



*August 2008*

**CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY**

*Integrated Waste Management Board (CIWMB)*

# **WASTE TIRE ENFORCEMENT GRANT PROGRAM**

## **APPLICATION GUIDELINES & INSTRUCTIONS**

16<sup>th</sup> Cycle – FISCAL YEAR (FY) 2008/09

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**NOTE**

The Application Instructions and Grant Guidance contain Grant program information, processes and examples that supplement the separately available Notice of Funds Available (NOFA), Application, Terms and Conditions, and Procedures and Requirements. Applicants are advised to carefully read and understand all Grant related information to ensure proper administration of this Grant.

## Section 1 - Grant Program Overview

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### Purpose of the Grant Program

The purpose of the Waste Tire Enforcement Grant Program (Grant) is to provide funding to local enforcement agencies for the enforcement of waste and used tire permitting, movement and storage laws and regulations.

### Eligible Applicants

Eligible Applicants must be one of the following:

- A Local Enforcement Agency (LEA); or,
- An Environmental Health Agency; or,
- A Code Enforcement Agency; or,
- An existing Waste Tire Enforcement Grantee (Grantee) that was determined to be eligible under the eligibility requirements of previous Grant cycles, received Grant funding, and has demonstrated satisfactory performance as determined by California Integrated Waste Management Board (CIWMB or Board) staff (also referred to as "grand-fathered Grantees").

**AND**

Must have 50 or more waste tire sites within their jurisdictions that have Tire Program Identification (TPID) Numbers.

### Regional Applications

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 must be designated for regional programs to act on behalf of all participating jurisdictions. If a jurisdiction submits an Application as part of a regional program, it cannot apply individually or as part of another regional program.

See Appendix B for sample Lead Jurisdiction/Participating Jurisdiction Resolutions, and a sample Letter of Authorization for participating jurisdictions.

### Cities or Counties under the Jurisdiction of an Existing Grantee or an Applying LEA

City and county agencies that are under the jurisdiction of an existing Grantee, or an LEA applying simultaneously for this Grant, are not eligible unless the city/county agency:

1. Meets the eligibility requirements of this Grant; and,
2. Notifies the existing Grantee and the CIWMB of its intent to apply; and,
3. Meets with the existing Grantee and the CIWMB; and,
4. Demonstrates complementary services are needed in its jurisdictions.

Based on the information provided by the applying agency, the CIWMB will determine whether the Applicant will qualify as an eligible Grant recipient.

## Reapplying Grantees

Current Grantees that submit a fiscal year 2008/09 TEA 16 Application will be considered for funding if they have satisfactorily performed under their current Grant Agreement, Terms and Conditions, and Procedures and Requirements. The CIWMB will assess Grantee performance through a variety of performance measures such as:

- Completion of the majority of tasks identified in the work plan/budget;
- Submission of complete and accurate inspection report;
- Effective and efficient use of approved Grant funds;
- Timely follow up on complaints and referrals;
- Timely submission of enforcement referrals to the CIWMB and district attorney, if applicable; and,
- Participation in joint training with CIWMB field staff.

## Grant Changes and New Grant Activities

Grant changes and new Grant activities established in last year's Grant included:

- *Administrative costs:* Removing the 10% cap on administrative costs.
- *Personnel hourly rates:* Allowing personnel hourly rates approved by the Applicant's City Council or Board of Supervisors, or hourly rates that include all personnel costs such as salaries, wages, fringe benefits, and overhead/indirect costs supported by an approved Cost Allocation Plan.
- *Surveillance:* Increasing the cap for allowable surveillance, enforcement and case-development costs from 50% to 75% of inspection costs.
- *Clean up of small tire piles:* Allowing for clean up of waste tire piles of less than 500 waste tires per pile.

Grant changes and new Grant activities established in this year's Grant include:

- *Inspections:*
  - Inspect all active registered waste tire hauler operations for compliance with registration and manifesting requirements *at least one time every two years*. (Last year's requirement was to inspect waste tire hauler operations one time per year.)
  - Inspect all active generators for compliance with manifesting requirements *at least one time every three years*. (Last year's requirement did not indicate how frequently active generators should be inspected.)

These changes to the TEA 16 inspection requirements bring the Grant program into alignment with the inspection requirements and frequency identified in the CIWMB's Five-Year Plan for the Waste Tire Recycling Management Program. The Five-Year Plan is updated every two years and the last version is dated July 1, 2007. To view the full Plan, go to <http://www.ciwmb.ca.gov/Tires/FiveYearPlan>.

- *Work Plan:* Prepare and submit an Inspection Work Plan with the Application, and submit the Work Plan and results with the Final Performance Report. With this Work Plan the CIWMB can ensure that Grantees are focusing inspection efforts on tire businesses that have never been inspected and those that are due for their routine inspection. More information about this new item can be found under Task #1 in Section 3.

- *Vehicle Leases:* If the vehicle is not used primarily for grant purposes during the entire term of the 5-year security agreement, the Grantee must return to the CIWMB all Grant funds expended during the Grant term(s) in which the vehicle was not used primarily for Grant funded activities. More information about this new item can be found under Task #7 in Section 3.
- *Cleanup of small tire piles:*
  - Cleanups in public rights of way are only eligible if the Grantee first attempted to obtain a grant(s) for cleanup of the site(s) through the Local Government Waste Tire Cleanup and Amnesty Event Grant Program.
  - *Manifest forms:* Grantees must submit with their payment requests a copy of the manifest forms completed for the pick-up and delivery of waste tires cleaned up under Task #8.
  - *Verification of waste and used tire haulers, and end use and disposal facilities:* Before removing or cleaning up waste tires, Grantees must submit verification that: haulers, end-us and disposal facilities have Tire Program Identification Numbers (TPID); haulers are registered; and, (sub)contractors are not on the CIWMB's Unreliable Contractor List.

More information about these new items can be found under Task #8 in Section 3.

## Eligible Activities

Eligible activities include, but are not limited to:

- Inspections of tire facilities, haulers, and other tire-related businesses.
- Surveillance, enforcement and case development for tire-related activities, including investigating illegal tire disposal activities.
- Providing community and industry education.
- Cleaning up small tire piles of less than 500 waste tires per pile.

The preceding activities are listed in priority order.

## Eligible Costs

Eligible costs include personnel, materials, equipment, travel, per diem, and transportation costs to perform eligible activities and enforce tire permitting, storage and movement laws and regulations. Costs must be reasonable and cost-effective, incurred during the term of the Grant, and must be directly and clearly related to the performance of eligible Grant activities.

## Ineligible Costs



Costs incurred prior to the date indicated in the Notice to Proceed letter, or after June 30, 2010, are ineligible under this Grant. Additionally, ineligible costs include, but are not limited to, the following:

- Costs currently covered by or incurred under any other loan, Grant, Grant Cycle, or contract;
- Purchasing or leasing of land or buildings;

- Overtime unless pre-approved in writing by the CIWMB Grant Manager for specially scheduled evening or weekend events, or when law or labor contract requires payment in excess of the employee's regular time hourly rate, or unless pre-approved in writing by the CIWMB Grant Manager and the Grantee can demonstrate that the overtime rate is equal to or less than the regular time hourly rate for each employee for whom the overtime rate is charged;
- Personnel costs not directly related to employees performing approved Grant work;
- Any costs that are not consistent with local, state, and federal laws, guidelines and regulations;
- Personnel costs for an employee not working on the Grant (i.e. use of accrued time such as sick leave, vacation, etc.);
- Costs associated with the clean-up of illegal waste tire piles or the pick-up of waste or used tires, except for those specific sites containing less than 500 waste tires for which cleanup costs are pre-approved in writing by the CIWMB Grant Manager, cleanup of small tire piles of less than 500 waste tires along public rights of way, unless the Grantee has first attempted to obtain a Grant(s) for cleanup of the site(s) through the Local Government Waste Tire Cleanup and Amnesty Event Grant Program. See Task 8 and which have not been claimed for reimbursement under the Local Government Waste Tire Cleanup and Amnesty Event Grant Program. See Section 3, Task 8, for more information about small tire pile cleanups allowed by this Grant.
- Items described as other, miscellaneous, to be determined, etc.
- The direct cost of materials, supplies, equipment, transportation and other costs that are already included in the indirect cost rate. (Applicants are cautioned to avoid double budgeting the same cost, once as a direct line item and once as a component of an indirect cost rate.)
- The direct charge of personnel hours for activities deducted from the organization's productive hours. See Appendix D for more information about this item; and,
- Costs deemed unreasonable or not related to the Grant by the CIWMB Grant Manager.

### Available Funds

The CIWMB receives an annual appropriation from the California Tire Recycling Management Fund to administer the Tire Recycling Act and related legislation. This Grant Program anticipates that it will receive \$6.75 million for Fiscal Year (FY) 2008/09, subject to funding availability and passage of the FY 2008/09 Budget Act. The maximum amount a Grantee may receive is based upon population figures provided by the California Department of Finance.

<b>Jurisdictions with populations ....</b>	<b>May receive a maximum of ...</b>
equal to or less than 900,000	\$300,000
900,001 through 1,999,999	\$450,000
2,000,000 or more	\$600,000

The Board reserves the right to fund individual phases of selected proposals, and therefore, may fund an amount less than requested. The Board will award Grants on a non-competitive basis. Applicants meeting the eligibility requirements and willing to participate in the Grant Program will be considered for funding. The Board reserves the right to not award funds under this Grant Program.

