

## REQUEST FOR APPROVAL

**To:** **Howard Levenson**  
Deputy Director, Materials Management and Local Assistance Division

**From:** **Michelle Martin**  
Acting Branch Chief, Financial Resources Management Branch

**Request Date:** April 1, 2014

**Decision Subject:** Awards for the Local Government Waste Tire Enforcement Grant Program  
(Tire Recycling Management Fund, FY 2013/14)

**Action By:** April 15, 2014

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### **Summary of Request:**

Staff requests approval of grant awards for the Local Government Waste Tire Enforcement (TEA) Grant Program, Fiscal Year (FY) 2013/14. CalRecycle received 48 applications, of which 47 were eligible applications requesting a total of \$7,873,333.

### **Recommendation:**

Staff recommends approval of 47 grant awards, as listed in Table 1 below, for \$7,000,000. If additional FY 2013/14 Tire funds become available, staff is recommending an additional \$440,456 to 29 of the 47 eligible applicants as identified in Table 2 and described in the *Criteria and Process* section below.

**Table 1. Local Government Waste Tire Enforcement Grant Program Recommended Award List**

<b>Applicant</b>	<b>Total Award</b>
Alameda County	\$338,850
Butte County	\$33,645
Calaveras County	\$59,917
City of Adelanto	\$18,825
City of Bakersfield	\$58,562
City of Berkeley	\$129,690
City of Fresno	\$285,000
City of Lancaster	\$104,710
City of Los Angeles	\$76,138
City of Madera	\$13,809
City of Modesto	\$30,120
City of Pittsburg	\$17,500
City of San Diego	\$203,500
City of Sunnyvale	\$27,399
City of Victorville	\$65,643
Contra Costa County	\$220,628
El Dorado County	\$52,483
Fresno County	\$300,000
Glenn County	\$21,837

<b>Applicant</b>	<b>Total Award</b>
Imperial County	\$96,244
Kern County	\$270,000
Lake County	\$29,784
Los Angeles County	\$513,000
Madera County	\$201,149
Marin County	\$59,519
Mendocino County	\$30,656
Merced County	\$120,000
Monterey County	\$134,892
Napa County	\$83,600
Nevada County	\$74,805
Orange County	\$379,994
Placer County	\$254,497
Riverside County	\$600,000
Sacramento County	\$309,000
San Diego County	\$164,729
San Joaquin County	\$220,000
San Luis Obispo County	\$37,589
San Mateo County	\$61,746
Santa Barbara County	\$35,391
Santa Clara County	\$364,500
Solano County	\$191,000
Sonoma County	\$245,446
Stanislaus County	\$123,500
Tehama County	\$70,355
Tuolumne County	\$38,528
Yolo County	\$129,505
Yuba County	\$102,315
<b>Total</b>	<b>\$7,000,000</b>

**Table 2: Local Government Waste Tire Enforcement Grant Program Recommended Awards, if Additional Funds Become Available**

<b>Applicant</b>	<b>Total Award</b>
Alameda County	\$6,150
Butte County	\$11,036
Calaveras County	\$3,154
City of Adelanto	\$6,175
City of Bakersfield	\$1,438
City of Berkeley	\$14,310
City of Fresno	\$15,000
City of Madera	\$4,529
City of Modesto	\$9,880
City of Sunnyvale	\$4,601
Glenn County	\$7,163
Imperial County	\$15,279
Kern County	\$30,000

Applicant	Total Award
Lake County	\$9,770
Los Angeles County	\$37,000
Madera County	\$48,851
Marin County	\$3,481
Mendocino County	\$3,344
Napa County	\$4,400
Nevada County	\$8,195
Sacramento County	\$52,403
San Diego County	\$27,936
San Luis Obispo County	\$1,978
San Mateo County	\$20,254
Santa Clara County	\$40,500
Sonoma County	\$27,272
Stanislaus County	\$6,500
Tuolumne County	\$14,472
Yuba County	\$5,385
<b>Total</b>	<b>\$440,456</b>

**Funding:**

The Five-Year Plan for Waste Tire Recycling Management Program – (7<sup>th</sup> Edition covering Fiscal years 2013/14-2017/18) allocates \$7,000,000 for the TEA Grant Program, FY 2013/14.

