

EXHIBIT B
PROCEDURES AND REQUIREMENTS
(Revised March 2013)
Local Government Waste Tire Enforcement
Grant Program
FISCAL YEAR (FY) 2012/13 – 20th Cycle

Introduction

The Procedures and Requirements (Ps&Rs) of the Department of Resources Recycling and Recovery’s (CalRecycle) Local Government Waste Tire Enforcement (TEA) Grant Program Grant Agreement (Agreement) describes eligible and ineligible activities and costs, reporting requirements and due dates, payment request processes, and other fiscal and administrative procedures and requirements. The Ps&Rs are incorporated by reference as Exhibit B to the Grant Agreement for the TEA Grant Program (Program).

All eligible Grant activities must be in conformance with all applicable sections of the Public Resources Code and Title 14 of the California Code of Regulations, and must be consistent with the Work Plan and Budget, which are submitted with and are a part of the Grantee’s Approved Grant Application, which is incorporated by reference as Exhibit C to the Grant Agreement.

Grant Term, Grant Performance Period, and Report Preparation Period

The *Grant Term* begins on the date of the Notice to Proceed (NTP) and ends on August 31, 2014. This timeframe includes the *Report Preparation Period*.

The *Grant Performance Period* is defined as the period in which all eligible grant program costs can be incurred. Program costs incurred after June 29, 2014 are ineligible for reimbursement.

During the *Report Preparation Period*, only costs for preparation of the Final Report and Final Payment Request may be incurred. This information is displayed below:

Dates	Activity
Notice to Proceed – August 31, 2014	Grant Term
Notice to Proceed – June 29, 2014	Grant Performance Period
June 30, 2014 – August 31, 2014	Report Preparation Period

Work Plan and/or Budget Changes

The Application Work Plan and Budget in the Grant Management System (GMSWeb) describes the approved Grant activities and costs and become part of the Grant Agreement. The Grantee may make operational and financial adjustments for activities within each of the education, training (except for mandatory training subcategory), equipment, and/or transportation categories of the Work Plan and Budget. The Grantee may also adjust allocated funds between the education, training (except for mandatory training subcategory), equipment, and transportation categories of the Work Plan and Budget, provided that the total of all changes not exceed the greater of \$5,000 or 10% of the grant award. No operational or financial reductions to the inspection and enforcement categories or mandatory training subcategory are permitted without a compelling reason and prior written Grant Manager approval. Prior to preparing a Payment Request, the Grantee must provide Budget (financial) change information to the Grant Manager so that appropriate changes can be made to the Budget tab in GMSWeb. All operational and financial adjustments must also be reflected in the Mid-Year Progress and/or Final Progress Report, as applicable. Please retain all notifications to and approvals from the Grant Manager in your grant file for audit purposes. Grantee proposed changes to the Work Plan and Budget must be submitted in writing to the Grant Manager with a compelling justification for moving funds or revising the Work Plan. The Grantee must receive written approval from the Grant Manager prior to implementing the proposed change.

Changes to the inspection and/or enforcement categories must be requested by ~~may be requested through~~ May 1, 2014, to allow the Grant Manager adequate time to review and respond to the request, and CalRecycle recommends that all requested changes be submitted via e-mail. In unforeseen circumstances, where public health and safety is affected and/or in the event of an emergency situation, budget modifications may be retroactively approved. See the section entitled “*In Case of Emergency*” in the Terms and Conditions, Exhibit A of the Agreement for further information and instructions. Please retain all notifications to and approvals from the Grant Manager in your grant files for audit purposes.

NOTE: *The Grant Manager will not approve changes that result in the reduction of the performance of core program functions for inspections, enforcement, or mandatory training. ~~Additionally, requests that exceed established limitations will not be approved.~~*

Ineligible Costs

Ineligible costs include, but are not limited to:

- Expenditures outside the Grantee’s jurisdiction(s), or not specified in the approved Work Plan and Budget;
- Any costs that are not consistent with local, state, and federal laws, guidelines and regulations;
- Costs associated with Amnesty Day events, such as creating and distributing hauler exemption letters;
- Enforcement activities related to tire storage or disposal when 499 or fewer waste tires are present;
- Educational activities provided to the general public via small and large community events such as:
 - Car Shows, Earth Fairs, and County Fairs; and
 - Presentations to groups or at events consisting primarily of K-8 children.
- Costs associated with activities related to the use of recycled products;
- Costs associated with the clean-up of illegally dumped waste tires;
- Preparing and submitting the TEA21 Grant Application;
- Responding to CalRecycle questions about the Grantee’s TEA 19 Final Payment Request, Progress Reports, and supporting documentation; and
- Costs that the Grant Manager deems unreasonable, excessive, ineligible, inappropriate, duplicative or not related to the Program.

