waste tires at amnesty events from individuals. Any advertising or publicity for amnesty events must clearly state that the amnesty provided by the event is limited to 20 tires, with the appropriate written authorization from the LEA.

Amnesty Events are not authorized end-use facilities for registered used and waste tire haulers and other tire-related businesses.

Any individual hauling 10 to 20 waste tires must obtain written authorization from the Local Enforcement Agency (LEA) prior to the amnesty event date. The LEA shall provide copies of any written authorizations to the board within 30 days of their issuance. If the individual has not received written authorization for hauling 10 or more tires from the LEA, the Grantee must report this information on the Unregistered Hauler & Comprehensive Trip Log Substitution Form (CIWMB-204) and submit the form to CalRecycle within 30 days after the amnesty event at which more than 10 tires were received. If the person is transporting illegally dumped waste or used tires to an amnesty event, and has received written LEA authorization to haul without a CalRecycle hauler registration, which includes specific conditions and dates and documentation that a police report has been filed for the illegally dumped tires, then that person is exempt from the hauler registration requirements pursuant to PRC section 42954(a) (8), and there is no need to report the hauler with a CIWMB-204 form.

JOINT APPLICANTS

Cities or counties may submit a regional application with authorization from other cities and/or counties participating in the regional application. A regional lead jurisdiction may be designated for regional programs to act on behalf of all participating jurisdictions. Each jurisdiction may submit only one grant application. Therefore, if a jurisdiction submits an application as part of a regional program, it cannot apply individually or as part of another regional program.

AVAILABLE FUNDS

- \$1,100,000 available for waste tire cleanup projects for FY 2009/10
- \$1,000,000 available for waste tire amnesty events for FY 2009/10
- \$50,000/site and \$200,000/applicant maximum available per grant award for waste tire cleanup projects
- \$30,000/individual applicant and \$90,000/regional applicant maximum available per grant award for amnesty events

CalRecycle 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. CalRecycle reserves the right to not award any grants under this Program.

- Because the waste tire cleanup grant program and amnesty event grant program have been combined into one grant solicitation, if fewer funds are requested than are allocated for either waste tire cleanup projects or amnesty event projects, any remaining funds will automatically be reallocated as needed to fund projects in the other grant program.
- If a grant is awarded, costs for waste tire cleanup projects and amnesty events may not be incurred prior to the date indicated in the Notice to Proceed received from CalRecycle, and must be completed by June 30, 2011.
- Waste tire cleanup projects and amnesty events must be performed to achieve maximum cost effectiveness and efficiency. The CalRecycle grant manager will reduce the applicant's budget if the cost per tire for the waste tire cleanup projects or amnesty events is unreasonably higher than estimated.

GRANT PERFORMANCE PERIOD, GRANT TERM AND REPORT PREPARATION PERIOD

The Grant Performance Period begins on the date indicated in the Notice to Proceed that the Grantee will receive from CalRecycle. Eligible grant expenditures may be incurred no earlier than the date indicated in the Notice to Proceed. In all cases, all eligible Program costs must be incurred no later than June 30, 2011.

The Grant Term starts on the same date as the Grant Performance Period and ends on September 30, 2011, the date the Final Report and Payment Request are due to CalRecycle. The period between July 1, 2011, and September 30, 2011, is referred to as 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.***

ELIGIBLE COSTS

Eligible costs include:

- Costs incurred between the date indicated in the Notice to Proceed and June 30, 2011 (i.e., the Grant Performance Period);
- Costs incurred between the dates indicated in the Notice to Proceed and September 30, 2011, to prepare the Final Report and Final Payment Request. (Note that the costs to prepare the Final Report and Final Payment Request will be reimbursed any time during the Grant Term. However, costs to prepare the Final Payment Request and Final Report are the *only* costs that are eligible for reimbursement during the Report Preparation Period [July 1, 2011 – September 30, 2011].);
- The cost of collecting and loading waste tires into transporting vehicles for waste tire cleanup projects;
- The cost of loading tires into transporting vehicles at waste tire amnesty events;
- Any salaries and benefits for personnel who are involved in the administration and oversight of amnesty events (*See Below);
- The development and distribution of educational materials or advertising of the amnesty events (*See Below);