## Application Deadline



If the Application is sent by U.S. Postal Service or commercial carrier, the mailed Application must be postmarked no later than October 31, 2008. If the Application is hand delivered, it must be received and date stamped at the address listed below by 3:00 p.m. on October 31, 2008. Faxed, e-mailed, and/or late Applications will not be accepted and will not be considered for funding.

Applications delivered by U.S. Postal Service should be mailed to:

California Integrated Waste Management Board  
Attention: Waste Tire Enforcement Grant Program  
Financial Assistance Division, 9th Floor  
Post Office Box 4025  
Sacramento, CA 95812-4025

Applications delivered by Commercial Carrier or by Hand should be delivered to:

California Environmental Protection Agency Building  
California Integrated Waste Management Board  
Attention: Waste Tire Enforcement Grant Program  
Financial Assistance Division, 9th Floor  
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, demonstrating mailing to the CIWMB's address. Failure to do so is at the risk of the Applicant and if delivery is delayed or the Application is lost by the delivery service, the burden is on the Applicant to demonstrate timely mailing or delivery of the Application.*

## Application Review Process

After the Application deadline has passed, a review panel of CIWMB Program and Financial Assistance Division staff will review the Grant Applications for accuracy, completeness, and eligibility. Only eligible activities, and accurate and complete Applications, can be awarded funds.

## If the Program is Over-Subscribed

If the Grant Program is over-subscribed (total eligible Grant funding requests exceed \$6.75 million), CIWMB staff use Board approved criteria to modify Grant requests to bring the total recommended awards within the \$6.75 million.

CIWMB staff will initially consider the population of the Applicant's jurisdiction to set a potential base Grant award as follows:

<b>Jurisdictions with populations ....</b>	<b>May receive a potential base Grant award ....</b>
less than 100,000	\$ 70,000
100,001 through 499,999	\$ 90,000
500,000 through 1,000,000	\$130,000
1,000,001 or more	\$210,000

These base amounts and any additional funding must also be supported by the Applicant jurisdiction's (in no order of priority):

- total number of tire businesses;
- any known threats to public health and safety and/or the environment;
- total number of complaints and referrals;
- incidences of illegal dumping;
- number of illegal tire sites identified;
- enforcement and surveillance activities planned or projected; and,
- current Grant performance (if applicable) in the following areas:
  - Grant funds used and/or unused in the previous Grant cycle;
  - number of inspections conducted in the previous cycle; and,
  - enforcement and surveillance activities conducted in the previous cycle.

### **Grant Award Process**

Program staff will develop funding recommendations for the Board's consideration and approval. In the event the Board awards only a portion of an Applicant's Grant request, CIWMB 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. CIWMB reserves the right to not award any funds under this Grant Program.

### **Grant Award Contingent**

All Grants awarded by the CIWMB are contingent on the Grantee:

1. returning the executed Grant Agreement within 90 days of the date the CIWMB mails the Grant Agreement to the Grantee; and,
2. paying in full or bringing current any outstanding payments owed to the CIWMB within 90 days of the date the Board awards the Grant.

Failure to fulfill either of the preceding conditions will render the Grant Award null and void.

## Grant Performance Period, Grant Term, and Report Preparation Period

The Grant Performance Period begins on the date indicated in the Notice to Proceed letter that the Grantee will receive from the CIWMB. Eligible Grant expenditures may start no earlier than the indicated date, which will be no earlier than June 30, 2009. In all cases, all eligible Program costs must be incurred no later than June 30, 2010.

The Grant Term starts on the same date as the Grant Performance Period and ends on September 30, 2010, the date the Final Report and Final Payment Request are due to the CIWMB. The period between June 30, 2010, and September 30, 2010, 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 during the Report Preparation Period.*

## Tentative Grant Dates

Date	Activity
Friday, August 29, 2008	Notice of Funds Available, Application, and other Grant related documents will be posted on the CIWMB web site
August 30, 2008 through October 10, 2008	Question and Answer Period
October 14, 2008	All answers will be posted on the Grant web site.
Friday, October 31, 2008	<b><i>Application Deadline</i></b> - Mailed Applications must be postmarked by this date, and hand delivered Applications must be received and date stamped by the CIWMB or its agent by 3pm on this date.
February 2009	Cycle Awarded - Board considers funding recommendations, and if approved, awards Grants.
March 2009	Grant Agreement Packages sent to Grantees
90 days from receipt of Grant Agreement Package	Applicant must sign and return the Grant Agreement no later than 90 days from receipt of the Grant Agreement Package.
Notice to Proceed Date	Grant Term begins on the date indicated in the Notice to Proceed letter, and the date will be no earlier than June 30, 2009. Eligible expenditures may be made beginning on the date indicated in the letter.
Friday, February 19, 2010	<b><i>Mid-Year Performance Report and Payment Request due</i></b> to CIWMB
Wednesday, June 30, 2010	<b><i>Grant Performance Period Ends</i></b> - all eligible costs must be incurred by this date.
Thursday, September 30, 2010	<b><i>Grant Term Ends and Final Report and Final Payment Request due</i></b> to CIWMB. All purchases must be received, and all eligible payments made, before the submission of the Final Report and Final Payment Request by the due date.

## CIWMB Grant Manager for Waste Tire Enforcement Grant

Ms. Sophia Mercado is the CIWMB Grant Manager for the Waste Tire Enforcement Grant Program. Ms. Mercado may be reached at (916) 341-6421, or via e-mail at [SMercado@ciwmb.ca.gov](mailto:SMercado@ciwmb.ca.gov).

## Section 2 - Grant Program Administration

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### Signature Authority

As part of the Application process, each Applicant will be required to designate a Signature Authority. The Signature Authority is the person who is authorized to execute Applications, Agreements, Amendments, Contracts, requests for payment and all Grant documents necessary to secure Grant funds and implement the approved Grant project. For Applicants that have a governing authority such as a Board of Supervisors or City Council, the submitted Grant Application must include a current approved resolution authorizing submittal of the Application, and identifying the position title of the authorized Signature Authority.

See Appendix A for sample Resolutions and a sample Letter of Delegation (LOD).

### Grant Agreement Package

Following the Board's approval of Grant awards, the successful Applicants will be mailed a Grant Agreement package, which will include the following items:

- Grant Agreement Form (CIWMB 110).
- Exhibit A - Terms and Conditions, which contain legal requirements of all Grants.
- Exhibit B - Procedures and Requirements, which contain project, reporting, survey, and audit requirements.
- Exhibit C - Forms, which contain forms to be used throughout the Grant cycle.
- Exhibit D - Work Plan
- Exhibit E - Budget Worksheet and any other financial documents



The Signature Authority must sign the Grant Agreement Form and return it to the CIWMB within ninety (90) days from the date mailed by the CIWMB. If the Applicant does not sign and return the Grant Agreement within 90 days, the Grant award will be null and void.

Grantees are also required to pay all outstanding debts due the CIWMB within 90 days from the Board's 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 CIWMB Grant Manager, or go to <http://www.ciwmb.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 CIWMB 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.ciwmb.ca.gov/Regulations/Title14/ch1.htm#ch1a5](http://www.ciwmb.ca.gov/Regulations/Title14/ch1.htm#ch1a5) to read the referenced Section of Title 14.

**Performance Report and Payment Request Frequency, Content and Due Dates**

A minimum of one mid-year and one Final Performance Report and Payment Request are required for this Grant.

<b>Report</b>	<b>Due Date</b>	<b>Reporting Period</b>
Mid-Year Report and Payment Request	February 15, 2010	Notice to Proceed date through December 31, 2009
Final Report and Final Payment Request	September 30, 2010	January 1, 2010 through June 30, 2010

Each Report must contain a Cover Page, Performance Summary, Expenditure Summary, Payment Request, and other items as needed. See Appendix C for samples of these documents. Performance Reports will be used to support Payment Requests, determine Grantee performance and make recommendations to the CIWMB about future Grant funds. All reporting questions, problems or delays should be directed to the CIWMB Grant Manager

Grantees should submit one copy of the Performance Report components and Payment Request to the CIWMB Grant Manager. Grantees do not need to submit with the Performance Report copies of inspection reports.

**Performance Report Cover Page**

The Performance Report must include a cover page that contains the following information:

- Grantee Name and Grant Number;
- Reporting Period; and,
- A list of the items included with the Report.

The Performance Report Cover Page must also include the following two statements:

1. The statements and conclusions of this Report are those of the Grantee and not necessarily those of the California Integrated Waste Management Board, its employees, or the State of California (State). The State makes no warranty, express or implied, and assumes no liability for the information contained in the succeeding text.
2. I certify, under penalty of perjury under the laws of the State of California, that the information contained in this Performance Report is true and correct to the best of my knowledge, and that all Grant activities are in accordance with the approved agreement for California Integrated Waste Management Board (CIWMB) Grant funding.

The Cover Page must be signed and dated by the Signature Authority or Designee as authorized in the Resolution or Letter of Delegation. The contact person's name, telephone number, and e-mail address must also be shown on the Cover Page. See Appendix C for a sample Performance Report Cover Page.