Eligible Costs

Eligible costs generally include approved costs necessary to perform eligible activities and enforce waste tire permitting, hauling and storage laws and regulations. To be considered for eligibility, costs must be reasonable, cost-effective and adequately supported; incurred during the “Grant Performance Period” which starts when the Grantee receives a “Notice to Proceed” from CalRecycle and ends on **June 29, 2014**. See the section entitled “*Grant Term, Grant Performance Period, and Report Preparation Period*” for additional information.

INSPECTIONS

Inspections are a core component of the Grant and should be the area in which the Grantee spends most of its time and money. Grantees shall develop and submit an inspection plan that ensures the priorities and frequencies outlined below are achieved. Grantees should inspect all tire operations identified in the plan for compliance with waste tire permitting, hauling, storage and disposal laws and regulations. Grantees may perform inspections on land owned by the federal or state government; however, inspections may not be performed on land owned by tribal governments.

Inspection Priorities

CalRecycle has established the order in which inspections should be performed. Grantees must perform inspections in accordance with the following order of priorities:

1. Inspect unpermitted and/or illegal waste tire piles, and other waste tire violations that pose an immediate risk or threat to public health and safety, and the environment.

2. Inspect waste tire locations, operations, and issues in response to requests or complaints received from the general public, and from business and government representatives from within the Grantee's own jurisdiction.
3. Inspect waste tire locations, operations and issues as requested by CalRecycle.
4. Reinspect TPIDs within 30 days of the compliance deadline when a Notice of Violation is issued and documented on an inspection report.
5. Inspect active* permitted major and minor waste tire facilities.
6. Inspect active* TPIDs that have never been inspected.
7. Inspect all other active* TPIDs that accept, generate or store 500 or more waste tires.
8. Inspect all other active* TPIDs that accept, generate or store 499 or fewer tires.

In addition to the priorities listed above, Grantees shall inspect waste tire locations, operations and issues as requested by CalRecycle.

Closed* and inactive* facilities should only be inspected if a referral, complaint, or other urgent information has come to the Grantee's attention. Grantees must note on the Inspection Report the information they received which necessitated the inspection of a closed or inactive facility.

*Active, inactive, and closed refers to the TPID's Business Status per the Waste Tire Management System (WTMS).

Inspection Location

In general, inspections should be performed at the site address shown in WTMS. If WTMS shows both site and mailing address for the TPID and the addresses are in separate jurisdictions, Grantees may only perform inspections of the TPID if the site address is in their jurisdiction, or for Collaborative Jurisdictions, within the scope of their Grant Agreements.

If there is no site address listed in WTMS, and if the mailing address is in the Grantee's jurisdiction, the Grantee should contact the TPID representative to determine if the mailing address is also the site address. If the mailing address is also the site address, and the mailing/site address is in the Grantee's jurisdiction or within the scope of the Grant Agreement, the Grantee may perform an inspection of that TPID. If there is a separate site address, the Grantee may only perform an inspection at the site address if it is in the Grantee's jurisdiction or within the scope of the Grant Agreement. In all cases, when the Grantee learns of the TPID's site address, that information should be passed along to the Hauler Hotline or to the CalRecycle inspector assigned to the Grantee.

Inspection Frequencies

Inspection frequencies are as follows:

- At a minimum, inspections shall be performed at the following frequencies:
 - Inspect all active major and minor permitted facilities at least once every fiscal year.
 - Inspect all active registered haulers at least once every two fiscal years.
 - Inspect all active generators at least once every three fiscal years.
- Only one routine inspection is allowed per active TPID.
- A maximum of two re-inspections may be performed per active TPID if a Notice of Violation was documented during the previous inspection.
- Referral inspections may be performed as needed if a referral, complaint, or other urgent information comes to the Grantee's attention about a possible waste tire violation. If an inspection is performed for any of those reasons, Grantees must note on the Inspection Report the information they received that necessitated the inspection, and must mark "Referral" as the Inspection Type on the Survey Form, CalRecycle 181.
- Only one Observation inspection may be performed per active TPID per cycle, and is allowed under limited circumstances. To qualify as an Observation inspection, the Grantee must already be in the field and be prompted by an observation to perform a spontaneous inspection. If an Observation inspection is performed, Grantees must note on the Inspection Report the observation that prompted the spontaneous inspection, and must mark "Observation" as the Inspection Type on the Survey

Form, CalRecycle 181. An observation that prompts a spontaneous inspection is generally something that appears to be in violation of applicable waste tire laws and regulations.

NOTE: Additional inspections may be performed if pre-approved in writing by CalRecycle. Unjustified duplicate inspections will not be reimbursed.

Inspection Reports

An Inspection Report documents what the Inspector observed during a field inspection of the TPID's site address, including statements made by the owners/operators of the site, as well as any statements or directives the Inspector made to the owner/operator. The Report should also include comments as to whether or not previous Areas of Concern or Notices of Violation have been resolved.