- The cost of transporting waste tires by a waste tire hauler, registered or exempted by CalRecycle, to a permitted, excluded or exempted waste tire storage facility or other solid waste facility;
- The cost of transporting waste tires for a specific end use. Waste tires must be transported by a CalRecycle approved waste tire hauler to a CalRecycle approved end-use facility;
- The cost of 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 reimbursed by CalRecycle) of fencing, gates, signs and other methods to secure the property where illegal dumping has occurred; and
- Salaries and benefits for personnel who are directly involved in waste tire cleanup project activities.

** Project oversight and education, outreach and advertising expenses, combined, are only reimbursable up to 25% of the amount that is reimbursed for amnesty events.*

INELIGIBLE COSTS

Costs incurred prior to the date indicated in the Notice to Proceed or after June 30, 2011, are ineligible under this grant. Additionally, ineligible costs include, but are not limited to:

- Costs incurred during the Report Preparation Period (July 1, 2011 – September 30, 2011), except for the costs incurred to prepare the Final Payment Request and Final Report;
- Personnel costs incurred while an employee assigned to the waste tire cleanup grant project is not working on the grant (e.g., use of accrued time such as sick leave, vacation, etc.);
- Costs not identified in the Work Plan or Approved Budget, unless approved in writing by the CalRecycle Grant Manager prior to the costs being incurred;
- Costs currently covered by or incurred under another CalRecycle funded loan, grant, grant cycle or contract;
- Purchasing or leasing of land;
- Purchasing or leasing of vehicles;
- Overhead (costs for rental/lease of space, utilities, copying, office supplies, etc.);
- Overtime costs (except for local government staffing during specially scheduled evening or weekend events that are pre-approved in writing by the CalRecycle Grant Manager when law or labor contracts require overtime compensation);
- Costs for obtaining necessary permits and licenses;
- Any costs that are not consistent with local, state and federal laws, guidelines and regulations;
- Activities associated with the preparation of a waste tire cleanup and/or amnesty event grant application;
- Cleanup/removal of waste tires where an operating business is located or where the owner or operator of the property is actively stockpiling tires;
- Costs of collecting waste tires from waste tire generating businesses and/or waste tire haulers;
- Costs of collecting waste tires from businesses that are responsible for contracting with registered waste tire haulers for the removal of their waste tires. If it is determined that the Grantee has used grant funds for this purpose, cost incurred will be deemed ineligible and disbursed grant funds associated with these costs must be returned to CalRecycle.
- Research costs for specific end use projects associated with the site cleanup;
- Fines or penalties due to violation of federal, state or local laws, ordinances or regulations;
- Personnel travel or per diem costs, unless approved in writing by the CalRecycle Grant Manager prior to the costs being incurred;
- Cameras, cell phones, electronic personal data devices, pagers, and other similar personal electronic devices;
- Costs connected with contractor claims against the grantee; and
- Any costs that are unrelated to the grant project or unreasonable as determined by the CalRecycle Grant Manager.

PROPERTY ACCESS AUTHORIZATION RESPONSIBILITY AFFIDAVIT FOR PRIVATE PROPERTY AND COST RECOVERY (SEE PAGE 12)

As part of CalRecycle's regulation of waste tire sites, CalRecycle generally pursues enforcement actions to compel owners of unpermitted sites to remove waste tires from their property and pursues cost recovery when the owner fails to comply and CalRecycle expends funds for the cleanup. For proposed project sites with

500-4,999 tires, the private property owners must sign a declaration under penalty of perjury (see Exhibit E) that they did not personally bring the tires onto 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 CalRecycle contractors to the site under a CalRecycle-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). Note: where tires are dumped outside of a business that deals in tires, cost recovery may be appropriate.

