

EXHIBIT B PROCEDURES AND REQUIREMENTS

LOCAL GOVERNMENT WASTE TIRE ENFORCEMENT GRANT PROGRAM 22nd Cycle – Fiscal Year 2014–15

Copies of these Procedures and Requirements should be shared with BOTH the Finance Department AND the staff responsible for implementing the grant activities.

INTRODUCTION

The Local Government Waste Tire Enforcement (TEA) Grant Program is administered through the Department of Resources Recycling and Recovery (CalRecycle). These Procedures and Requirements describe project and reporting requirements, report due dates, report contents, grant payment conditions, eligible and ineligible project costs, project completion and closeout procedures, records and audit requirements.

This document is attached to, and incorporated by reference, into the Grant Agreement.

MILESTONES

NTP Date	Grant Term and Grant Performance Period Begins on date indicated on the Notice to Proceed (NTP)
February 29, 2016	Progress Report Due
NTP Date – June 29, 2016	Grant Performance Period Ends
June 30, 2016 – September 30, 2016	Report Preparation Period
September 30, 2016	Final Progress Report and final Payment Request Due
September 30, 2016	Grant Term End

No extensions will be granted for submittal of Final Progress Report and final Payment Request. Failure to submit the Final Progress Report and final Payment Request with appropriate documentation by September 30, 2016 may result in rejection of the Payment Request and/or forfeiture by the grantee of claims for costs incurred that might otherwise have been eligible for reimbursement.

GRANT MANAGEMENT SYSTEM (GMS)

GMS is CalRecycle's web-based grant application and grant management system. Access to GMS 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 GMS. Establish or manage a WebPass at [CalRecycle's WebPass page](https://secure.calrecycle.ca.gov/WebPass/) (<https://secure.calrecycle.ca.gov/WebPass/>).

Accessing the grant

Grantees must log into [GMS](https://secure.calrecycle.ca.gov/Grants) (https://secure.calrecycle.ca.gov/Grants) using their web pass. After login, locate the grant in the **My Awarded/Open Grants** table and select the **Grant Management** link. The **Grant Management Module** includes the following sections:

- **Summary tab** – shows approved budget, paid and remaining amounts. (This section is available to the grantee in read-only mode.)
- **Payment Request tab** - requests reimbursement.
- **Reports tab**- uploads required reports.
- **Documents tab**– uploads other grant documents that are not considered supporting documents to a payment request or a report. This section also provides access to documents that were uploaded within other sections of GMS.

Follow the instructions in GMS 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 of the **Application Module** with the access check box marked. A contact may be listed but not granted access by not checking the box. Please note, if a contact is granted access to a grant they will be able to edit contacts, submit payment requests, upload reports, and view all documents. Those with access may update contact information for all contact types except Signature Authority. Email the assigned Grant Manager regarding any changes to Signature Authority information.

PRIOR TO COMMENCING WORK

Prior to commencing work under this grant, the grantee's grant manager or primary contact and authorized grant Signature Authority should review the Terms and Conditions (Exhibit A) and the Procedures and Requirements (Exhibit B) to identify key grant administrative requirements. Evaluation of the grantee's compliance with these requirements is a major focus of grant audits.

GRANT TERM, GRANT PERFORMANCE PERIOD, AND REPORT PREPARATION PERIOD

The Grant Term and Grant Performance Period both begin the date indicated in the Notice to Proceed (NTP). The Grant Term ends on September 30, 2016. This is also the date the Final Progress Report and final Payment Request are due to CalRecycle.

The Grant Performance Period begins on the date indicated in the NTP and ends on June 29, 2016. Grant-eligible program expenditures may start no earlier than the date indicated in the NTP and end on June 29, 2016. In all cases, eligible program costs must be incurred no later than June 29, 2016.

The period from June 30, 2016 to September 30, 2016 is the Report Preparation Period. **Costs incurred to prepare the Final Progress Report and final Payment Request are the only costs that are eligible for reimbursement during the Report Preparation Period.**

ELIGIBLE COSTS

All grant expenditures must be for activities, products, and costs specifically included in the approved Budget. Eligible costs must be incurred, services provided and goods received after receiving a NTP and before the end of the Grant Performance Period.