An Inspection Report may include more than one piece of paper, or be transmitted using WTMS' Web-based Electronic Inspection Reporting. It must include a Survey Form (CalRecycle 181), and may include an Inspection Form (CalRecycle 182), Comments Form (CalRecycle 183), and any other appropriate attachments such as photographs. These forms must be ordered from CalRecycle; however, examples can be viewed at <http://www.calrecycle.ca.gov/Tires/Enforcement/Inspections/Forms.htm#Sample>. All inspections should be thoroughly documented so that the Report provides complete and accurate information in case future enforcement actions are taken. An Inspection Report should be able to stand on its own without any explanations or additional information.

Some businesses have more than one role under its TPID. All business roles under one TPID must be inspected during the same field/site inspection and must be documented on one Inspection Report. Separate reports are only allowed for separate TPIDs, not separate roles under one TPID.

If the Report documents a change of the TPID's Operational Status, the Inspector must document on the report the observation or information that led to the conclusion that the Operational Status should change. Definitions of Operational Status are found on the back of the Survey Form (CalRecycle 181).

Inspection Reports may only be completed when the Inspector performs an inspection at the TPID's site address.

Notices of Violation (NOV)

If a violation is identified during an inspection:

- Advise the tire business representative of the violation(s), issue the CalRecycle-provided Notice of Violation (NOV) and informational sheets found at <http://www.calrecycle.ca.gov/Tires/Enforcement/Inspections/Forms.htm#NOV>, and indicate on the Report what the tire business must do by date certain (compliance deadline date should be no more than 30 days) to comply. The compliance deadline date must be written on the inspection report.
- Reinspect the tire business within 30 days of the NOV compliance deadline date.
 - If the violation is corrected after the first or second reinspection, additional inspections are allowed only if a request, complaint or referral is received about the TPID.
 - If a violation is not corrected at the time of the first 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 violation(s) to CalRecycle for further enforcement action. The referral must be noted on the inspection form, and the Grantee must complete and submit the CalRecycle Referral Form (CalRecycle 228) found at <http://www.calrecycle.ca.gov/Tires/Enforcement/Inspections/Forms.htm#Referral>. (Note that this form has been recently revised.) The referral should be made within 30 days of the last re-inspection and must include evidence collected, including inspection reports and photographs.

NOTE: Grantees may make referrals to CalRecycle after the first inspection based upon the Grantee's judgment of the severity of the non-compliance issue and the responsiveness of the tire business. If the

violation is significant, or if it is anticipated that the violation will not be corrected, CalRecycle shall be notified immediately to allow for an expedited issuance of a Cleanup and Abatement Order (CAO).

Maximum Hours Allowed per Inspection

When Grantees prepare and submit their Payment Request for reimbursement of actual inspection costs, the maximum hours allowed per inspection depends on the Grantee's record keeping system.

If the Grantee has a record keeping system that separately accumulates inspection hours for each TPID inspected with a waste tire count of 500 or more, the Grantee may claim the actual number of hours spent on:

- Each TPID inspected with a waste tire count of 500 or more; and,
- All inspections with a waste tire count of 499 or fewer, as long as the average actual hours per inspection are four (4) hours or less.

For Grantees that do not have the ability or desire to separately accumulate inspection hours for each TPID inspected with a waste tire count of 500 or more, the Grantee may claim the actual number of hours spent on all inspections as long as the average actual hours per inspection is 4 hours or less.

NOTE: Time in and out on the Inspection report does not limit reimbursable hours to that period of time. Also, inspection preparation and report writing tasks may be performed on days other than the date of the inspection.

Eligible Activities/Costs

In general, all activities related to planning and performing inspections of active businesses with Tire Program Identification (TPID) numbers, preparing and submitting CalRecycle Survey and Inspection Forms (CalRecycle 181 and 182), and tracking inspection results, are eligible.

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

- Researching CalRecycle's Waste Tire Management System (WTMS) and the Grantee's own database of inspections, to develop a complete Plan of Inspections to be performed during the Grant Performance Period.
- Gaining an understanding of how to perform inspections and preparing to conduct a specific inspection by researching sources such as: Grantee and CalRecycle databases; past inspections and enforcement activities; Grant requirements; and, waste tire permitting, hauling storage and disposal laws, regulations, policies, processes, procedures and protocols.
- Writing policies, processes, procedures, and protocols related to planning, preparation, performance and reporting of inspections and associated activities.
- Developing tools to track inspection-related activities.
- Discussing planning, preparation, performance, and reporting of inspections and associated activities with CalRecycle Inspectors and the Grant Manager.
- Meeting with the Grantee's own tire enforcement staff to discuss planning, preparation, performance and reporting of inspections and associated activities, and applicable waste tire laws, regulations, policies, processes, procedures, etc. This may include on-the-job inspection training for new Grantee tire enforcement staff.
- Updating and correcting Survey and Inspection report data, and tire business information, in CalRecycle's WTMS and the Grantee's own database.
- Maintaining files of inspection report copies as needed.
- Correcting Survey and Inspection reports when returned by CalRecycle for correction of inaccurate information, or completion of missing information.
- Coordinating inspections with other Grantees when both a city and the county in which the city is located are TEA Grantees. This coordination is essential to ensure no duplication or gaps in inspections.