For sites that do not meet one of the above criteria or that have more than 5,000 tires, CalRecycle may pursue enforcement prior to awarding any grant funds. Once enforcement has been completed and if the site continues to require remediation, CalRecycle will consider the pending grant application for approval of funding. If needed CalRecycle shall obtain site access for the applicant or will work with the grantee's counsel to do so. In accordance with CalRecycle policy, CalRecycle shall seek cost recovery from the property owner for grant funds that are expended for the cleanup of the site.

APPLICATION QUESTION-AND-ANSWER PROCESS

All Application related questions must be submitted in writing to CalRecycle no later than December 31, 2009. Questions may be sent via e-mail to dnordstrom@ciwmb.ca.gov or via mail to:

California Integrated Waste Management Board
ATTN: Local Government Waste Tire Cleanup and
Amnesty Event Grant Programs, 10th FL
Post Office Box 4025
Sacramento, CA 95812-4025

Questions received by any other method or after December 31, 2009 will not be accepted.

Periodically during the Question and Answer (Q&A) period, Qs&As will be posted on the Qs&As website. Similar or related questions may be grouped together or re-worded for clarity and responded to as one question. All Qs&As will be posted on or about approximately two weeks after the corresponding deadline and are subject to updates. It is the Applicant's responsibility to check this website for the latest information regarding this grant.

APPLICATION DEADLINE & SUBMITTAL

Mailed Applications must be postmarked no later than **January 29, 2010**. Hand delivered Applications must be received and date stamped by CalRecycle Staff by **3:00 p.m.** on **January 29, 2010**. Faxed or emailed applications will not be accepted. Late applications will be disqualified and will not be considered for grant funding.

Resolutions and Environmentally Preferable Purchases and Practices Policy must be submitted by **February 26, 2010**. Failure to submit these documents by **February 26, 2010**, will result in a disqualification.

Note: Effective January 1, 2010, the "California Integrated Waste Management Board" will become the "Department of Resources Recycling and Recovery", a part of the Natural Resources Agency. Pursuant to Public Resources Code (PRC) § 40401(a), which shall become effective on January 1, 2010, the Department of Resources Recycling and Recovery "succeeds to and is vested with all of the

authority, duties, powers, purposes, responsibilities, and jurisdiction of the former California Integrated Waste Management Board.” (Senate Bill [SB] 63, [Strickland], Laws of 2009, Ch. 21)

Applications sent by U.S. Postal Service **on or before December 31, 2009**, should be mailed to:

California Integrated Waste Management Board
Grant and Loan Resources Branch, 9th Floor
ATTN: Local Government Waste Tire Cleanup
and Amnesty Event Grant Program
P.O. Box 4025
Sacramento, CA 95812-4025

Applications sent by Commercial Carrier or delivered by hand **on or before December 31, 2009**, should be delivered to:

California Environmental Protection Agency Building
California Integrated Waste Management Board
Grant and Loan Resources, 9th Floor
ATTN: Local Government Waste Tire Cleanup and
Amnesty Event Grant Program
1001 “I” Street
Sacramento, CA 95814

Applications sent by U.S. Postal Service **on or after January 1, 2010**, should be mailed to:

Department of Resources Recycling and Recovery
Grant and Loan Resources Branch, 9th Floor
ATTN: Local Government Waste Tire Cleanup and
Amnesty Event Grant Program
Post Office Box 4025
Sacramento, CA 95812-4025

Applications sent by Commercial Carrier or delivered by hand **on or after January 1, 2010**, should be delivered to:

California Environmental Protection Agency Building
Department of Resources Recycling and Recovery
Grant and Loan Resources Branch, 9th Floor
ATTN: Local Government Waste Tire Cleanup and
Amnesty Event Grant Program
1001 “I” Street
Sacramento, CA 95814

Applications sent by U.S. Postal Service or a commercial delivery service should be sent by a means that allows for tracking by the sender and that provides an addressed and dated receipt. Failure to do so is at the risk of the applicant and if delivery is delayed or the application is lost by the Post Office or delivery service, the burden is on the applicant to demonstrate timely mailing or delivery of the application.

For hand-delivered applications, applicants are encouraged to obtain a signed and dated receipt to verify a timely submitted hand-delivered application.