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 NTP from CalRecycle and ends on **June 29, 2016**. See the section entitled “Grant Term, Grant Performance Period, and Report Preparation Period” for additional information.

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 percent of the total approved Budget.

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

- Preparing and submitting TEA 22 Progress Reports, Payment Requests, and all other required documents, forms and information. Grantees are required to submit a Progress Report and Final Report and Payment Request.
- Discussing with the Grant Manager eligible grant activities, progress reporting, Payment Requests and supporting documentation, and Budget changes.
- Developing and maintaining an accurate system to capture and report staff time for waste tire enforcement, 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.

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 Waste Tire Management System (WTMS) reports of newly issued Tire Program Identification (TPID) numbers, 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 or the 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 the city and county in which they are located are grantees. This coordination is essential to ensure no duplication or gaps in activities.
- Exchanging information with Collaborative Jurisdictions and other organizations on outreach related activities.

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 percent of the approved Budget under Inspections.

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.
 - 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 (CalRecycle 229).
- 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.

- Coordinating, and reviewing regulations and procedures, with Local Conservation Corps regarding performing cleanup, amnesty event, and other similar or related activities.

Note: LCC must seek prior approval from CalRecycle to cleanup tire locations with 500 or more waste tires.

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**.

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 percent of the total approved Budget.

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

- 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 coats, hats, 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
- 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 staff is dedicated to the waste tire enforcement program.

Law enforcement type items are ineligible under the TEA grant. However, there may be circumstances where communication devices (such as police-type radios) are necessary for the safety of enforcement staff. If there is a strong business need which cannot be reasonably accommodated by cell phones or through other means, the Grant Manager will consider requests for communication devices on a case-by-case basis

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 may perform inspections at a variety of locations including on land owned by the federal or state government; however, inspections may not be performed on land owned by tribal governments.

Inspection Priorities

Grantees shall perform inspections in accordance with the following order of priorities:

1. Inspect unpermitted and/or illegal waste tire piles having greater than 500 waste tires at a location without authorization (Note: does not apply to unpermitted exempt or excluded facilities as defined in 14 CCR 17225.822). Grantees shall notify its CalRecycle inspector liaison within 48 hours. Grantees should attempt to conduct a joint inspection with CalRecycle whenever possible.
2. Inspect other waste tire violations that pose an immediate risk or threat to public health and safety, and the environment as pre-approved by their CalRecycle inspector liaison.
3. Inspect TPIDs listed on the "Inspection Priority List" provided by CalRecycle with your Notice to Proceed. Inspect other waste tire locations, operations and issues as requested by CalRecycle.
4. Re-inspect TPIDs within 30 days of the compliance deadline when a Notice of Violation is issued and documented on an Inspection Report.
5. Inspect other active* TPIDs after all CalRecycle requested inspections have been performed. These inspections must be performed in order of date last inspected (oldest first).
6. Inspect waste tire locations not covered by priority #1 above, including waste tire operations and tire related 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. Grantees must obtain pre-approval from their CalRecycle inspector liaison BEFORE performing these inspections.

Inspections of closed*, inactive*, and previously inspected small quantity generators** MUST be pre-approved by CalRecycle. Failure to receive pre-approval may result in the grantee not being reimbursed for costs associated with the inspection.

* "Active, inactive, and closed" refers to the TPID's Business Status listed in the WTMS.

** "Small quantity generator" refers to the TPID's Business Role listed in the WTMS.

When a new waste tire generator TPID is created in WTMS, it is automatically designated as a "small quantity generator" until waste tire manifest records submitted to CalRecycle show 50 or more waste tires being generated from the TPID within a three-year period.

Inspection Location

In general, inspections should be performed at the site address shown in WTMS. If WTMS shows both a 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 must be submitted to the Hauler Hotline or to the CalRecycle inspector assigned to the grantee within 7 days and be noted on the Inspection Report.