- Exchanging information with Collaborative Jurisdictions on complaints, referrals, inspections, and other inspection related activities.
- Attempting and completing an on-site inspection.
- Providing technical assistance to tire businesses on waste tire laws and regulations, and distributing educational brochures and information as needed. (This may occur during or after inspection, or when no inspection has been performed and a tire business has contacted the Grantee for information, assistance and guidance. This activity is also eligible under Education.)
- Performing inspections and completing all applicable sections of CalRecycle Survey and Inspection forms for each complete inspection.
- Completing a Referral form and gathering appropriate documentation when a tire business is referred to CalRecycle for enforcement action. (This activity is also eligible under Enforcement.)
- Submitting the survey, inspection and referral forms every month as indicated below:

Grantee's Location	Name	Address
Northern California	Barbara Strough	Department of Resources Recycling and Recovery Post Office Box 4025, MS 10A-17 Sacramento, CA 95812
Central California	Gerri Stryker	Department of Resources Recycling and Recovery Post Office Box 4025, MS 10A-17 Sacramento, CA 95812
Southern California	Frank Simpson	Department of Resources Recycling and Recovery 1955 Chicago Avenue, Suite 100 Riverside, CA 92507

Neither the TEA Grant Program nor the terms of the Grant Agreement affects or changes CalRecycle's right to enter any California jurisdiction for the purpose of: (1) enforcing regulations relating to the storage of waste tires and used tires, as provided in Public Resources Code (PRC) Section 42850(c); (2) enforcing regulations relating to the hauling of waste and used tires, as provided in PRC Section 42963(b); and (3) fulfilling any other enforcement obligations with which it is charged by statute or regulation.

ENFORCEMENT

Enforcement includes the steps beyond inspections that a Grantee takes to identify and bring into compliance those that illegally haul waste tires, or store and dispose of 500 or more waste tires. Priority should be given to those situations that pose the greatest risk to public health and safety, and the environment. The amount requested under Enforcement must be less than or equal to 75% of the **actual** approved and eligible costs reimbursed under Inspections at the end of the grant term.

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

- Researching, surveilling, identifying, and documenting:
 - illegal waste tire disposal sites and activities;
 - individuals responsible for illegal dumping of waste tires;
 - owners of private property on which illegal dumping of waste tire is occurring; and,
 - unregistered waste tire haulers. (Grantees must refer illegal haulers to CalRecycle within 30 days of identification.)
- Conducting and reporting on investigations, surveillance and other waste tire enforcement activities related to illegal waste tire hauling, storage and disposal.
- Making waste tire enforcement referrals to CalRecycle and local law enforcement, as appropriate.
- Gaining an understanding of allowable and appropriate waste tire enforcement activities and preparing enforcement actions or referrals. Researching sources such as: Grantee and CalRecycle

databases; past enforcement activities; Grant requirements; and, waste tire permitting, hauling, storage and disposal laws, regulations, policies, processes, procedures and protocols.

- Participating in task forces, working groups, etc. actively involved in waste tire enforcement activities within the Grantee's jurisdiction.
- Providing waste tire storage, hauling and disposal awareness training to local law and code enforcement personnel within the Grantee's jurisdiction to encourage referrals or citations of illegal waste tire dump sites, illegal waste tire dumpers, and unregistered waste tire haulers. (Awareness training is generally limited to 1 hour per session.)
- Working with CalRecycle, the California Highway Patrol, and local law enforcement to establish checkpoints to identify unregistered waste tire haulers.
- Assisting CalRecycle with the investigation of waste tire referrals, complaints, violations, discrepancies, legal records searches, etc.
- Writing policies, processes, procedures and protocols related to planning, preparation, performance, and reporting of waste tire enforcement and associated activities.
- Developing tools to track waste tire enforcement-related activities, including maintaining appropriate enforcement and referral documents and files.
- Discussing planning, preparation, performance, reporting, etc. issues related to waste tire enforcement and associated activities with CalRecycle Inspectors and the Grant Manager.
- Meeting with the Grantee's own tire enforcement staff to discuss planning, preparation, performance and reporting issues related to waste tire enforcement and associated activities, and applicable waste tire laws, regulations, policies, processes, procedures, etc. This may include on-the-job waste tire enforcement training for new Grantee tire enforcement staff.
- Investigation and enforcement activities approved in writing by the Grant Manager, such as working with the local District Attorney (DA), attending administrative, court and/or CalRecycle hearings, and supporting case development.
- Reporting to CalRecycle all enforcement actions on waste tire-related cases, including any referrals to the DA's Office and any actions taken by the DA's Office on waste tire related cases.
- Preparing and submitting CalRecycle Surveillance forms.
- Coordinating waste tire enforcement activities with other Grantees when both a city and the county in which the city is located are TEA Grantees. This coordination is essential to ensure no duplication or gaps in inspections.
- Exchanging information with Collaborative Jurisdictions on waste tire enforcement-related activities.
- Obtaining inspection and other warrants as needed, participating with local law enforcement activities, performing interviews and field investigations, developing enforcement cases, etc.
- Following up in locations with known illegal waste tire dumping or where complaints and referrals have been received. This is sometimes referred to as "field patrolling". This activity should be purposeful and should be focused on known areas of illegal waste tire dumping. Grantees should also be able to show substantive results from this activity, such as identification and citation of illegal waste tire dumpers or unregistered waste tire haulers, decreases in illegally dumped waste tires, etc.