GRANT APPLICATION REVIEW PROCESS

After the close of the application period, program staff will review the grant applications for completeness and eligibility. Only complete applications can be awarded funds. The Priority Ranking Criteria is used to score an applicant’s cleanup projects and/or amnesty events. Those applicants that receive the highest ranking will be funded first.

For FY 2009/2010, waste tire cleanup projects will be ranked based on their potential threat to public health and safety and environment. The Ranking Criteria are as follows:

Rank 1 – Serious threat to public health and safety and the environment.

- Residential homes, schools, commercial, industrial, recreational area, airports, waterways, electrical transmission lines, or an environmentally sensitive area that is 1,000 feet or less from the site; or

Rank 2 – Moderate threat to public health and safety and the environment.

- Residential homes, schools, commercial, industrial, recreational area, airports, waterways, electrical transmission lines, or an environmentally sensitive area that is more than 1,000 feet from the site, but less than a mile from the site; or

Rank 3 – Potential threat to public health and safety and the environment.

- Residential homes, schools, commercial, industrial, recreational area, airports, waterways, electrical transmission lines, or an environmentally sensitive area that is a mile or more from the site.

For FY 2009/2010, amnesty events will be ranked initially by the cost per tire for an event. The Ranking Criteria are as follows:

Rank 1 – Cost per tire for an amnesty event. Those events with the lowest cost per tire will receive the highest rank.

Rank 2 – The applicant has a Waste Tire Enforcement Grant that covers its jurisdiction. Those applicants that have an enforcement program in place will receive a higher rank (first tiebreaker, after applying Rank 1).

Rank 3 – The applicant has budgeted adequate resources to advertise and oversee an amnesty event, and public education materials about the proper care and maintenance of tires. Those applicants that have the highest financial match for advertisement, oversight and education materials will receive a higher rank (second tiebreaker, after applying Ranks 1 and 2). (Note: There is no minimum match required to obtain this grant. The amount of match funds provided by the applicants will only be used as a second tiebreaker in the event more funds are requested than are available.)

GRANT AWARD PROCESS

Program staff will develop funding recommendations for consideration/approval during April 2010 (tentative). In the event CalRecycle awards only a portion of an applicant’s grant request, CalRecycle reserves the right to fund individual phases of selected proposals, and may therefore fund an amount less than requested. Should this occur, program staff will incorporate additional conditions or changes in the final grant agreement.

CalRecycle reserves the right to not award any grant funds under this program.

GRANT AWARDS CONDITIONS

CalRecycle awards this Grant 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 90 days from the date of mailing by CalRecycle; and 2) the recommended Grantee must a) pay all outstanding debts due CalRecycle, or b) bring current outstanding payments owed to CalRecycle within 90 days from the date the CalRecycle conditionally awarded the Grant.

Failure to comply with either requirement will render the award null and void.

Tentative Timeline for TCA6 Cycle (FY 2009/10)

Date	Activity
November 30, 2009	Application Materials Released <ul style="list-style-type: none"> • Notice of Funds Available, Application, and Application Guidelines and Instructions mailed & posted on the CalRecycle web site
December 7, 2009 through December 31, 2009	Question and Answer Period
January 8, 2010	All answers will be posted on the Grant web site on or about this date
January 29, 2010 January 29, 2010 3:00 P.M.	Application Deadline <ul style="list-style-type: none"> • Mailed applications must be postmarked by this date • Hand delivered applications must be received and date stamped by CalRecycle or its agent by this date and time
February 26, 2010	Resolution and Environmentally Preferable Purchases and Practices Policy Deadline <ul style="list-style-type: none"> • Resolution must be received by CalRecycle • Environmentally Preferable Purchases and Practices Policy must be adopted and CalRecycle notified
April 2010	Cycle Awarded <ul style="list-style-type: none"> • Consideration of funding recommendations, and if approved, grants

	awarded
June 2010	<ul style="list-style-type: none"> Grant Agreement Packages sent to grantees
90 days from mailing of Grant Agreement Package	Applicant must sign and return the Grant Agreement no later than 90 days from mailing of the Grant Agreement Package by CalRecycle
Notice to Proceed Date	Grant Term and Grant Performance Period begin on date indicated in the Notice to Proceed. Eligible expenditures may be made beginning on the date indicated in the Notice to proceed.
Thursday, June 30, 2011	<i>Grant Performance Period ends. All waste tire cleanup projects and amnesty events must be completed.</i>
Friday, Sept. 30, 2011	Grant Term Ends and Final Report and Final Payment Request due to CalRecycle.

