

# **Exhibit B Procedures and Requirements**

## **Local Government Waste Tire Enforcement Grant Program**

### **27<sup>th</sup> Cycle—Fiscal Year 2019–20**

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

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# Introduction

The Department of Resources Recycling and Recovery (CalRecycle) administers the Local Government Waste Tire Enforcement (TEA) Grant Program. 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, and records and audit requirements.

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

## Milestones

**Notice to Proceed (NTP) Date or June 30, 2020:** Grant Term and Grant Performance Period Begins on date indicated on the Notice to Proceed email

**February 26, 2021:** Mid-year Progress Report Due

**June 29, 2021:** Grant Performance Period Ends

**June 30, 2021–September 30, 2021:** Report Preparation Period

**September 30, 2021:** Final Report and Final Payment Request Due

**September 30, 2021:** Grant Term End

## Grants Management System (GMS)

GMS is CalRecycle's web-based grant application and Grants 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 begins on the date of the Notice to Proceed (NTP) email and ends on September 30, 2021. Eligible program costs must be incurred after the NTP email and before the September 30, 2021.

The Grant Performance Period begins on the date of the NTP email and ends on June 29, 2021.

The Report Preparation Period is from June 30, 2021 to September 30, 2021. **Costs incurred to prepare the Final Report and final Payment Request are the only costs that are eligible for reimbursement during the Report Preparation Period.**

The Final Report and final Payment Request are due on September 30, 2021.

## Eligible Costs

All grant expenditures must be for activities, products, and costs specifically included in the approved Budget. To be eligible for reimbursement, costs must be incurred after receiving an NTP email and before the end of the Grant Performance Period. All services must be provided, and goods received during this period in order to be eligible costs. Invoices for goods and services must be paid by the grantee prior to the inclusion of those goods or services on a payment request.

**Exception:** On a case-by-case basis, the Grant Manager may consider approving delivery of goods after the Grant Performance Period if the cost was incurred after receiving an NTP email and before the end of the Grant Performance Period. The delivery of goods date must be on or before the Grant Term end date. The grantee must submit the request in writing via email and receive written approval from the Grant Manager.

Any proposed revision(s) to the Budget must be submitted in writing and pre-approved in writing by the Grant Manager prior to the grantee incurring the proposed expense.

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 following activities are eligible under Inspections, Enforcement, Training, Education, and should be charged under the appropriate category (i.e. inspection training under Inspection budget):

- Coordination with other grantees, when both the city and county in which they are located are grantees, to ensure no duplication or gaps in activities.
- Attendance at grant-related meetings of the grantee's tire enforcement staff.
- Staff time spent on grant-related activities (i.e., providing education, receiving training, maintaining files, communicating with CalRecycle about grant requirements, waste tire facility permitting, hauling, storage and disposal laws, regulations and procedures).
- Development of tools to track activities including maintaining files.
- Activities related to improving or correcting performance on inspections and associated activities with CalRecycle Inspectors and the Grant Manager.
- Writing of policies, processes and procedures for tracking and reporting staff time, activities and costs.

## **Administrative Costs**

Administrative costs must be less than or equal to 15 percent of the total approved Budget.

The following administrative activities/costs are eligible:

- Preparation and submittal of Progress Reports, Payment Requests, and all other required documents, forms and information.
- Grant-related communication with the Grant Manager, Evaluation staff, Enforcement staff and state auditors.
- Compliance activities related to performance evaluation or audits.
- Costs related to performance evaluation or audits.
- Development and maintenance of a system to accurately capture and report staff time, activities for waste tire enforcement, including records.
- Personnel administration related to hiring, supervising, or evaluating TEA grant staff.
- Preparation and submittal of the next cycles grant application.
- Administrative functions for which there is a direct and demonstrable link to implementation of the TEA grant.

## **Education**

The amount requested and reimbursed under Education must be less than or equal to 10 percent of the approved Budget. Eligible education activities and costs are as follows:

1. Identifying new Tire Program Identification (TPID) numbers, which may include:
  - Obtaining Waste Tire Management System (WTMS) reports of newly issued TPID numbers; or
  - Canvassing business areas to determine if new or established businesses perform waste tire activities.

2. Printing and distributing [CalRecycle Tire Program Educational Brochures](http://www.calrecycle.ca.gov/tires/enforcement/Grantee/Resources.htm). (<http://www.calrecycle.ca.gov/tires/enforcement/Grantee/Resources.htm>) when conducting educational visits for TPID numbers.
3. Informing businesses and business owners/operators about applicable waste tire laws and regulations and available compliance resources.
4. Providing tire-related education to [Local Conservation Corps](https://www.calrecycle.ca.gov/Funding/LocalCC/) (<https://www.calrecycle.ca.gov/Funding/LocalCC/>).
5. Providing other outreach activities requested or approved by CalRecycle.

## Enforcement

### Enforcement Actions and Surveillance

Eligible enforcement and surveillance activities include steps taken beyond normal inspection activities to identify illegal waste tire activity and collect evidence as defined below.