NOTE: Local enforcement costs are not eligible for reimbursement when they are related to the storage or cleanup of tire piles of **less than 500 waste tires**.

EDUCATION

Education takes many forms and includes the Grantee's efforts to inform tire businesses of waste tire hauling, storage, permitting, and disposal laws and regulations.

Education materials include items such as brochures and presentations. The final draft or mock-up of these items must be approved, in writing, by CalRecycle before the item goes to the printer or supplier, or is presented to tire businesses. If a presentation or other items were approved by CalRecycle in a prior Grant cycle, they must be approved again in writing by CalRecycle to ensure that the items still comply with current laws and regulations.

Grantees may continue to distribute brochures that were purchased under previous Grant cycles as long as the information is still accurate. Failure to obtain the Grant Manager's written approval for outreach

materials may result in those activities and costs being ineligible for reimbursement; any such costs may be deducted from the Grantee's Payment Request.

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

- Researching Grant requirements and waste tire permitting, hauling, storage and disposal laws, regulations, policies, processes, procedures and protocols, and developing outreach materials, brochures, and presentations.
- Identifying waste tire businesses, informing them of applicable waste tire laws and regulations, and distributing educational brochures and information as needed. This may include obtaining WTMS reports of newly issued TPIDs, or canvassing business areas to determine if new or established businesses perform waste tire activities.
- Obtaining TPIDs for businesses that perform waste tire activities that should be monitored.
- Developing tools to track outreach activities.
- Providing outreach as requested by CalRecycle.
- Discussing outreach activities with CalRecycle Inspectors and Grant Manager.
- Meeting with the Grantee's own tire enforcement staff to discuss outreach planning, events and activities, reporting, etc. This may include on-the-job outreach training for new Grantee tire enforcement staff.
- Coordinating outreach with other Grantees when both a city is a Grantee, and the county in which it is located is also a Grantee. This coordination is essential to ensure no duplication or gaps in activities.
- Exchanging information with Collaborative Jurisdictions on outreach related activities.
- Reporting all outreach activities to CalRecycle.

TRAINING

Training is generally training that the Grantee's tire enforcement staff attend. Limited Grantee-provided training may be allowed under this Budget category.

When multiple sessions of a training event are scheduled, Grantees must attend the session closest to their locations. Exceptions for attending classes that are not the closest ~~will be considered but~~ must be supported by a compelling justification, ~~and must be pre-approved in writing by the Grant Manager.~~ If attending an event with multiple subjects of which only part is related/beneficial to waste tire enforcement, the portion of the class fee charged to the TEA Grant must be proportionally-related to the proportion of the class time devoted to waste tire enforcement. ~~If attendance at training requires budgetary adjustments, Grantees must contact the Grant Manager prior to attending the training to obtain approval for any such adjustments.~~

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

- Attending the following mandatory trainings (Grantees must send at least one representative to each of these events):
 - Basic and refresher health and safety classes to ensure that tire enforcement staff remains safe while performing waste tire field inspections, enforcement, etc. Grantees must send any inspector that is due for appropriate health and safety training.
 - CalRecycle-sponsored waste tire Round Tables
 - WTMS Training
 - The annual Training Symposium
- Attending the following eligible non-mandatory training:
 - CalEPA sponsored Enforcement Symposium
 - Basic Inspector Academy
 - Conducting Effective Interviews for Inspectors
 - Environmental Enforcement Training

- Providing training or participating in meetings, trainings and/or conferences as requested by CalRecycle
- Coordinating and hosting Round Tables or other CalRecycle-sponsored training events.
- Discussing eligible training classes with CalRecycle Inspectors and the Grant Manager.
- Travel and per diem
 - All travel costs must be in accordance with the California State Travel policies contained at <http://www.calhr.ca.gov/employees/Pages/travel-reimbursements.aspx>. Reimbursable mileage and other travel expenses (per diem) may not exceed the State rates as set forth in the State Administrative Manual.

ADMINISTRATIVE COSTS

Administrative Costs are comprised of the work the Grantee performs to manage the Program as a whole. The amount requested under Administrative Costs must be less than or equal to 15% of approved expenditures for all budget categories at the end of the grant term.