### **Performance Summary**

The Performance Report must include a summary that contains the following information:

- Grantee Name and Grant Number;
- Reporting Period;
- Number of sites brought into compliance after Notices of Violation (NOVs) were issued;
- Number of sites referred to the CIWMB for enforcement action
- Hours spent patrolling;
- Number of unregistered haulers identified ;
- Number of illegal tire piles (>500 tires) identified;
- Number of illegal tire piles (<500 tires) identified;
- Total quantity of illegally dumped tires found;
- Total number of illegal tire piles remediated:
  - by owner/operator/RP;
  - by CIWMB or CIWMB Grants; and,
  - by Public Agency.
- Number of waste tire piles referred to CIWMB;
- Number of tires cases prosecuted by Grantee's District Attorney, City Attorney or County Counsel;
- List names of illegal facilities and haulers being prosecuted by Grantee's District Attorney, City Attorney or County Counsel;
- Description of Education events conducted, including date conducted and number of attendees; and,
- Description of Trainings attended, including date attended and number of attendees.

A narrative of Grant activities is not required; however, the Grantee may include narratives as needed to further describe Grant activities performed.

See Appendix C for a sample Performance Summary.

## Expenditure Summary

The Performance Report must include an expenditure summary that contains the following information:

- Grantee Name and Grant Number;
- Reporting Period;
- Expenditures summarized by task and sub-task;
- Number of inspections of:
  - Permitted tire businesses;
  - Haulers;
  - All other tire businesses; and,
  - NOV follow ups.
- Number of miles driven for Grant related activities; and,
- List of clean up sites and the number of waste tires at each site.

See Appendix C for a sample Performance Report Expenditure Summary.

## Payment Requests

All Payment Requests must be accompanied by a(n):

- Original Grant Payment Request with the original signature of the individual authorized in the resolution, or their designee. Copies, faxes, or e-mailed versions of the form will not be processed for payment. The Payment Request form can be found at <http://www.ciwmb.ca.gov/Grants/Forms/>;
- Performance Report, including a Cover Page, Performance Summary, and an Expenditure Summary by task and sub-task;
- Supporting documentation such as summaries of employees and hours worked, and purchase invoices and receipts, proof of payment, etc., as detailed later in "Payment Request Supporting Documents";
- Surveillance forms for all surveillance activities supported by the Grant. The form can be found at <http://www.ciwmb.ca.gov/Tires/Enforcement/Inspections/Forms.htm>;
- Summary of education and outreach events; and,
- Summary of in-service/Grantee provided training to Grantee personnel.

In addition to the preceding items:

- Grantees shall submit with all applicable Progress and/or Final Payment Requests copies of all completed pick-up and delivery waste tire manifest forms for work performed under Task 8. More information about tire manifests can be found at [www.ciwmb.ca.gov/tires/manifest/default.htm](http://www.ciwmb.ca.gov/tires/manifest/default.htm) . Reimbursement for Task 8 costs **will not** be made if these forms are incomplete, incorrect or missing. If you have any questions about this requirement, contact the CIWMB Grant Manager.
- The Final Report must include a Grant Self-Assessment Checklist (CIWMB 641), Recycled Content Certification Form (CIWMB 74G-Tire Enforcement Grants), and the original Inspection Work Plan indicating which planned inspections were and were not completed during the Grant term. The Self-Assessment Checklist, and the Recycled Content Certification Form and a completed example, may be found at <http://www.ciwmb.ca.gov/Grants/Forms/> .



The Waste Tire Enforcement Program has been exempted from the requirement to submit a *General Checklist of Permits, Licenses, and Filings* (CIWMB 669) with any or all Payment Requests. This exemption was granted in Board Resolution # 2003-230 (<http://www.ciwmb.ca.gov/agendas/mtgdocs/2003/04/00011557.doc>) dated April 23, 2003, from Board Agenda Item 36 (<http://www.ciwmb.ca.gov/agendas/mtgdocs/2003/04/00011556.doc>).

Payments will be approved when the CIWMB Grant Manager determines that the request is accurate, complete, eligible, and accompanied by all required documentation. All costs and activities claimed for reimbursement must be approved in the Grantee's work plan and budget. Payment will only be made to the Grantee, and the Grantee is responsible for paying all employees, vendors, service providers, contractors and subcontractors, etc.

A 10% withhold, or retention, will be deducted from all Payment Requests and will be released when the CIWMB Grant Manager has determined that all Grant terms, conditions, procedures and requirements have been satisfactorily completed.



All payments for this Grant are made on a reimbursement basis. The Grantee must have paid out the funds before submitting a Payment Request for reimbursement of actual expenditures, and proof of payment must be submitted with the Payment Request. Encumbrances, purchase orders, etc., are not eligible for reimbursement until the Grantee has actually paid the funds to the employee, vendor, etc.

Eligible Grant expenditures may start on the date indicated in the Notice to Proceed letter, and the date will be no earlier than June 30, 2009. In all cases, all eligible costs must be incurred no later than June 30, 2010. All purchases must be received, and all eligible payments made, before the submission of the Final Report and Final Payment Request.

## Payment Request Supporting Documentation

All Payment Requests must be supported by accurate and complete documentation, and *costs must be summarized by task and sub-task*. Supporting documentation for costs contained in a Payment Request include:

- *Personnel*: A Personnel Expenditure Summary that shows the following information for personnel costs claimed:
  - Employee name and classification;
  - Dates worked and number of hours worked each day; and,
  - Hourly rate claimed for each employee. (see Appendix D for more information about hourly personnel rates.)

A sample Personnel Expenditure Summary can be found at <http://www.ciwmb.ca.gov/Grants/Forms/>. The Grantee may use their own personnel expenditure system as long as the system includes the preceding items at a minimum, and summarizes personnel costs by task and sub-task. Grantees should contact the CIWMB

Grant Manager if they have any questions about the adequacy of their own personnel expenditure system.

- *Purchases:* Invoices with accompanying receipts, cancelled checks or other proof of payment containing: vendor name, phone number and/or address; purchase amount and date; and, a description of the goods, services and/or materials purchased. If the Grantee only claims a portion of an invoice, the amount billed to the Grant should be highlighted.
- *Travel and Training Expenses:* Grantee's should claim travel expenses at the State or Grantee rate, whichever is less. All travel costs must be in accordance with the California State Travel policies contained at <http://www.dpa.ca.gov/personnel-policies/travel/hr-staff.htm>. Supporting documents for travel and training expenditures include a copy of the: employee's approved travel expense claim for hotel, meals, per diem and other expenses; hotel receipts; and, a list that shows who attended what training. If the expenses include any conference fees, tuition, etc., documentation that supports that cost must also be submitted. Reimbursable mileage and other travel expenses (per diem) may not exceed the State rates as set forth in the State Administrative Manual. A sample travel expense log can be found at <http://www.ciwmb.ca.gov/Grants/Forms/> .
- *Transportation costs:* Mileage logs, lease payments, etc. to show costs associated with vehicles used to perform Grant approved activities.
- *Cleanup of small tire piles of less than 500 waste tires:* Waste tire manifest forms for the pick-up and delivery of waste tires.



Claims for payments are only processed when accompanied by a Performance Report and other required documents. Grantees may submit more frequent Payment Requests as long as they also submit a Performance Report with the request.

## Financial Reconciliation

Tasks 2, 6, 7 and 8 each have caps or maximum percentages associated with them, which are tied to the total Grant funds expended during the Grant term. These figures will be reconciled by the CIWMB Grant Manager when the Final Payment Request is submitted. Expenditures in excess of the caps may result in funds being withheld from the Final Payment Request or the Grantee being required to return funds to the CIWMB. The CIWMB does not have discretion to waive or compromise the caps. Grantees are strongly advised to track their expenditures during the Grant term to ensure that they stay within the maximum allowable percentages for each of the previously mentioned tasks.

## Grant Closeout

The Grantee initiates the closeout process when the Final Report, Payment Request, and other required supporting and closeout documents are submitted to the CIWMB Grant Manager. All purchases must be received, and all eligible payments made, before the submission of the Final Report and Final Payment Request. The CIWMB Grant Manager

will review all Final documents for compliance with all Grant Terms and Conditions, and Procedures and Requirements. When the Grantee receives its final payment, the Grant will be considered closed.

### **Termination or Suspension of Grant or Payments**

Failure to comply with any part of the Grant Agreement, or interfering with CIWMB enforcement actions, may result in the termination of the Agreement or suspension of any outstanding Grant Payment Requests.

In the event of a failure to comply with the Grant Agreement, the CIWMB will send a Notice of Breach of the Grant Agreement to the Signature Authority. The Grantee shall have seven (7) days from the date of the Notice to respond. The CIWMB Grant Manager will consider the response prior to terminating the Grant. A request for reconsideration of the termination may be filed with the Executive Director within 30 days of the Notice that the Grant has been terminated.

### **Grant Related Documents, Retention, Audits, Records Access, and Waiver of Personal Jurisdiction**

The Grantee agrees to maintain records and supporting documentation pertaining to the performance of this Grant subject to possible audit for a minimum of three (3) years after final payment date of Grant term end date, whichever is later. A longer period of record retention may be stipulated in order to complete any action and/or resolution of all issues which may arise as a result of any litigation, dispute, or audit, whichever is later.

Examples of audit documentation include, but are not limited to: expenditure ledgers; payroll registers and entries; tire sheets; personnel expenditure summary forms; travel expense logs; paid warrants; contracts and change orders; samples of items and materials developed with Grant funds; and, invoices and/or cancelled checks. Refer to the Terms and Conditions (Exhibit A) for more information about this item.

All Grantees are required to comply with the following provisions:

1. **Audit/Records Access.** The Grantee agrees that the CIWMB, 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 CIWMB 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.