GRANT PROGRAM ADMINISTRATION

GRANT AGREEMENT PACKAGE

Following CalRecycle's conditional approval of Grant awards, Grantees will be mailed a Grant Agreement Package. The grant agreement contains the following items:

- Grant Agreement Form (CIWMB 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
 - Exhibit D-Budget
 - Attachment 1-Forms: CalRecycle forms to be used throughout the Grant Performance Period.
- Website: <http://www.CalRecycle.ca.gov/Grants/Forms/>

The Signature Authority will be required to sign the Grant Agreement Form (CIWMB 110) and return it to CalRecycle within ninety (90) days from the date of mailing by CalRecycle or the grant award will be null and void. Additionally, grantees are required to 1) pay all outstanding debts, or 2) bring current any outstanding payments due CalRecycle within 90 days from the award date or the grant award will be null and void.

Prior to Commencing Work

Grant Self-Assessment Form and other Grant Forms

Prior to commencing work under this Grant, the Grantee's Grant Manager and authorized Signature Authority should review the Grant Self Assessment Checklist Form, and other Grant Forms, so as to identify key administrative requirements. Evaluation of the Grantee's compliance with these requirements is a major part of all Grant audits.

As set forth more fully in the Terms and Conditions (Exhibit A), the Grantee shall submit with its Final Report a completed and signed Self-Assessment Form. To obtain the Grant Self-Assessment Form (CIWMB 641), contact the CalRecycle Grant Manager, or go to <http://www.CalRecycle.ca.gov/Grants/Forms/>.

Reliable Contractor Declaration

Prior to authorizing a contractor(s) to commence work under this Grant, the Grantee shall submit to the CalRecycle Grant Manager a declaration from the contractor(s), signed under penalty of perjury, stating that within the preceding three (3) years, none of the events listed in Section 17050 of Title 14, California Code of Regulations, Natural Resources, Division 7, has occurred with respect to the contractor(s) and the subcontractor(s), respectively. See www.CalRecycle.ca.gov/Regulations/Title14/ch1.htm#ch1a5 to read the referenced Section of Title 14.

REPORTING PROCESS

Grantees are required to report progress of their grant on an annual basis. The Final Report and Final Payment Request are due by September 30, 2011. The time period between July 1, 2011 and September 30, 2011, is the Report Preparation Period. The only costs that are eligible for reimbursement during this period are costs incurred for preparation of the Final Report and Final Payment Request. Detailed reporting information is included in Exhibit B – Procedures & Requirements.

PAYMENT REQUEST PROCESS

Eligible costs are authorized for reimbursement upon the 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). Ten percent (10%) of each approved Payment Request amount will be retained by CalRecycle until the CalRecycle Grant Manager approves the Final Report, the Final Payment Request and all required supporting documentation. Failure to submit these final documents by the deadline specified in the Procedures & Requirements or failure to receive CalRecycle Grant Manager's approval of these documents by September

30, 2011, may result in the nonpayment of otherwise eligible costs. Detailed payment information is included in Exhibit B – Procedures & Requirements of the Grant Agreement Package.

GRANT AGREEMENT PROVISIONS, INCLUDING AUDIT REQUIREMENTS AND WAIVER OF PERSONAL JURISDICTION

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

1. **Audit/Records Access.** The Grantee agrees that CalRecycle, 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 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.
2. **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.