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

- Preparing and submitting TEA 20 Progress Reports, Payment Requests, and all other required documents, forms and information. Grantees are required to submit a Mid-Year and Final Report and Payment Request.
- Discussing with the Grant Manager eligible Grant activities, progress reporting, Payment Requests and supporting documentation, and Work Plan and Budget changes.
- Developing and maintaining an accurate system to capture and report waste tire enforcement staff time, activities and costs, and monitoring activities, costs, and systems for accuracy, completeness, and eligibility.
- Writing policies, processes and procedures for tracking and reporting staff time, activities and costs, and meeting with the Grantee's own tire enforcement staff to discuss these items.
- Maintaining files of documentation and records to support Grant activities and costs.
- Cooperating with CalRecycle, California Department of Finance and California Bureau of State Audits auditors during the audit of any TEA grant cycles, and responding to audit reports and findings, as long as audits are not otherwise included in an approved overhead or indirect cost rate or Board of Supervisors or City Council approved rate already being charged to the Grant.

EQUIPMENT

Equipment is needed to perform eligible waste tire enforcement activities and to maintain the health and safety of staff performing those activities. In general, all equipment, materials and supplies necessary to perform eligible waste tire enforcement activities are eligible. The amount requested under Equipment must be less than or equal to 10% of approved expenditures for all budget categories at the end of the grant term.

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

- Hand-held camera, standard and zoom lens, camera bag, film or memory stick, film processing or picture prints, connecting cords and standard accessories;
- Portable GPS;
- Range finder, tape measure, and other measuring devices;
- Cell phone and monthly service;
- Steel-toed work boots;
- Waterproof rain gear, including: coat, hat, pants, boots, gloves;
- Clinometer;
- Clipboard;
- Binoculars and case;
- Hard Hat;

- Gloves (disposable and durable);
- Disposable face mask;
- Safety glasses;
- Reflective safety vest, lightweight windbreaker, or logo/identification vest;
- Surveillance Camera and standard accessories, such as video recording equipment and tripod, if CalRecycle free cameras are regularly unavailable when requested;
- Flashlight; and,
- Batteries and battery charger.

The Grant Manager must pre-approve the purchase of all items/costs not listed above and will consider items the Grantee purchased in prior Grant cycles. Failure to obtain the Grant Manager's written pre-approval may result in those items and costs being deducted from the Grantee's Payment Request.

Additionally, Grantees may be allowed to claim only a proportion of the cost of an item based upon the percentage of time it is used for waste tire enforcement activities.

Items such as tazers, police type scanners and radios, mobile command posts, and other law enforcement type items are ineligible under the TEA Grant.

TRANSPORTATION

Transportation necessary to performing waste tire enforcement activities is eligible. The amount requested under Transportation must be less than or equal to 10% of approved expenditures for all budget categories at the end of the grant term. Eligible items include using a Grantee-owned or personal vehicle.

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

- Grantees may claim vehicle usage costs based upon actual mileage at the lesser of the Grantee or state mileage rate. Mileage rates generally cover the cost of fuel, maintenance, insurance, licensing, registration, depreciation, and all other costs associated with operation and usage of the vehicle. Therefore, Grantees cannot claim vehicle usage costs using both a mileage rate and the separate cost of the items covered by the mileage rate. Grantees should use the rate in effect at the time the mileage was incurred.
- Travel and per diem (this is also eligible under Training)

All travel costs must be in accordance with the California State Travel policies contained at <http://www.calhr.ca.gov/employees/Pages/travel-reimbursements.aspx>. Reimbursable mileage and other travel expenses (per diem) may not exceed the State rates as set forth in the State Administrative Manual.

Grant Management System (GMSWeb)

GMSWeb is CalRecycle's web-based grant application and grant management system. Access to GMSWeb is secure; Grantees must log in using a WebPass. WebPass accounts are tied to a specific email address. If an email address changes, or if it becomes inactive, the Grantee must create a new WebPass account to continue accessing GMSWeb. Establish or manage a CalRecycle WebPass at; <https://secure.calrecycle.ca.gov/WebPass/>.

Accessing the grant

Grantees must log into GMSWeb using their web pass at; <https://secure.calrecycle.ca.gov/Grants>. After log-in, locate the grant in the **Associated Grant Applications** table and select the **Grant Management** link. The **Grant Management** module includes the following sections:

- **Budget Summary** - shows approved budget, paid and remaining amounts. (This section is available to the Grantee in Read-only mode.)
- **Payment Request Transactions** - requests reimbursement.
- **Report and Other Grant Documents** – uploads required reports and other grant documents that are not considered supporting documents to a payment request.

Follow the instructions in GMSWeb to work in the system. Use the information in the following sections to determine what reports, transactions, and supporting documents are required.

Contact Updates

- Access to the grant is limited to those listed in the **Contacts** tab in the **Application Module**. Contact information is available to the Grantee in read-only mode.
- Email the assigned Grant Manager regarding any changes to contact information to ensure continued access.

Progress Report Requirements

Progress Reports document Grantee activities and accomplishments during the Grant Performance Period and are used to support Payment Requests and evaluate Grantee performance. A minimum of one Mid-Year and one Final Progress Report are required.

- The Mid-Year Progress Report must include activities and accomplishments from June 30, 2013, through December 31, 2013. Submit this report by February 28, 2014.
- The Final Progress Report must include activities and accomplishments from January 1, 2014, through June 29, 2014. Report must be received by CalRecycle on or before August 31, 2014.