## Section 3 - Work Plan and Budget

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The work plan and budget describe the Grant activities and estimated costs for each task and sub-task. Applicants must submit a budget and Inspection Work Plan with their Application, and must also e-mail a copy of those documents to the CIWMB Grant Manager at one of the two e-mail addresses shown below.

The work plan and approved budget will become part of the Grant Agreement. If the Grantee wants to move awarded funds from one task to another, or request a time extension to submit a Report after the due date, they must submit a written request to the CIWMB's Grant Manager and receive written approval prior to moving the funds or submitting a late Report. Written requests should be sent to:

California Integrated Waste Management Board  
Compliance Evaluation and Enforcement Division  
1001 I Street, Mail Stop 10A-17  
Post Office Box 4025  
Sacramento, CA 95812

ATTN: Sophia Mercado, TEA Grant Manager

E-mail requests may be sent to: [TireEnforcement@ciwmb.ca.gov](mailto:TireEnforcement@ciwmb.ca.gov) or [SMercado@ciwmb.ca.gov](mailto:SMercado@ciwmb.ca.gov).

For budget revisions, the request must contain a compelling justification for moving the funds and must contain a proposed new budget for the awarded funds. For time extension requests, the request must contain a compelling justification for why the due date cannot be met, and must contain a proposed new due date. The CIWMB Grant Manager will send the Grantee a written approval or denial of the request. The Grantee may not proceed with changes until the CIWMB Grant Manager has responded to the request.

### Grant Activities

The purpose of the Grant Program is to implement an effective waste tire inspection and compliance program at the local level to protect public health and safety, and the environment. The work to be performed under the following Grant tasks shall be in conformance with all applicable sections of the Public Resources Code and Title 14 of the California Code of Regulations.

### Task 1 – Inspections

#### Work Plan

Inspections of tire businesses are the core component of the Grant Program and should be the area in which the Grantee spends most of its time and money. Grantees should identify and inspect businesses involved in the collection, transportation, and disposal of waste and used tires to determine compliance with all tire standards, including, but not limited to: permit requirements; tire storage standards; hauler registration; and, manifest system standards.

Work under this task includes, but is not limited to, the following activities:

- At least one time during the Grant term, inspect all active permitted major and minor, exempt, excluded or illegal tire businesses and waste tire facilities that accept or store more than 500 waste tires, for compliance with waste tire storage, disposal and permit standards, and permit terms and conditions.
- At least one time every two years, inspect all active registered waste tire hauler operations for compliance with registration and manifesting requirements.
- At least one time every three years, inspect all active generators for compliance with manifesting requirements.
- Inspections of other tire businesses in addition to, but not in place of, the three previously described and required inspections.
- Conduct no more than a total of three inspections, including routine and re-inspections, per tire business, facility, site or hauler per Grant cycle (one year duration Grant term), unless additional inspections are warranted and pre-approved in writing by the CIWMB Grant Manager.
- Perform inspections requested by the CIWMB.
- Complete CIWMB provided survey, inspection and referral forms to document all surveys, inspections and referrals, and submit the forms to the CIWMB Grant Manager monthly.
- If a violation is identified during an inspection, advise the owners/operators of the violation(s), issue the CIWMB-provided Notice of Violation (NOV) and informational sheets found at <http://www.ciwmb.ca.gov/Tires/Enforcement/Inspections/Forms.htm#NOV> , and indicate what the owner/operator must do by date certain (compliance deadline date) to comply. The compliance deadline date must be written on the inspection report.
- If a violation is not corrected at the time of re-inspection, but a good faith effort has been made, the Grantee may extend the compliance deadline date once. The extension must be written on the inspection form at the time of re-inspection.
- If the violation is not corrected by the second re-inspection, the Grantee must refer the tire business and uncorrected violations to the CIWMB for further enforcement actions, including administrative and civil penalty actions. The referral must be noted on the inspection form, and the Grantee must complete and submit the CIWMB Referral form 228 found at <http://www.ciwmb.ca.gov/Tires/Enforcement/Inspections/Forms.htm#Referral> . The referral should be made within 15 days of the last re-inspection and must include evidence collected, including inspection reports and photographs.

NOTE: Grantees are not required to perform 2 follow-up inspections for violations. Grantees may refer violations to the CIWMB any time after the violation is documented.

- When appropriate, distribute educational brochures and information to tire businesses during the inspection process.



Applicants must prepare and submit with their application an Inspection Work Plan, which is a list of inspections to be performed during the Grant term. An Excel spreadsheet should be prepared and must contain at least the following information for each business to be inspected:

- business name;
- TPID number; and,
- date last inspected per the CIWMB's Waste Tire Management System (WTMS).

The list must include the following required inspections:

- all active permitted major and minor, exempt, excluded or illegal tire businesses and waste tire facilities that accept or store more than 500 waste tires;
- all active registered waste tire hauler operations that have not and will not be inspected between July 1, 2008 and June 30, 2009; and,
- all active generators that have not and will not be inspected between July 1, 2007 and June 30, 2009.

The list may also include inspections of other tire businesses in addition to, but not in place of, the three previously described and required inspections.



The WTMS Grantee portal found at <https://secure.ciwmb.ca.gov/WTMS/SignIn.aspx?ReturnUrl=%2fWTMS%2fDefault.aspx> can be used to identify the number and variety of tire businesses in the Applicant's jurisdiction, and the date they were last inspected. New Applicants should contact the Grant Manager to obtain access to the WTMS Grantee portal and tire business information.

## Budget

- Estimate the number of routine inspections to be performed on tire businesses, haulers, and generators.
- Estimate the number of re-inspections to be performed because of a violation. (During calendar year 2007, approximately 10% of inspections identified a violation.)
- Estimate the number of hours per inspection or re-inspection. (A maximum of 4 hours may be budgeted for each inspection, and there is no allowance for CIWMB staff to approve more than 4 hours per inspection.)
- Estimate the hourly rate of the person(s) performing the inspection. (See Appendix D for more information about hourly personnel rates.)



The time it takes to do an inspection should include time for travel, inspection, survey and inspection form completion, and referral form completion, if appropriate.

Supervision of staff conducting inspections constitutes a direct Grant cost; therefore, Applicants may charge to this task direct supervision costs related to this task, as long as the supervision costs have not been included in the administrative overhead formula.

## **Task 2 - Surveillance, Enforcement, and Case Development**

### **Work Plan**

Grantees use surveillance to identify illegal transport, storage and disposal of waste tires, and a progressive enforcement program to achieve compliance with tire laws and regulations. Surveillance and enforcement priority should be given to those situations that pose the greatest risk to public health and safety, and the environment. Work under this task includes, but is not limited to, the following activities:

- Surveillance and documentation of illegal tire disposal sites and identification of property owners and/or responsible parties.
- Surveillance and documentation of illegal waste tire transport and working with local law enforcement officers to cite illegal tire haulers.
- As directed by CIWMB, and with the assistance of the California Highway Patrol (CHP), investigate aerial surveillance data, establish illegal waste tire hauling checkpoints, and participate in CHP/Local Police checkpoints or stings.
- Assist CIWMB staff with the investigation of referrals, complaints, violations, discrepancies, legal records searches, and the procurement of inspection warrants.
- Maintain appropriate enforcement files and records including inspection reports, correspondence, and evidence.
- Joint investigation and enforcement activities approved by the CIWMB, such as working with local District Attorney (DA), attending administrative, court and/or CIWMB hearings, and supporting case development.
- Reporting of all enforcement actions of the jurisdiction on tire-related cases, including any referrals to the DA's Office and any actions taken by the DA's Office on waste tire cases.

### **Budget**

- Identify the type of surveillance, enforcement or case development activities for this Grant cycle. Activities may include field patrolling for illegal tire disposal and hauler activities, field investigations and follow ups, law enforcement checkpoints and stings, attendance at local task force meetings, research for site ownership/access, obtaining necessary warrants, enforcement case development, etc.
- Estimate the number of hours per activity.
- Estimate the hourly rate of the person(s) performing the activity. (See Appendix D for more information about hourly personnel rates.)



Supervision of staff performing surveillance, enforcement or case development work constitutes a direct Grant cost; therefore, Applicants may charge to this task direct supervision costs related to this task, as long as the supervision costs have not been included in the administrative overhead formula.

Notice of Violation (NOV) follow ups and re-inspections should be captured under task #1.

Total budget and actual expenditures for this task must be less than or equal to 75% of the total budget and actual expenditures of task #1, and there is no allowance for CIWMB staff to approve costs in excess of the 75% cap. *If task #1 actual costs are less than originally budgeted, then the maximum amount that can be spent on task #2 must be adjusted accordingly.*

### Task 3 – Community and Industry Education

#### Work Plan

Community and industry education are the Grantee's efforts to inform tire businesses and the general public of tire movement, storage, permitting, and manifesting laws, regulations and state minimum standards. Work under this task includes, but is not limited to, the following activities:

- Distribute tire related information, educational and outreach materials to the regulated community, affected businesses and related governmental agencies.
- Develop industry and agency presentation materials.
- Conduct trainings to educate and foster working relationships with the Waste Tire Industry and other agencies responsible for tire enforcement issues.
- Given a 30 day notice, provide training on waste tire laws and regulations as requested by the CIWMB.
- Promote sound waste tire management practices throughout the community.



All public education and advertising materials supported by this Grant must be submitted to the CIWMB Grant Manager for approval prior to production and distribution.