Inspection Frequencies

Inspection frequencies have been incorporated into the "Inspection Priority List" and are as follows:

- 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). Grantees must obtain pre-approval from their CalRecycle inspector liaison BEFORE performing these inspections.
- 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.

A Report may include more than one piece of paper, or be transmitted using WTMS' Web-based electronic inspection reporting system. 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. A 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 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).

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

- All reports should be submitted as expeditiously as possible, but not later than 30 days following the inspection date. Paper reports must be mailed to CalRecycle 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 95812-4025
Central California	Gerri Stryker	Department of Resources Recycling and Recovery Post Office Box 4025, MS 10A-17 Sacramento, CA 95812-4025
Southern California	Frank Simpson	Department of Resources Recycling and Recovery 1955 Chicago Avenue, Suite 100 Riverside, CA 92507

Notice of Violation

If a violation is identified during an inspection:

- Advise the tire business representative of the violation(s), issue the CalRecycle-provided [Notice of Violation \(NOV\)](http://www.calrecycle.ca.gov/Tires/Enforcement/Inspections/Forms.htm#NOV) (<http://www.calrecycle.ca.gov/Tires/Enforcement/Inspections/Forms.htm#NOV>) and informational sheets, and indicate on the Inspection Report in sufficient detail to explain the violation and what needs to be corrected by the compliance deadline date to comply. The compliance deadline date must be written on the Inspection Report and should be no more than 30 days from the date of the inspection.
 - Re-inspect the tire business within 30 days of the NOV compliance deadline. 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 Inspection Report should show the same violation(s) as documented previously and indicate what corrections were made to justify an extension and how the business is still in violation. The extended compliance deadline date 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** continue to cite the same codes being violated and the reasons for the violation and 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 \(CalRecycle 228\)](http://www.calrecycle.ca.gov/Tires/Enforcement/Inspections/Forms.htm#Referral) (<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.
 - If the violation is corrected after the first or second re-inspection, additional inspections are allowed only if a request, complaint or referral is received about the TPID.

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.

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 four (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.

In general, all activities related to planning and performing inspections of active businesses with 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 WTMS and the grantee's own database of inspections, to develop a complete Plan of Inspections to be performed during the Grant Performance Period.
- Training on how to perform inspections, including on-the-job inspection training for new grantee tire enforcement staff.
- 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 including maintaining files of Inspection Report copies.
- 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.
- Correcting Survey and Inspection Reports when requested 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 CalRecycle Referral Form (CalRecycle 228) 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.

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.

Training

Reimbursement for training is limited to tire enforcement staff and supervisors. 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 must be supported by a compelling justification. 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.

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 inspector to each of these events):
 - CalRecycle-sponsored waste tire Round Tables
 - WTMS Training
 - Annual Technical Training Series or similar name
- Attending the following eligible non-mandatory training:
 - CalEPA sponsored Enforcement Symposium
 - Basic Inspector Academy
 - Conducting Effective Interviews for Inspectors
 - Environmental Enforcement Training
 - Basic and refresher health and safety classes
- 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.
- Travel and per diem
 - All travel costs must be in accordance with the [California State Travel policies](http://www.calhr.ca.gov/employees/Pages/travel-reimbursements.aspx) (<http://www.calhr.ca.gov/employees/Pages/travel-reimbursements.aspx>). Reimbursable mileage and other travel expenses (per diem) may not exceed the state rates as set forth in the State Administrative Manual.

Transportation

Transportation necessary to perform waste tire enforcement activities is eligible. The amount requested under Transportation must be less than or equal to 10 percent of the total approved Budget. 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](http://www.calhr.ca.gov/employees/Pages/travel-reimbursements.aspx) (<http://www.calhr.ca.gov/employees/Pages/travel-reimbursements.aspx>). Reimbursable mileage and other travel expenses (per diem) may not exceed the state rates as set forth in the State Administrative Manual. Documentation submitted for travel reimbursement must include departure and return times and dates.