Due Date	Report
February 28, 2014	Mid-Year Progress Report - Grantee may also submit a Payment Request with supporting documentation.
August 31, 2014	<p>Final Progress Report - Grantee may also submit the Final Payment Request with supporting documentation at this time. All purchases must be received and all eligible payments made, before the submission of the Final Progress Report and Final Payment Request.</p> <p>Failure to submit the Final Progress Report by the due date may result in rejection of the Final Payment Request and/or forfeiture by the Grantee of claims for costs incurred that might otherwise have been eligible for Grant funding. <i>No extensions will be given beyond August 31, 2014.</i></p>

Download the Progress Report (CalRecycle 737-PR-TEA) from the CalRecycle forms website at, <http://www.calrecycle.ca.gov/Grants/Forms/>. All reports must be uploaded in GMSWeb. To upload the report:

1. Go to the **Report and Other Grant Documents** section in the **Detail** tab,
2. Click on the **Upload a Document** button,
3. Type a title, i.e. Progress Report 1, then click the Browse button to search and upload the document.
4. Click the **Save** button.

The reports must be current, include all required sections and documents, and must be approved by the Grant Manager before any Payment Request can be processed. Failure to comply with the specified reporting requirements may result in the termination of this Agreement or rejection of the Payment Request and/or forfeiture by the grantee of claims for costs incurred that might otherwise have been eligible for grant funding.

Any problems or delays must be reported immediately to the Grant Manager.

Payment Requests and Supporting Documentation

Payment Requests are the means by which Grantees request reimbursement of eligible Grant costs expended during the Grant Performance Period, and supporting documentation is the proof of those expenditures. 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, invoices, purchase

orders, etc., are not eligible for reimbursement until the Grantee has actually paid the funds to the employee, vendor, etc.

The Budget tab in GMSWeb must reflect current budgeted amounts for all categories and subcategories before submitting a Payment Request. **If there have been any operational and financial adjustments to the Work Plan and Budget (as described in the Work Plan and/or Budget Changes section), the Grantee must provide that information to the Grant Manager prior to preparing a Payment Request or the Grantee will be unable to submit a Payment Request.**

All required forms, unless specifically noted, can be downloaded from the CalRecycle Grant Forms website at, <http://www.calrecycle.ca.gov/Grants/Forms/>.

To submit a Grant Payment Request:

1. Go to the **Payment Request Transactions** section in the Detail tab.
2. Click on the **Create a Reimburse/Advance Reconciliation** button.
 - a. Choose **Reimburse** for the Transaction Type and enter the amount spent in each budget subcategory.
3. When the transaction is complete, click the **Save** button.
4. After the transaction is saved, the **Upload Supporting Documentation** button will appear in the lower right corner. Upload all required supporting documents as listed below.
 - A scanned copy of the signed Grant Payment Request form.

Mail only the **original** Grant Payment Request form (CalRecycle 87), with the original signature of the signatory or his/her designee*, as authorized by grantee’s Resolution or Letter of Commitment to:

Via standard mail:	Via courier/personal delivery:
Department of Resources Recycling and Recovery TEA Grant Program FiRM Branch, 9 th Floor P.O. Box 4025 Sacramento, CA 95812-4025	Department of Resources Recycling and Recovery TEA Grant Program FiRM Branch, 9 th Floor 1001 I Street Sacramento, CA 95814

*A designee may sign on behalf of the grantee if a) authorized by the Resolution or Letter of Commitment, and b) a Letter of Designation has been provided to the Grant Manager.

- Personnel Expenditure Summary (CalRecycle 165)
- Expenditure Itemization Summary (CalRecycle 736)
- If Board of Supervisors or City Council approved labor rates are claimed, Grantees must submit (see *hourly labor rate*):
 - 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. (Grantees only need to submit the cover page(s) of the schedule and the page that shows the hourly rate used, with the rate circled. Grantees do not have to submit the entire schedule if it contains fees and rates for other groups within their organization.)
- If a separate labor rate is calculated for each employee that includes actual salary, wages, shift differentials, fringe benefits, and indirect/overhead costs, Grantees must submit a spreadsheet which shows each employee’s name, job classification, and hourly rate (see *hourly labor rate*).
- The CalRecycle Waste Tire Surveillance Form (CalRecycle 229) for all surveillance activities supported by the Grant can be found at <http://www.calrecycle.ca.gov/Tires/Enforcement/Inspections/Forms.htm> .
- 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 claimed a portion of an invoice, the amount billed to the Grant should be highlighted).

- Agenda(s) for all approved training.
 - If attending a training event with multiple subjects of which only part is related/beneficial to waste tire enforcement, only the waste tire enforcement-related portion of the class fee, divided proportionally, may be charged to this Grant.
- Employee's approved travel expense claim for hotel, meals, per diem and other expenses, hotel receipts and other receipts for conference fees, tuition, etc.
- Mileage logs.
- Copies of educational materials created and/or published and photographs of signs/displays paid - with TEA 20 funds.
 - Outreach materials include brochures, presentations, etc. For large items such as billboards, displays, signs, etc., Grantees must submit a photograph of the item with the Payment Request.