Additional requirements are found in these sections of the Terms & Conditions for this grant:

- Acknowledgements
- Advertising/Public Education
- Competitive Bidding
- Copyrights and Trademarks
- Work Products

## **Budget**

- Identify the type of community and industry education activities for this grant cycle.
- Estimate the cost of materials and supplies needed for each activity, such as printed brochures, displays, billboards, etc.
- Estimate the number of hours per activity.
- Estimate the hourly rate of the person(s) performing the activity. (See Appendix D for more information about hourly personnel rates.)

While community and industry education is critical to informing the regulated community of tire enforcement laws and regulations, inspections, surveillance and enforcement should be the primary focus of Grant funded activities. Therefore, the budget for community and industry education should be less than the budget for Task #2, Surveillance and Enforcement.

## **Task 4 – Grantee Training**

### **Work Plan**

The CIWMB will provide waste tire enforcement and Grant management training to Grantees throughout the Grant term. The Grantee is required to attend all tire enforcement round tables and Grant management workshops sponsored by the CIWMB's Tire Enforcement Branch. The Grantee is also required to attend the CIWMB's Waste Tire Management Conference and the Local Enforcement Agency Annual Conference, if waste tire enforcement training is an element. Other CIWMB sponsored or associated training, such as the Basic Inspector Academy and Enforcement Symposium, may become available during the Grant term and may be eligible under this task.

Grantees may also be asked to participate in meetings and conferences to share important and unique aspects of their Grant programs with other agencies, members of the tire industry, and interested parties. Additionally, some Grantees may have developed their own training classes for their own employees, and those classes may be eligible under this Grant.

All training must be related to tires, and may include topics such as illegal tire dumping, or inspection, surveillance and enforcement techniques that can be used on Grant activities. Pertinent health and safety classes are also eligible. Training related to landfills, solid waste, state minimum standards, etc. are not eligible unless it can be shown that tire enforcement is a major component of the training.

Training provided to staff working on Grant funded activities is eligible under this Task. Grantees should get Grant Manager pre-approval before attending a class to ensure eligibility and reimbursement of the associated labor, per diem, transportation and training costs. Questions about class or training eligibility should be directed to the CIWMB Grant Manager.

## Budget

For each training event:

- Estimate the number of staff that will attend each training event.
- Estimate the number of hours for each person attending each training event, including travel time. (During this Grant cycle, there may be up to 3 mandatory round table/Grant management workshops at 8 hours each.)
- Estimate the hourly rate of the person(s) attending each training event. (See Appendix D for more information about hourly personnel rates.)
- Estimate the conference costs for each person attending the annual conference. (\$400 per person is recommended for budgeting purposes.)
- Estimate the lodging and per diem costs for each person attending each training event.
- Identify any other tire related training event(s) that Grantee staff will be attending, and the associated costs.



Grantees should estimate travel expenses at the State or Grantee rate, whichever is less, and all travel costs must be in accordance with the California State Travel policies found at

<http://www.dpa.ca.gov/personnel-policies/travel/hr-staff.htm>. Please refer to Section 2 - Grant Program Administration, Payment Request Supporting Documentation, Travel and Training Expenses, for more information about travel expenses.

If training hours are deducted from the Grantee's productive hours, then labor costs for attending training cannot be directly charged to the Grant. See Appendix D for more information about this item.

## Task 5 – Report Writing

### Work Plan

Grantees are required to submit a mid-year and Final Performance Report, and a Payment Request with each Report. Details about those items can be found in Section 2 - Grant Administration. Grantees may submit more frequent Payment Requests as long as they also submit a Performance Report with the Payment Request.

Additional work under this task includes, but is not limited to, the following activities:

- developing and maintaining policies and procedures for performing tire inspections, surveillance, and enforcement;
- updating and correcting Survey and Inspection data in the Waste Tire Management System (WTMS);
- preparing the TEA 16 Final Report and Final Payment Request; and,
- preparing the TEA 17 Grant Application.

Notwithstanding statements to the contrary in the Application Instructions, expenses incurred for preparation of the TEA15 Final Report and Final Payment Request between July 1, 2009, and August 15, 2009, are eligible for reimbursement.

In past Grant cycles Grantees have been required to maintain their own database of tire businesses and inspections. Since that information is now in the CIWMB's statewide database, WTMS, Grantees are now required to review WTMS information for their jurisdictions, and provide updates and corrections, to ensure that the statewide database is accurate and complete.

### **Budget**

- Estimate the number of hours to prepare the mandatory Mid-Year and Final Reports. Generally, it should not take more than 30 hours to prepare each Report.
- Estimate the hourly rate of the person(s) preparing the Reports. (See Appendix D for more information about hourly personnel rates.)
- Identify any other tire enforcement related reporting writing activities and the associated costs.



If Report writing hours are deducted from the Grantee's productive hours, then labor costs for writing Reports cannot be directly charged to the Grant. See Appendix D for more information about this item.

## **Task 6 – Equipment, Materials, and Supplies**

### **Work Plan**

Eligible equipment, materials and supplies are those needed to conduct tire inspections, surveillance, and enforcement activities, and to maintain the health and safety of staff performing those activities. Eligible items include cameras, GPS systems, range finders, cell phones and service, health and safety field gear, boots, rain gear, measuring devices such as a hip chain or tape measurer, clinometer, clipboard, binoculars, calculator, etc. Items such as office desk, chair, and phone, file cabinets, computers and software, internet service, etc., are only eligible if the jurisdiction does not normally provide these items to their employees.

### **Budget**

- Describe the type of equipment, materials and supplies to be purchased to perform tire enforcement activities.
- Estimate the quantity of each item to be purchased.
- Estimate the purchase price of each item.

## Task 7 – Transportation

### Work Plan

Transportation necessary to perform tire enforcement activities is eligible under this Grant. Grantees may purchase or lease vehicles, use their own vehicle, or use a pool car owned by their agency.

All purchases and leases must be identified at the beginning of the Grant cycle, included in the Application, and approved in writing by CIWMB staff before the vehicle is purchased or leased. Grantees who purchase vehicles, in whole or in part with Waste Tire Enforcement Grant Program funds, must provide the CIWMB with a purchase money security interest in the vehicle purchased. Grantees who lease vehicles, in whole or in part with Waste Tire Enforcement Grant Program funds, must provide the CIWMB with a security interest that is secured by the Grant. As part of the vehicle lease security agreement, Grantees will be required to agree that if at any time during the 5-year term of the security agreement, the vehicle is not primarily used for Grant funded activities, the Grantee will return to the CIWMB all Grant funds expended during the Grant term(s) in which the vehicle is not used primarily for Grant funded activities. Finally, all vehicles purchased or leased with Grant funds must be used primarily for Grant funded activities.

### Vehicle Purchase and Lease

The State of California has implemented a Vehicle Purchase and Lease policy for vehicles purchased by state agencies. The policy is contained in the Management Memo Number MM06-03 and can be found at [http://www.documents.dgs.ca.gov/osp/sam/memos/mm06\\_03.pdf](http://www.documents.dgs.ca.gov/osp/sam/memos/mm06_03.pdf) . Grantees planning on purchasing a vehicle using Waste Tire Enforcement Grant money are **strongly encouraged** to follow the policy. Grantees may find the state program highly beneficial as the vehicles purchased may be of a lesser cost than if purchased through other channels. In addition, as these vehicles run either with alternative fuel or under strict emission guidelines, purchasing these types of vehicles contribute towards the protection of the environment. Grantees interested in purchasing a vehicle through the State of California's Department of General Services should contact the Office of Procurement at: <http://www.pd.dgs.ca.gov/contracts/vehicles.htm> . The Department of General Services charges a service charge of 1% of the vehicle cost.

The Vehicle Purchase and Lease policy can be broken down into three areas:

- Alternative Fuel Vehicles - 75% of the state's light duty vehicles purchases must be powered by alternative fuel. To view a listing of all alternative fuel vehicles available through the Department of General Services, refer to: <http://www.pd.dgs.ca.gov/contracts/vehicles.htm>. To locate a fueling station for alternative fuel vehicles, visit the following: <http://www.cleancarmaps.com/home>.
- Gasoline and Hybrid-Electric-Powered Vehicles – requires that all gasoline powered light-duty sedans purchased or leased by state agencies be at a minimum certified to operate under the LEV-II ultra low emission vehicle standards. Light duty pick ups, sedans, and sport utility vehicles must be at a minimum certified under the LEV-I ultra low emission vehicle standards or equivalent (this category includes hybrid vehicles). To view a listing of vehicles meeting the requirements of gasoline and hybrid-electric-powered vehicles visit <http://www.arb.ca.gov/msprog/ccvl/ccvl.htm> .

- Sport Utility Vehicles or Four-Wheel Drive Trucks – Requires any state agency that wants to purchase a sport utility vehicle or a four-wheel drive truck to first obtain authorization. Grantees interested in purchasing a sport utility vehicle or a four-wheel drive truck must adequately justify the compelling need for these types of vehicles.

## Budget

Eligible transportation costs conditionally include vehicle purchase, lease, mileage, and operating costs.

Personal and Pool Cars: Applicants may budget and claim mileage, or actual operating costs, for personal or pool cars.

Mileage: If mileage is budgeted and claimed, it must be at the lesser of the Applicant's own rate or the state rate. Mileage rates generally cover the cost of fuel, maintenance, insurance, licensing, registration, depreciation, and all other costs associated with operation of the vehicle. Therefore, Applicants cannot include in the budget both a mileage rate and the separate cost of the items covered by the mileage rate. This web site contains information about the state mileage rate <http://www.dpa.ca.gov/job-info/short-term-travel/personal-vehicle-mileage-reimbursement.htm> . The state mileage rate is currently 58.5 cents per mile and includes all the cost components previously listed. If the rate increases during the Grant term, Grantees may claim the rate in effect at the time the claim is submitted.