INELIGIBLE COSTS

Any costs not specifically included in the approved Budget, not specifically listed in the Procedures and Requirements and not directly related to performance of eligible activities are ineligible for reimbursement. Contact the Grant Manager if clarification is needed. Ineligible costs include, but are not limited to:

- Costs incurred prior to the date of the Notice to Proceed (NTP) letter or after June 29, 2016.
- Expenditures outside the grantee's jurisdiction(s), or not specified in the approved Budget.
- Any costs that are not consistent with local, state, and federal laws, guidelines and regulations.
- Costs associated with Amnesty Day events, such as creating and distributing hauler exemption letters.
- Enforcement activities related to tire storage or disposal when 499 or fewer waste tires are present.
- Investigating reports of local code violations that don't involve waste tires.
- Educational activities provided to the general public via small and large community events such as car shows, earth fairs, 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 TEA22 grant application.
- Responding to CalRecycle questions about the grantee's TEA20 or TEA21 final Payment Request, Progress Reports, and supporting documentation.
- Costs that the Grant Manager deems unreasonable, excessive, ineligible, inappropriate, duplicative or not related to the TEA Grant Program.

BUDGET CHANGES

Any proposed revision(s) to Budget must be submitted in writing and pre-approved in writing by the Grant Manager prior to grantee incurring the proposed expenditure. The approval document should be retained by the grantee for audit purposes. See Audit Record/Access section of the Terms and Conditions (Exhibit A).

The Budget in GMS describes the approved grant activities and costs and becomes 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 Budget.

The grantee may also adjust allocated funds between the education, training (except for mandatory training subcategory), equipment, and transportation categories of the Budget, provided that the total of all changes not exceed the greater of \$5,000 or 10 percent of the grant award.

No operational or financial reductions to the inspection and enforcement categories or mandatory training subcategory are permitted without a compelling justification and pre-approval, in writing, by the Grant Manager. 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 GMS. All operational and financial adjustments must also be reflected in the Progress and/or Final Progress Report, as applicable. Retain all notifications to and approvals from the Grant Manager in your grant file for audit purposes.

Changes to the inspection and/or enforcement categories must be requested before submitting the final Payment Request. All requested changes must 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 Grant 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.

REPORTING REQUIREMENTS

A Mid-Year Progress Report and a Final Progress Report are required by this Agreement; however, the Grant Manager may request a Progress Report at any time during the Grant Performance Period. These reports are used to support Payment Requests and evaluate grantee performance. A minimum of one Mid-Year and one Final Progress Report are required.

Download the [Progress Report \(CalRecycle 737-PR-TEA\)](http://www.calrecycle.ca.gov/Grants/Forms/) (<http://www.calrecycle.ca.gov/Grants/Forms/>). All reports must be uploaded in GMS.

For further instructions regarding GMS, including login directions, see the section above entitled, Grant Management System.

To upload a report:

1. Go to the **Reports** tab.
2. Click on the appropriate Report Type.
3. Click on the **Add Document** button.
4. Choose the Document Type, enter a document title, click the **Browse** button to search and upload the document, and then **Save**.
 - You may upload multiple documents to complete reporting requirements.
 - The maximum allowable file size is 35MB.
5. Click the **Submit** button when the report is complete.

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 be considered a breach of this Agreement and 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.

PROGRESS REPORT

The grantee must submit a **Mid-Year Progress Report** by **February 29, 2016**. This report shall cover grant activities that occurred from the date indicated on the NTP through **December 31, 2015**.

FINAL PROGRESS REPORT

The **Final Progress Report** is due **September 30, 2016**. This report should cover grant activities from **January 1, 2016** through **June 29, 2016**. The following items must be included:

1. The Grant Number, Grantee's name and Grant Term. The following disclaimer statement on the cover page:
"The statements and conclusions of this report are those of the grantee and not necessarily those of the Department of Resources Recycling and Recovery (CalRecycle), its employees, or the State of California. The state makes no warranty, express or implied, and assumes no liability for the information contained in the succeeding text."