NOTE: All Grantee-proposed alternative forms must contain the same level of detail as shown in the CalRecycle form and must be approved in writing by the Grant Manager. Submit any proposed alternative forms for review and approval by the Grant Manager. Grantees must receive the Grant Manager's written approval before using their proposed alternative forms. Grantees may propose alternatives for the following forms:

- Surveillance form (CalRecycle 229)
- Personnel Expenditure Summary (CalRecycle 165)

Payment Process

Payments will be approved when the 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. If the Grant Manager determines that an activity or cost is unreasonable, excessive, ineligible, inappropriate, duplicative or not related to the Grant, reimbursement may not be approved.

A 10% withhold, or retention, will be deducted from all Payment Requests and will be released when the Grant Manager has determined that all Grant terms, conditions, procedures and requirements have been satisfactorily completed. Payment will only be made to the Grantee and the Grantee is responsible for paying all employees, vendors, service providers, contractors and subcontractors, etc.

There are some types of supporting documentation that may not be necessary to submit with a Payment Request, but Grantees should keep it in their records in case of an audit. For example if a separate labor rate is calculated for each employee that includes actual salary, wages, shift differentials, fringe benefits, and indirect/overhead costs, Grantees must retain the documents that support the components of each employee's hourly rate.

Personnel Hours

Grantees must maintain, and provide if requested, detailed timekeeping records of personnel hours worked. For each pay period, the employee's timekeeping document must contain at least the following:

- Employee name and classification
- Total hours worked and leave taken during the pay period
- Hours worked/leave taken per day
- For each hour worked, a description/listing of the activity/task they were working on.
 - For Grantees claiming actual hours for Tire Program Identifications (TPIDs) inspected with a waste tire count of 500 or more, the timekeeping documentation must also show the hours per day for each of the TPIDs with a waste tire count of 500 or more.

Supervision of staff conducting eligible activities constitutes a direct Grant cost; therefore, Grantees may claim under each Budget category a direct supervision time and costs related to that category, as long as

the supervision time and costs have not been included as a component of a Board or Council approved rate, or an indirect, overhead or administrative rate.

Hourly Labor Rate

Grantees must choose one of the following options to determine how they charge the grant for their employees' time spent on the TEA Grant:

1. Many Grantees have a fee or rate schedule that is approved by their Board of Supervisors or City Council. Grantees may use the Board or Council approved hourly rate to calculate the value of employee time spent on eligible Grant activities.

A Board or Council-approved rate usually includes a large variety of components, including items such as: indirect, administrative and overhead costs; travel, transportation and training; and, equipment, supplies and materials. Grantees may only claim those costs directly against the Grant if they can show those costs were not included as a component of the Board or Council approved rate.

2. Grantees 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. Grantees should use that indirect cost rate as a component of the hourly rate calculated for each employee.

An indirect, administrative or overhead rate usually includes a large variety of components, including items such as: supervisor costs; travel, transportation and training; and, equipment, supplies and materials. Grantees may only claim such costs directly against the Grant if they can show that these costs were not included as a component of the indirect, administrative or overhead rate.

There is no indirect cost rate standard that every organization must follow. Each Grantee should follow its own organization's methodology for applying and including indirect costs as part of the employee's hourly rate. Grantees should contact their own accounting, budget or finance office to ascertain what their jurisdiction's indirect cost rate is.

Under either option, Grantees must maintain, and provide if requested, documentation to support rates used, the components thereof, and demonstrate how they were calculated. The documentation must provide a clear trail from the actual and projected costs and components, through the rate determination process and methodology, to the rate used. For Grantees that do not use a Board or Council approved rate, the Grantee must demonstrate that the rate and supporting methodology has been approved by the Grantee's chief financial officer, or equivalent, and was the rate in effect at the time.

Exceptions: An hourly labor rate in excess of the previously described limits is allowable IF the rate is pre-approved, in writing, by the Grant Manager for specially scheduled evening or weekend events, or when a law or labor contract requires payment in excess of the employee's regular time hourly rate.

Grant Closeout

The Grantee initiates the closeout process when the Final Report, Final Payment Request, and other required supporting and closeout documents are submitted to the Grant Manager. All purchases must be received, and all eligible payments made, before the submission of the Final Report and Final Payment Request. The Grant Manager will review all Final documents for compliance with the requirements of all Grant Terms and Conditions, Procedures and Requirements, Work Plan and Budget. The amounts claimed may not exceed the Budget category amount approved by CalRecycle. The Grant is considered closed when the Grantee receives its final payment.

Termination or Suspension of Grant or Payments

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

Records and Audit Requirements

This grant is subject to a desk or field audit. See the “Audit/Records Access” provision in Exhibit A – Terms and Conditions for more information.