Operating Costs: If actual operating costs are budgeted and claimed, Applicants cannot claim mileage.

Purchased and Leased Cars: In addition to the lease or purchase cost of the vehicle, Applicants may claim any transportation related cost not included in the purchase or lease payment.



Total costs for this task must be less than or equal to \$25,000 and there is no allowance for CIWMB staff to approve costs in excess of \$25,000.

The total amount requested for task #6 + task #7 must be less than or equal to 20% of the requested Grant amount for all tasks and there is no allowance for CIWMB staff to approve costs in excess of the cap.

## Task 8 – Clean Up of Small Tire Piles

### Work Plan

Grant funds may be used to clean up small waste tire piles of less than 500 waste tires per pile in public and private areas where no responsible party can be determined. Cleanup of small tire piles along public rights of way is not eligible for Grant funding, unless the Grantee has first attempted to obtain a Grant(s) for cleanup of the site(s) through the Local Government Waste Tire Cleanup and Amnesty Event Grant Program.

The clean up must be conducted by the Grantee's Department of Public Works, their contractor, or other public agencies, and must be transported by a waste tire hauler who is registered or exempted by CIWMB. Prior to contracting for removal and/or cleanup of waste and used tires, Grantees shall submit to the CIWMB Grant Manager verification that the proposed:

- waste and used tire hauler(s) have current Tire Program Identification Numbers (TPID) and have current CIWMB waste and used tire hauler registration;
- end-use facility(ies) and disposal facility(ies) have current Tire Program Identification Numbers (TPID) and are permitted, excluded or exempted by the CIWMB to accept waste tires (CIWMB approved solid waste or waste tire facility); and,
- (sub)contractor(s) are not on the CIWMB Unreliable Contractor List pursuant to Title 14, California Code of Regulations, Division 7, Chapter 1, Sections 17050-17062.

The CIWMB **will not** reimburse Grantees for services rendered by entities without a current TPID or haulers without a current registration. Additionally, if the Grantee fails to meet the preceding requirements or fails to submit a signed and completed Reliable Contractor Declaration(s) (CIWMB 168), the CIWMB may deny payment to the Grantee.

In the event that the CIWMB notifies the Grantee that a previously approved used or waste tire hauler and/or end-use or disposal facility is subsequently in violation of one or more of the above conditions, the CIWMB will not reimburse the Grantee for these costs if the costs were incurred after the Grantee was notified.



For more information about:

- TPID numbers [www.ciwmb.ca.gov/tires/TPID/](http://www.ciwmb.ca.gov/tires/TPID/) .
- haulers and registration <http://www.ciwmb.ca.gov/Tires/Haulers/> and <http://www.ciwmb.ca.gov/tires/enforcement/StatutesRegs/#Hauler> [Specifically PRC Section 42951(a) which requires that every person who engages in the transportation of waste or used tires shall hold a valid waste and used tire hauler registration, unless exempt as specified in Section 42954.]
- Title 14, California Code of Regulations, Division 7, Chapter 1, Sections 17050-17062 [www.ciwmb.ca.gov/Regulations/Title14/ch1.htm#ch1a5](http://www.ciwmb.ca.gov/Regulations/Title14/ch1.htm#ch1a5).

The Grantee must use its best judgment in selecting sites for clean up. Where possible, investigation of the source of the waste tire piles should be conducted, and those responsible should be directed to clean up the piles in accordance with applicable laws and regulations. Additionally, appropriate enforcement action should be considered against those who dumped the waste tires.

Grant funds may be used for private property clean up if the:

- Grantee determines that the property owner(s) is not responsible for the waste tire pile;
- Property owner signs a declaration of non-responsibility;

- Site is an attractive nuisance; and,
- Site is approved for clean up by the CIWMB Grant Manager.

Grant funds may not be used for the clean up of:

- waste tires that have been dumped on private property by the property owner(s) or those associated with the property owner;
- waste tire piles caused by businesses; and,
- tires found along public or private roads, unless the Grantee has first attempted to obtain a Grant(s) for cleanup of the site(s) through the Local Government Waste Tire Cleanup and Amnesty Event Grant Program.

The Grantee must clearly and precisely identify the location of the waste tire piles cleaned up so that instances of repeated dumping can be tracked, and if discovered, possible surveillance of the site can be conducted.



This Grant may not be used for roadside clean ups, unless the Grantee has first attempted to obtain a Grant(s) for cleanup of the site(s) through the Local Government Waste Tire Cleanup and Amnesty Event Grant Program. To learn more about that Program, visit <http://www.ciwmb.ca.gov/Tires/Grants/Cleanup/>.

## Budget

- Identify the specific location of tire piles to be cleaned up.
- Estimate the number of tires in each pile.
- Estimate the number of hours to clean up each pile.
- Estimate the hourly rate of the person(s) performing the clean up. (See Appendix D for more information about hourly personnel rates.)
- Estimate the cost of equipment to remove and legally transport the tires to a legal disposal site or recycler.
- Estimate the fees to properly dispose of or recycle the waste tires.



A maximum amount of \$5,000 can be budgeted and spent per site, the average cost per tire per site must be \$10 or less, and there is no allowance for CIWMB staff to approve costs in excess of these caps.

Applicants may budget the greater of \$25,000, or 10% of the requested Grant amount, for this activity, and there is no allowance for CIWMB staff to approve costs in excess of this cap.

## **Appendix A - Signature Authority Example Resolutions and Letter of Delegation**

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For Applicants that have a governing authority such as a City Council or Board of Supervisors, the Grant Application package must include a current approved resolution authorizing submittal of an Application to the CIWMB. The resolution must identify the position title of the official authorized to execute Applications, Agreements, Amendments, Contracts, requests for payment and all Grant documents necessary to secure Grant funds and implement the approved Grant project. A copy of a current approved resolution should be submitted with the Application, however, the resolution may be submitted late as long as it is received by the CIWMB by December 31, 2008. If the resolution is received after December 31, 2008, the Application will be disqualified.

Following are Resolution and Letter of Delegation examples that may be useful to Applicants.

**Resolution Example #1 - Authorized Application for all CIWMB Grants for Five Years**

The following language is presented for sample purposes only. Applicants are advised to consult with their organization's attorney.

*Note: This example can be modified for less than 5 years and/or for specific Grants.*

WHEREAS, Public Resources Code sections 40000 et seq. authorize 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 the CIWMB is required to establish necessary procedures governing the application, awarding and management of the Grants; and

WHEREAS, procedures established by the State and the CIWMB require each Applicant's governing body to certify by resolution its approval of the submittal of a Grant Application[s] to the CIWMB; and

WHEREAS, if awarded, the (Name of Applicant) will enter into a Grant Agreement with the CIWMB for implementation of said Grant(s);

NOW, THEREFORE, BE IT RESOLVED that the (Title of Governing Body) authorizes the submittal of Grant Applications to the CIWMB for all available Grants for which (Name of Applicant) is eligible for the period of (Insert Time Period: Month, Day, Year through Month, Day, Year); time period not to exceed five years from the date of adoption.

BE IT FURTHER RESOLVED that the (Title of Official), or his/her designee is hereby authorized and empowered to execute in the name of the (Name of Applicant) all Grant-related documents, including but not limited to, Applications, Agreements, Amendments and requests for payment, necessary to secure Grant funds and implement the approved Grant project.

The foregoing resolution was passed by the (Title of Governing Body) on (date).

ATTEST:

X

\_\_\_\_\_  
Signature Authority

\_\_\_\_\_  
Date

**Resolution Example #2 - Authorized Application for all or Designated CIWMB Grants for One Year**

The following language is presented for sample purposes only. Applicants are advised to consult with their organization's attorney.

WHEREAS, Public Resources Code sections 40000 et seq. authorize 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 the CIWMB is required to establish necessary procedures governing the application, awarding and management of the Grants; and

WHEREAS, procedures established by the State and the CIWMB require each Applicant's governing body to certify by resolution its approval of the submittal of a Grant Application(s) to the CIWMB; and

WHEREAS, if awarded a Grant, (Name of Applicant) will enter into a Grant Agreement with the CIWMB for implementation of the Grant(s);

NOW, THEREFORE, BE IT RESOLVED that the (Title of Governing Body) authorizes the submittal of Grant Application(s) to the CIWMB for all available Grants for which (Name of Applicant) is eligible for Fiscal Year 2008/09.

BE IT FURTHER RESOLVED that the (Title of Official) or his/her designee, is hereby authorized and empowered to execute in the name of the (Name of Applicant) all Grant-related documents, including, but not limited to, Applications, Agreements, Amendments, and Payment Requests necessary to secure Grant funds and to implement the approved Grant project.

The foregoing resolution was passed by the (Title of Governing Body) on (date).