Fund Source	Amount Available	Amount to Fund Item	Amount Remaining	Line Item
Tire Recycling Management Fund (FY 2013/14)	\$7,000,000	\$7,000,000	\$0	Local Assistance/Grants
<b>Total</b>	\$7,000,000	\$7,000,000	\$0	

**Deputy Director Action:**

On the basis of the information and analysis in this Request for Approval and the findings set out herein, I hereby conditionally approve the grant awards for the TEA Grant Program as listed in Table 1. Each proposed grantee's award is conditional upon:

1. The full payment within 60 (sixty) days of the date of this grant award of all outstanding debt(s) or scheduled payment(s) owed by the proposed grantee to CalRecycle.
2. The return by the proposed grantee of a completed and executed Grant Agreement within 60 (sixty) days from the date that CalRecycle staff emails the Grant Agreement.

Dated: 4/7/14

  
 Howard Levenson  
 Deputy Director

## **Background and Findings:**

### Statutory Authority

Public Resources Code (PRC) Section 42889(b)(4) requires the Department of Resources Recycling and Recovery (CalRecycle) to consider designating a city, county, or city and county as the local enforcement authority for storage of waste and used tires. This section also states that if a local entity is designated for this purpose, sufficient, stable and non-competitive funding, based on available resources, shall be provided by CalRecycle.

In July 2013, CalRecycle adopted the draft *Five-Year Plan for the Waste Tire Recycling Management Program (7<sup>th</sup> Edition covering Fiscal years 2013/14-2017/18) Report to the Legislature* (Draft Five-Year Plan). The Draft Five-Year Plan allocates \$7,000,000 to the TEA Grant Program for FY 2013/14.

### Program Background

TEA grants are available, on a non-competitive basis, to all cities and counties having 50 or more active waste tire facilities in their jurisdictions, and existing TEA grantees that have demonstrated satisfactory performance, as determined by CalRecycle. The purpose of the TEA Grant Program is to provide sufficient and stable funding to eligible applicants for the enforcement of waste and used tire permitting, movement and storage laws and regulations.

Grant funds may be used for certain expenditures necessary to implement local waste tire inspection, surveillance and enforcement activities for CalRecycle. Typical eligible expenditures include, but are not limited to: conducting required inspections and enforcement activities, attending or providing training, and purchasing necessary equipment such as surveillance equipment, GPS units, etc.

### Criteria and Process

Eligibility criteria and the evaluation process were discussed at the October 15, 2013, CalRecycle meeting and subsequently approved by the Deputy Director. The Notice of Funds Available was placed on the CalRecycle website with applications due December 17, 2013. The grant term is from the beginning date contained in the individual grantee's Notice to Proceed, through September 30, 2015.

CalRecycle received 48 applications, of which 47 were eligible requesting a total of \$7,873,333. One application was disqualified because it did not meet the minimum threshold for TPIDs. FY 2013/14 funding is \$7,000,000. Applications were reviewed for completeness and evaluated consistent with the approved eligibility criteria and evaluation process. Due to the program being oversubscribed (more funds requested than available), staff considered the following information, described in the Application Guidelines and Instructions, to determine the recommended grant amount for each applicant:

- The number of active permitted sites and other businesses with TPIDs.
- Known threats to public health and safety or the environment.
- The number of waste tire complaints and referrals received in previous grant cycles.
- The number of illegal waste tire dump sites identified in previous grant cycles.
- Grant funds used and/or unused in previous grant cycles.
- The number of inspections completed in previous grant cycles.
- Enforcement and surveillance activities in previous grant cycles.

Based on the above factors, and in consultation with the applicants, staff made adjustments to the requested amounts in order to equal the \$7,000,000 allocation. All of the applicants have been informed of and agreed with their recommended amounts. The recommended amounts are reflected in Table 1.

In addition, demand for the program and the need to perform necessary inspection and enforcement activities has never been greater. Some applicants that reduced staff (and tire-related activity) during the recession are now hiring staff to perform inspection and enforcement activity at pre-recession (or higher) levels. Also, CalRecycle may request that some applicants perform additional targeted education and inspection activities. Since our local partners are reimbursed for appropriate tire-related activities, the amount of funding has a direct correlation on the number of inspections and the performance of other program related activities. Given the initial allocation constraints, some applicants may not believe that they can properly perform all of the grant-related activities.

For FY 2013/14, the initial allocation for the program was \$7,000,000 which was decreased from \$7,775,000 in FY 2011/12 (due to a reduction in Tire Fund spending authority). However, 29 applicants have eligible but unfunded costs that total \$440,456. If additional FY 2013/14 funds become available, staff is recommending that funding for these 29 applicants be augmented by a total of \$440,456, distributed according to Table 2.