**REQUIRED DOCUMENTS:
RESOLUTION AND LETTER OF DESIGNATION INFORMATION AND EXAMPLE**

RESOLUTION INFORMATION

-for applicants subject to a governing body, e.g., City Council, Board of Directors

The Grant Application requires an approved Resolution, dated and attested to/certified, which

1. Authorizes the submittal of the Application(s):
 - for all CalRecycle grants for which Applicant is eligible; or
 - for this Grant and other specifically identified CalRecycle Grants; or
 - for only this Grant.
2. Identifies the job title of the person authorized to execute applications, agreements, amendments, requests for payment and all grant documents necessary to secure grant funds and implement the approved Grant Project (Signature Authority).
3. Authorizes the Signature Authority to delegate this authority (*not required but encouraged*).
4. Authorizes application submittal and Signature Authority for a period up to five (5) years from the date of adoption.

A copy of the authorizing Resolution is a required Application document. However, if Applicant needs additional time to obtain the Resolution, it must be received no later than **February 26, 2010**. If not received by this date the Application will be disqualified.

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

RESOLUTION EXAMPLE

WHEREAS, Public Resources Code (PRC) sections 40000 et seq. authorizes the Department of Resources Recycling (CalRecycle), previously known as the California Integrated Waste Management Board (CIWMB), to administer various Grant Programs in furtherance of the State of California's (State) efforts to reduce, recycle and reuse solid waste generated in the State thereby preserving landfill capacity and protecting public health and safety and the environment; and

WHEREAS, in furtherance of this authority CalRecycle is required to establish procedures governing the application, awarding, and management of the grants; and

WHEREAS, Grant Application procedures require an Applicant's governing body to authorize by resolution its approval for submittal of the Grant Application(s) identified below, and the designation by job title of the individual authorized to execute all Grant documents on behalf of **(Name of Applicant)**; and

WHEREAS, if awarded, **(Name of Applicant)** will enter into a Grant Agreement with CalRecycle for implementation of said Grant(s).

NOW, THEREFORE, BE IT RESOLVED that the **(Title of Governing Body)** authorizes the submittal of application(s) to CalRecycle for all grants for which **(Name of Applicant)** is eligible.

BE IT FURTHER RESOLVED that this authorization is effective for **(Insert Time Period: from Month, Day, Year through Month, Day, Year)**; time period not to exceed five (5) years;

BE IT FURTHER RESOLVED that the **(Job Title)**, or his/her designee is hereby authorized and empowered to execute in the name of the **(Name of Applicant)** 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.

LETTER OF DESIGNATION

-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

ENVIRONMENTALLY PREFERABLE PURCHASES AND PRACTICES POLICY INFORMATION AND EXAMPLE

Applicants must have an Environmentally Preferable Purchases and Practices (EPPP) Policy in place by **February 26, 2010**. Applicants who adopt an EPPP Policy prior to submitting their Application need only certify to this fact in their Application.

Applicants, who do not have an EPPP Policy in place when they submit their Application, may certify in their Application that they will adopt one and send the Notification (below) to CalRecycle. CalRecycle must receive the Notification by **February 26, 2010**, or the Application will be disqualified. See next page for additional information and the Notification.

The following EPPP Policy is for example purposes only.

EPPP POLICY EXAMPLE

ENVIRONMENTALLY PREFERABLE PURCHASES

The **(Applicant name)** provides that all departments shall, whenever possible, use recycled products and recycled materials to meet their needs. This policy is enacted to demonstrate compliance with the Waste Management Reduction Act and foster market development for recycled products.

PURCHASE POLICIES

- A. All **(Applicant name)** departments shall use recycled products whenever practicable. Special emphasis shall be placed on the purchase of products manufactured with post-consumer recycled materials.
- B. All **(Applicant name)** departments may, at their option and with purchasing concurrence, require procurement of designated recycled products or recycled products above the levels required by this policy.
- C. The **(Applicant name)** shall require its contractors and consultants to use and specify recycled products in fulfilling contractual obligations whenever practicable.
- D. The **(Applicant name)** shall promote the use of recycled products by publicizing its procurement policy whenever practicable.