ATTEST: (Name and Title of Official Authorized to Sign Resolution)

Signature:

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Printed Name:

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Title:

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Date:

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**Resolution Example #3 - Authorized Application for the Waste Tire Enforcement Grant for One Year**

*The following language is presented for sample purposes only. Applicants are advised to consult with their organization's attorney.*

WHEREAS, Public Resources Code sections 40000 et seq. authorize 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 the CIWMB is required to establish necessary procedures governing the application, awarding and management of the Grants; and

WHEREAS, procedures established by the State and the CIWMB require each Applicant's governing body to certify by resolution its approval of the submittal of a Grant Application for the Waste Tire Enforcement Grant to the CIWMB; and

WHEREAS, if awarded a Grant, (Name of Applicant) will enter into a Grant Agreement with the CIWMB for implementation of the Waste Tire Enforcement Grant;

NOW, THEREFORE, BE IT RESOLVED that the (Title of Governing Body) authorizes the submittal of an Application to the CIWMB for a Waste Tire Enforcement Grant for Fiscal Year 2008/09.

BE IT FURTHER RESOLVED that the (Title of Official) or his/her designee, is hereby authorized and empowered to execute in the name of the (Name of Applicant) all Grant-related documents, including, but not limited to, Applications, Agreements, Amendments, and Payment Requests necessary to secure Grant funds and to implement the approved Grant project.

The foregoing resolution was passed by the (Title of Governing Body) on (date) .

ATTEST: (Name and Title of Official Authorized to Sign Resolution)

Signature:

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Printed Name:

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Title:

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Date:

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## Letter of Delegation Example #1 - Authorization for Delegation of Signature Authority

A Letter of Delegation is used when the Applicant's resolution authorizes the Signature Authority to delegate his/her signature authority to another individual.

The following language is presented for sample purposes only. Applicants are advised to consult with their organization's attorney.

LETTERHEAD (Should include Applicant's address)

DATE (must be dated for current year)

California Integrated Waste Management Board  
Waste Tire Enforcement Grant Program  
Financial Assistance Division, 9<sup>th</sup> Floor  
Grants Administration  
Post Office Box 4025  
Sacramento, CA 95812-4025

To Whom It May Concern:

Pursuant to Resolution **(Number XXX, dated XXX)**, adopted by the **(Name of Governing Body)** for **(Name of Applicant)**, I am authorized to execute all Grant-related documents necessary to apply for the Waste Tire Enforcement Grant, to secure Grant funds, to implement the approved Grant project and to delegate this authority. Accordingly, I hereby delegate this authority to the following individual: **(Title of delegate, not name of delegate)**.

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

Sincerely,

Name **(Signature Authority per Resolution)**  
Title

## **Appendix B - Regional Applications and Programs**

### **Example Resolutions and Letter of Authorization**

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Cities or counties may submit a regional Application with authorization from other cities and/or counties participating in the regional program. Regional programs have one lead jurisdiction that acts on behalf of all participating jurisdictions, and at least one participating jurisdiction. If a jurisdiction submits an Application as part of a regional program, it cannot apply individually or as part of another regional program.

In addition to the resolution for the lead jurisdiction, regional Applications must also include one of the following authorization documents for each participating jurisdictions:

1. A resolution from each participating jurisdiction authorizing the lead jurisdiction to act on its behalf as both Applicant and Grant Administrator (entity that implements the Grant Program); OR,
2. An authorization letter from the Town/City/County Administrator from each participating jurisdiction stating that the jurisdiction wants to participate in the regional program and authorizing the lead jurisdiction to act on its behalf as both Applicant and Grant Administrator; OR,
3. A copy of a Memorandum of Understanding specifically for this Grant from each participating jurisdiction authorizing the lead jurisdiction to act on behalf of the jurisdiction both as Applicant and Grant Administrator.

The inclusion of the participant jurisdiction(s) name(s) in the lead jurisdiction's resolution does not take the place of the required authorization document.

Following are Resolution and Letter of Authorization examples that may be useful to Applicants.

## **Resolution Example #1 - Lead Jurisdiction of a Regional Program**

*The following language is presented for sample purposes only. Applicants are advised to consult with their organization's attorney.*

WHEREAS, funds are allocated and available from the California Integrated Waste Management Board (CIWMB) for Grants to solid waste Local Enforcement Agencies (LEA) and cities and counties with regulatory authority within the city and county government to perform enforcement/compliance and surveillance activities at waste tire facilities; and

WHEREAS, the CIWMB has been delegated the responsibility for the administration of the Program within the State of California (State); and

WHEREAS, in furtherance of this authority the CIWMB is required to establish necessary procedures governing the application, awarding and management of the Grants; and

WHEREAS, procedures established by the State and the CIWMB require each Applicant's governing body to certify by resolution its approval of the submittal of Grant Application to the CIWMB; and

WHEREAS, if awarded a Grant, the **(Name of Applicant)** for itself and on behalf of the participating jurisdictions will enter into an Agreement with the CIWMB for implementation of a regional waste tire enforcement program;

NOW, THEREFORE, BE IT RESOLVED that the **(Title of Governing Body)** authorizes the submittal of a regional Application on behalf of the participating jurisdictions (as shown by the attached authorizing letters) to the California Integrated Waste Management Board for the Waste Tire Enforcement Grant, Fiscal Year 2008/09.

BE IT FURTHER RESOLVED that the **(Title of Official)**, or its designee, is hereby authorized and empowered to execute in the name of the participating jurisdictions all Grant-related documents, including, but not limited to, Applications, Payment Requests, Agreements, and Amendments necessary to secure Grant funds and to implement and carry out the purposes specified in the Grant Application.

## Resolution Example #2 - Participant Jurisdiction in a Regional Program

The following language is presented for sample purposes only. Applicants are advised to consult with their organization's attorney.

WHEREAS, funds are allocated and available from the California Integrated Waste Management Board (CIWMB) for Grants to solid waste Local Enforcement Agencies (LEA) and cities and counties with regulatory authority within the city and county government to perform enforcement/compliance and surveillance activities of entities and/or individuals involved with the waste tire industry; and

WHEREAS, the CIWMB has been delegated the responsibility for the administration of the Program within the State of California; and

WHEREAS, in furtherance of this authority the CIWMB is required to establish necessary procedures governing the application, awarding and management of the Grants; and

WHEREAS, procedures established by the State and the CIWMB require each Applicant's governing body to certify by resolution its approval of the submittal of Grant Application to the CIWMB; and

WHEREAS, **(Name of Lead Jurisdiction)** has agreed to act as lead jurisdiction on behalf of **(Name of Participating Jurisdiction)**;

NOW, THEREFORE, BE IT RESOLVED that the **(Name of Participating Jurisdiction)** authorizes the **(Name of Lead Jurisdiction)** to submit to the California Integrated Waste Management Board a regional Application for the Waste Tire Enforcement Grant, Fiscal Year 2008/09 on its behalf.

BE IT FURTHER RESOLVED that the **(Name of Lead Jurisdiction)** is hereby authorized and empowered to execute all Grant-related documents, including, but not limited to, Applications, Payment Requests, Agreements, and Amendments necessary to secure Grant funds and to implement and carry out the purposes specified in the Grant Application.

**Letter of Authorization Example #1 - Authorization from Participating Jurisdictions in a Regional Grant Application**

*The following language is presented for sample purposes only. Applicants are advised to consult with their organization's attorney.*

LETTERHEAD (Should include Applicant's address)

DATE

California Integrated Waste Management Board  
Waste Tire Enforcement Grant Program  
Financial Assistance Division, 9<sup>th</sup> Floor  
Grants Administration  
Post Office Box 4025  
Sacramento, CA 95812-4025

To Whom It May Concern:

The **(Name of Participating Jurisdiction)** authorizes the **(Name of Lead Jurisdiction)** to submit to the California Integrated Waste Management Board a regional Application for the Waste Tire Enforcement Grant, Fiscal Year 2008/09 on its behalf. The **(Name of Lead Jurisdiction)** is hereby authorized and empowered to execute all Grant-related documents, including, but not limited to, Applications, Payment Requests, Agreements, and Amendments necessary to secure Grant funds and to implement and carry out the purposes specified in the Grant Application.

Sincerely,

Town/City/County Administrator

## **Appendix C - Performance Reports and Payment Requests**

### **Example Cover Page, Performance Summary, and Expenditure Summary**

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Grantees are required to submit a mid-year and Final Performance Report, and a Payment Request with each Report. Each Report must contain a Cover Page, Performance Summary, Expenditure Summary, Payment Request, and other items as needed. Grantees should submit one copy of the Performance Report components and Payment Request to the CIWMB Grant Manager. Grantees do not need to submit with the Performance Report copies of inspection reports. Grantees may submit more frequent Payment Requests as long as they also submit a Performance Report with the Payment Request.

Other samples and required forms which may be included with the Performance Reports can be found on the CIWMB's web site as shown.

- The Surveillance Form (required when surveillance activities are performed and funded by this Grant) can be found at <http://www.ciwmb.ca.gov/Tires/Enforcement/Inspections/Forms.htm>
- The following forms may all be found at <http://www.ciwmb.ca.gov/Grants/Forms/> :
  - The Recycled Content Certification (required with the Final Performance Report)
  - The required Payment Request form
  - A sample personnel expenditure summary
  - A sample travel expense log
  - Grant Self-Assessment Checklist (CIWMB 641)
  - Reliable Contractor Declaration(s) (CIWMB 168)

Following are cover page, performance summary, and expenditure summary examples that may be useful to Applicants.