GRANT PAYMENT INFORMATION

1. Payment to the grantee for eligible grant expenses is made on a reimbursement basis only and for only those materials and services specified in the approved grant application.
2. Reimbursement may be requested only twice during the Grant Term. In conjunction with (or after) submission of the Progress Report and in conjunction with the Final Progress Report.
3. The grantee must submit the required Progress Report/Final Progress Report, and the Grant Manager must approve the report prior to, or concurrent with, submission of the Grant Payment Request.
4. The grantee must submit a completed Grant Payment Request and provide supporting documentation as described in the "Payment Request and Documentation" section for completed project(s) only.

5. Grant payments will only be made to the grantee.
6. Ten percent of each approved Grant Payment Request will be withheld and retained until all conditions stipulated in the Agreement, including submission and Grant Manager approval of the Progress and/or Final Progress Report, have been satisfied. Reimbursement of the ten percent retention will be released with the final Grant Payment Request.
7. CalRecycle will make payments to the grantee as promptly as fiscal procedures permit. The grantee can typically expect payment approximately 45 days from the date a Grant Payment Request is approved by the Grant Manager.

PAYMENT REQUEST AND DOCUMENTATION

Payment requests must be submitted in GMS. *For further instructions regarding GMS, including login directions, see the section above entitled, Grant Management System.*

To submit a Grant Payment Request:

1. Go to the **Payment Request** tab.
2. Click on the **Create a Payment Request** button.
 - Choose **Reimburse** for the Transaction Type and enter the amount spent in each budget sub category.
 - When the transaction is complete, click the **Save** button.
 - After the transaction is saved, the **Upload Supporting Documentation** button will appear in the lower right corner.
3. Click the **Upload Supporting Documentation** button.
 - Type a title, select the appropriate Document Type, click the **Browse** button to search and upload the document, and then **Save**.
 - Select the **Back** button to upload another document and continue this process until all required supporting documents as listed below are uploaded.
 - The maximum allowable file size for each document is 35MB.
4. Click the **Submit Transaction** button, located on the transaction page, to complete your payment request (including uploading all the documents listed below).

Supporting Documentation

- A. A scanned copy of the **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, MS 13A P.O. Box 4025 Sacramento, CA 95812-4025	Department of Resources Recycling and Recovery TEA Grant Program FiRM Branch, MS 13A 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.

- B. TEA Personnel Expenditure Summary (CalRecycle 767)
- C. Expenditure Itemization Summary (CalRecycle 736)
- D. CalRecycle Waste Tire Surveillance Form (CalRecycle 229) for all surveillance activities
- E. Travel Expense Log Form (CalRecycle 246) for hotel, meals, per diem and other expenses, hotel receipts and other receipts for conference fees, tuition, etc.
- F. Mileage logs
- G. Hourly Rate Document
 - 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. The documentation shall show how the rate is calculated including all fees and charges it comprises.
 - 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*).
- H. 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).
- I. Agenda(s) or certificate of completion 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.
- J. Copies of educational materials created and/or published and photographs of signs/displays paid with TEA 22 funds.
 - Outreach materials include brochures, presentations, etc. For large items such as billboards, displays, signs, grantees must submit a photograph of the item with the Payment Request.

All forms listed above can be downloaded from the [CalRecycle Grant Forms website](http://www.calrecycle.ca.gov/Grants/Forms/) (<http://www.calrecycle.ca.gov/Grants/Forms/>).

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:

- 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 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 of Supervisors or Council 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 of Supervisors or City Council-approved rates include a variety of cost components, 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 the cost calculations show those costs were not included as a component of the Board of Supervisor or City 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. Grantees must employ an indirect cost rate that is prepared annually by their accounting, finance or budget office or external accounting contractor.

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.

Grantees must maintain, and shall 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, 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 Grant Agreement or suspension of any outstanding grant Payment Requests.

AUDIT CONSIDERATIONS

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 or grant term end date, whichever is later. A longer period of records 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 ledger, payroll register entries, time sheets, personnel expenditure summary form, travel expense log, paid warrants, contracts and change orders, samples of items and materials developed with grant funds, invoices and/or cancelled checks. Please refer to the Terms and Conditions (Exhibit A) for more information.