PURCHASE RESPONSIBILITIES OF RECYCLED PRODUCTS AND MATERIALS COORDINATOR

The **(title of person responsible)** shall coordinate the implementation of this policy. He/she will establish a list of recycled products that shall be purchased by all **(Applicant name)** departments whenever practicable and will develop the mechanism for maintenance, additions, and deletions to the list of recycled products available for procurement. Maintenance of the list will include addition of new products containing recycled material as they become available. Specifications of these new products and their suggested uses will be made available to all **(Applicant name)** departments. The **(title of person responsible)** will also work with all departments to establish minimum recycled content standards for designated recycled products to maximize recycled product availability, recycled content, and competition. The **(title of person responsible)** will also be responsible for annual policy review.

ENVIRONMENTALLY PREFERABLE PRACTICES

The **(Applicant name)** will act to make resource conservation an integral part of its waste reduction and recycling programs. The practice of discarding materials used in the **(Applicant name)** facilities is wasteful of natural resources, energy, and money.

PRACTICE POLICIES

1. The **(Applicant name)** will integrate the concept of resource conservation, including waste reduction and recycling, into its environmental programs.
2. The **(Applicant name)** will decrease the amount of waste of consumable materials by: a) reducing the consumption of consumable materials wherever possible; b) fully utilizing all materials prior to disposal; and c) minimizing the use of non-biodegradable products wherever possible.
3. The **(Applicant name)** will cooperate with, and participate in, recycling efforts being made by the city and county. As systems for recovering waste and recycling develop within the **(Applicant name)** will participate by appropriately separating and allowing recovery of recyclable waste products.
4. The **(Applicant name)** will purchase, where financially viable, recycled products. The **(Applicant name)** will also encourage suppliers, both private and public, to make recyclable products and unbleached paper products available for purchase.
5. Representatives of the **(Applicant name)** will actively advocate, where appropriate, for resource conservation practices to be adopted at the local, regional, and national levels.

EPPP POLICY- SECONDARY DEADLINE NOTIFICATION

Applicants, who do not have an EPPP Policy in place when they submit their Application, may certify in their Application that they will adopt one by **February 26, 2010**, and will send the Notification (below) to CalRecycle. CalRecycle must receive the Notification by **February 26, 2010**, or the Application will be disqualified.

IMPORTANT! Notification sent by U.S. Postal Service or a commercial delivery service should be sent in a manner that allows for tracking by the sender and that provides for verification of delivery. Failure to do so is at the risk of the applicant and if delivery is delayed or the Notification is lost by the Post Office or delivery service, the burden is on the applicant to demonstrate timely delivery and receipt by CalRecycle of Notification.

APPLICANT INFORMATION	
GRANT PROGRAM NAME:	
APPLICANT / ORGANIZATION NAME:	
PRIMARY CONTACT NAME:	TITLE:
TELEPHONE NUMBER:	FAX NUMBER:
EMAIL ADDRESS:	
Check box	
<input type="checkbox"/>	Yes, our organization has an Environmentally Preferable Purchases and Practices Policy.
	DATE ADOPTED: _____ BY: (E.G., GOVERNING BODY NAME, EXECUTIVE OFFICER, ETC.) _____
<i>Certification: I declare, under penalty of perjury, under the laws of the State of California, that the above information is true and accurate to the best of my knowledge.</i>	
X	
<i>Signature Authority - as authorized in Resolution; or Authorized Designee - as authorized in submitted Letter of Designation</i>	
<i>Date</i>	
<i>Print Name</i>	
<i>Print Title</i>	

Submit notification to:

Department of Resources Recovery and Recycling
 Local Government Waste Tire Cleanup and Amnesty Event Grant Program - EPPP
 1001 "I" Street, 9th Floor
 P.O. Box 4025
 Sacramento, CA 95812-4025

(916) 341-5062 - phone

**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 resident, invitee, licensee, lessee or person I inherited from, personally brought any of the subject waste tires onto my property. Nor did I, or any of the above, 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:

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 under the laws of the State of California, that all the above information is true and accurate to the best of my knowledge and belief.

Name of Property Owner

Signature of Property Owner

Address

Parcel Number

Telephone

Date

Parcel Zoning