**Cover Page Example**

**Waste Tire Enforcement Grant, TEA 16**

Performance Report - Cover Page

Grantee Name \_\_\_\_\_

Grant Number TEA 16-08- \_\_\_\_\_

*Report Period* (mark the appropriate reporting period)

Mid-Year Report  
June 30, 2009 - December 31, 2009

Final Report  
January 1, 2010 - June 30, 2010

Other Reporting Period  
Dates: \_\_\_\_\_

Items included with this Performance Report: (mark all that apply)

- Performance Summary (required)
- Performance Narrative (as needed)
- Expenditure Summary (required)
- Surveillance Form (required if surveillance was performed)
- Manifest Forms (required if tires removed under Task #8)
- Recycled Content Certification Form (required with Final Report)
- Grant Self-Assessment Checklist (required with Final Report)
- Inspection Work Plan and results (required with Final Report)
- Request to revise approved budget or activities (optional)
- Payment Request (CIWMB 87) and supporting documents (required) (mark all that apply)
  - Expenditure Summary by task and subcategory (required for all claims)
  - Personnel expenditure summary (required if Personnel costs are claimed)
  - Travel expense logs (required if Travel and Per Diem costs are claimed)
  - Car mileage logs, operating cost invoices, proof of purchase or lease payments, etc. (required if transportation costs are claimed)
  - Invoices, receipts, etc. for equipment, supplies, services and materials (required if purchases, services, and other expenses are claimed)

*See the next page for statement, certification, and signature*

The statements and conclusions of this Report are those of the Grantee and not necessarily those of the California Integrated Waste Management Board, its employees, or the State of California (State). The State makes no warranty, express or implied, and assumes no liability for the information contained in the succeeding text.

I certify, under penalty of perjury under the laws of the State of California, that the information contained in this Performance Report is true and correct to the best of my knowledge, and that all Grant activities are in accordance with the approved agreement for California Integrated Waste Management Board (CIWMB) Grant funding.

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*Signature of Signature Authority / Authorized Designee  
(as authorized in Resolution or Letter of Delegation-LOD)*

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*Date*

---

*Printed Name and Title*

---

*Contact Person Printed Name and Title*

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*Area Code - Phone Number*

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*E-Mail Address*

**Performance Summary Example**

**Waste Tire Enforcement Grant, TEA 16**

**Performance Report - Performance Summary  
Statistics and Narrative**

Grantee Name \_\_\_\_\_

Grant Number TEA 16-08- \_\_\_\_\_

**NOV Compliance**

	6/30/09 - 12/31/09	1/1/10 - 6/30/10	Total
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Number of Notices of Violation (NOVs) issued

Number of sites brought into compliance after NOVs were issued

Number of sites referred to the CIWMB for enforcement action (*must complete and submit CIWMB Referral Form 228 for each referral*)


**Surveillance & Enforcement**

Hours spent patrolling

Number of unregistered haulers identified

**NOTE:** Include in the Performance Report a copy of any NOVs issued to unregistered haulers.

Number of illegal tire piles (>500 tires) identified

Number of illegal tire piles (<500 tires) identified

Total quantity of illegally dumped tires found

Total number of illegal tire piles remediated:


by owner/operator/RP

by CIWMB or CIWMB Grants

by Public Agency

Number of waste tire piles referred to CIWMB

Number of tires cases prosecuted by Grantee's District Attorney, City Attorney or County Counsel


List names of illegal facilities and haulers being prosecuted by Grantee's District Attorney, City Attorney or County Counsel:

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**Community / Industry Education**

Date Conducted      Number of Attendees

Description of Education events conducted:

Description of Education events conducted:	Date Conducted	Number of Attendees

**Grantee Training**

Date Attended      Number of Attendees

Description of Training attended:

Description of Training attended:	Date Attended	Number of Attendees

Narrative:

Attach narratives as needed to further describe Grant activities performed and highlight significant compliance issues.

## Expenditure Summary Example

The Expenditure Summary is a summary of expenditures and other data, by task and sub-task, for each reporting period. The costs and data should be shown in comparison to the award so that the CIWMB and the Grantee can measure performance against the original proposal and budget. A sample Excel spreadsheet of an Expenditure Summary is available on the Grant web site, and a portion of the spreadsheet is shown below. The example is for Task 1 and the full Expenditure Summary will require similar reporting for all tasks.

Task 1 - Routine Inspections and NOV Follow-Up Inspections

Activity	Number of Inspections	Number of Personnel Hours per Inspection	Personnel Hourly Wage	Total
Routine Inspections: active permitted tire businesses				\$0.00
Routine Inspection: active tire haulers				\$0.00
Routine Inspections: all other active tire businesses				\$0.00
NOV Follow-up Inspections				\$0.00
Total Cost for Task 1	<i>this is an automatic calculation of the sum of Routine Inspections and NOV Follow-up Inspections</i>			\$0.00

6/30/09 - 12/31/09		1/1/10 - 6/30/10		Total for Grant Year	
# of Inspections	Personnel Costs	# of Inspections	Personnel Costs	# of Inspections	Personnel Costs
0	\$0.00	0	\$0.00	0	\$0.00

## Appendix D - Hourly Personnel Rate

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This Grant allows Grantees to claim personnel costs using one of two methods.

1. Many Applicants have a fee or rate schedule that is approved by their Board of Supervisors or City Council. Applicants may use the Board or Council approved hourly rate to determine the value of personnel time budgeted and spent on eligible Grant activities. If this rate is used, the Applicant must submit all of the following items with the Grant Application:
  - A copy of the governing body resolution approving the hourly rate used.
  - A copy of the fee and/or rate schedule submitted to the governing body showing the hourly rate used. (Applicants only need to submit the cover page(s) of the schedule and the page that shows the hourly rate used. Applicants do not have to submit the entire schedule if it contains fees and rates for other groups within the organization.)
  - A detailed spreadsheet which shows how the hourly rate was calculated and what components are included in the rate.

Because a Board or Council approved rate usually includes indirect, administrative and overhead costs, those costs can only be separately claimed under this Grant if the Applicant can show they were not included as a component of the Board or Council approved rate.

2. Applicants that do not have a Board or Council approved rate, or who choose not to use that rate, may calculate an hourly rate for each employee that includes actual salary, wages, shift differentials, fringe benefits, and indirect/overhead costs. Fringe benefits include, but are not limited to, the costs of leave earned (such as vacation, sick leave, holidays), and the actual cost of employee insurance, retirements and pensions, unemployment and disability benefit plans, etc. Most local governments already have an indirect cost rate that is prepared annually by their accounting, finance or budget office. Applicants should use that indirect cost rate as a component of the hourly rate calculated for each employee.

If the Applicant chooses to calculate an hourly rate for each employee, the Applicant must submit all of the following items with the Grant Application:

- A detailed spreadsheet which shows how the hourly rate was calculated.
- A detailed spreadsheet which shows how the indirect and/or overhead cost amount or percentage was calculated and what components are included in the rate.
- A detailed spreadsheet which shows how productive hours were calculated (if a productive hourly rate is used).

Any cost included as a component of the indirect cost rate, and any hours deducted from productive hours, cannot be separately claimed as a direct cost under this Grant.

Following is an example of how to calculate an hourly personnel rate. The components, percentages, and leave time earned are for illustrative purposes only. Each Applicant will develop and document each employee's hourly rate by using the appropriate components, percentages and leave earned by that employee.

	\$60,000	salary per year
+	9,978	16.63% employee retirement
+	3,720	6.2% OASDI
+	870	1.45% Medicare
+	6,492	10.82% health, vision, dental insurance
	<u>\$81,060</u>	salary + benefits per year
	=====	
	2,080	available hours per year (52 wks * 5 days/wk * 8 hrs/day)
-	112	holiday hours (14 holidays/yr * 8 hrs/holiday)
-	96	sick leave earned (1 day/mth * 8hrs/day * 12 mths/yr)
-	192	vacation earned (16 hrs/mth * 12 mths/yr)
	<u>1,680</u>	work hours per year (also referred to as productive hours per year by some organizations)
	=====	
	400	leave hours earned per year (112 hrs/holidays + 96 hrs/sick leave + 192 hrs/vacation)
÷	<u>1,680</u>	work hours per year
	23.8095%	adjustment for leave earned
	=====	

Method #1 to calculate hourly rate:

	\$ 81,060	salary + benefits per year
+	19,300	leave adjustment (23.8095% * \$81,060)
	<u>\$100,360</u>	salary + benefits + leave adjustment
÷	<u>2,080</u>	available hours per year
	\$ 48.25	hourly rate, excluding indirect costs
	=====	

Method #2 to calculate hourly rate:

	\$ 81,060	salary + benefits per year
÷	<u>1,680</u>	work hours per year
	\$ 48.25	hourly rate, excluding indirect costs
	=====	

Both methods result in the same hourly rate.

Indirect costs should be included in the hourly rate calculation, however, there is no standard that every organization follows. Some organizations apply the indirect cost percentage just to salary and wages, and other organizations apply the indirect cost percentage to salaries plus benefits. Each Applicant should follow its own organization's methodology for applying and including indirect costs as part of the employee's hourly rate. Applicants should contact their own accounting, budget or finance office to find or develop an indirect cost rate.

Some organizations further reduce productive hours by deducting time employees use to write reports, take daily breaks, attend training, and do other tasks their organization classifies as non-productive. Grantees are cautioned to not charge directly to the Grant any time for activities deducted from productive hours. For example, if training time is considered non-productive and is deducted in the organization's calculation of productive hours, then labor time for attending Task #4 training cannot be charged directly to the Grant. Grantees are still required to attend mandatory training, but the employees hours to attend the training cannot be charged directly to the Grant because the cost of the employee training time is recovered via direct charges on productive hours. Other training related costs such as per diem, conference fees, etc. can be directly charged to the grant if those costs are not included in the organization's indirect cost rate.