1. Eligible, enforcement and surveillance activities **must** be directly related to identifying, researching, surveilling, investigating, and/or documenting at least one of the following issues:
  - Illegal (unpermitted) waste tire storage sites and activities with 500 or more waste tires.
  - Individuals responsible for illegal dumping of waste tires.
  - Private property on which illegal dumping of waste tires is occurring or has occurred with 500 or more waste tires.
    - i. **Note:** (Private property with more than 500 illegal stored waste tires must be referred to CalRecycle for enforcement prior to seeking remediation.)
  - Unregistered waste tire haulers hauling 10 or more waste or used tires.
2. Eligible enforcement and surveillance activities may include the following activities:
  - Coordinating and working with CalRecycle, the California Highway Patrol, local District Attorney (DA), task forces, other TEAs, and local law enforcement on:
    - Gathering and sharing of information and resources.
    - Providing training to local law and code enforcement personnel within the TEA jurisdiction to encourage referrals or citations.
    - Establishing and conducting checkpoints to identify unregistered waste tire haulers.
    - Attending administrative, court and/or CalRecycle hearings and supporting case development.
  - Assisting CalRecycle with investigations and referrals by:
    - Making waste tire enforcement referrals, as approved or required.
    - Investigating waste tire referrals, complaints, violations, discrepancies, legal records searches, etc., as requested.
    - Obtaining inspection warrants and other warrants as needed in participation with local law enforcement activity.
    - Performing interviews and field investigations to develop enforcement cases.
    - Research databases and document past enforcement activity.

- After appropriate enforcement and surveillance, coordinating with other agencies to remediate environmental damage due to illegal dumping and storage of waste tires, including:
    - Reviewing of regulations and procedures.
    - Coordinating with Local Conservation Corps for cleanups, and other related activity.
    - Coordinating with CalRecycle for cleanup and lien options.
  - Record Keeping
    - Producing and maintaining of documents and files to track waste tire enforcement-related activities.
3. Grantees must report enforcement and surveillance activities to the CalRecycle Inspection Liaison as follows:
- Report within 15 calendar days 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.
  - Document and report all surveillance activities by completing the CalRecycle Waste Tire Surveillance/Field Patrolling form (CalRecycle 229).
  - Report within 15 calendar days all waste tire enforcement referrals, as approved or required. See Inspection section below.

### **Field Patrolling and Small Tire Pile Cleanup**

Field Patrolling is an enforcement activity with the sole purpose of reducing and deterring illegal hauling and dumping of waste tires. All field-patrolling activities must be documented and supported by completing the CalRecycle Waste Tire Surveillance/Field Patrolling Form (CalRecycle 229). Eligible field patrolling activities may include preparing and planning, follow-up on illegal dumping complaints and referrals, patrolling locations with known illegal waste tire dumping, and cleanup of small tire piles on public land with 35 tires or less including disposal fees. The grantee shall be limited to 15 percent of the total approved Budget, and adhere to the following:

1. The grantee must report field patrolling activities using the Waste Tire Surveillance/Field Patrolling form (CalRecycle 229). The form must:
  - List violations given to individuals for illegal waste tire dumping or unregistered waste tire hauling.
  - Include a summary of illegally dumped waste tires discovered and remediated.
2. The grantee shall be limited to patrolling the same location twice semiannually, unless otherwise approved by CalRecycle.

### **Equipment**

Only equipment, materials and supplies necessary to perform eligible waste tire activities under the TEA Grant are eligible for reimbursement and shall be limited to 10 percent of the total approved Budget. The grantee may claim only the cost of an item that is proportionate to its use.

1. Eligible equipment must be listed in the approved Budget. The following are examples of eligible equipment:
  - Personal Protective Equipment: including boots, reflective vests or logo/identifying windbreakers, hard hats/sun hats, gloves, face masks, safety glasses.

- Field equipment: including measuring devices, GPS, binoculars, camera and accessories, clipboards, cell phones, mobile Wi-Fi hotspots and cell service.
- Computers or tablets and related standard accessories.

## Indirect Costs

Grantees may request reimbursement for indirect cost not to exceed 20 percent of the direct costs in the approved budget. Grantees that fully expend their grant are limited to 20 percent indirect costs, or the agency's actual indirect cost rate, whichever is less.

Grantees must employ an indirect cost rate methodology that conforms to Generally Accepted Accounting Principles and which is prepared by the grantee's accounting, finance or budget office, or external accounting contractor.

Grantees must maintain and shall provide if requested, documentation to support indirect charges and the components thereof. The methodology used to calculate these costs must be appropriately applied and consistent within their accounting system.

## Inspections

Inspections are the core component of the grant and the activity on which the grantee shall spend most of its time and money. Unless otherwise approved, the eligible activities are listed below, and the grantee must perform inspection activities in accordance with the following:

1. **Priority and Eligibility.** The grantee shall inspect TPID numbers listed in the Inspection Priority Work Plan (Work Plan) provided by CalRecycle with the NTP email and as described below. Any other inspection activities require prior written approval by the CalRecycle Inspector Liaison. If any of the below are not achieved, CalRecycle may withhold payment.
  - All inspections on the "Inspection Priority Work Plan" must be completed by June 29, 2021. If any TPID numbers on the Work Plan should not, or cannot be inspected, the reason must be noted on the Work Plan.
  - Active TPID numbers with an outstanding Notice of Violation (NOV) must be inspected within 15 calendar days of the compliance deadline.
    - 1) Grantees may make referrals to CalRecycle after the first inspection but must do so within 15 calendar days and as described under Inspection Referrals.
  - The grantee shall inspect tire locations or refer to CalRecycle within 15 calendar days, under the following circumstances and as directed below:
    - 1) If requested by the CalRecycle Inspector Liaison.
    - 2) The grantee receives a waste tire regulation related complaint or becomes aware of:
      - An illegal waste tire facility with 500 or more waste tires (unpermitted as defined in 14 CCR 18420).
      - An illegal waste or used tire hauler (unregistered as defined by 14 CCR 18451).
      - A tire location that poses an immediate risk or threat to public health and safety, and/or the environment. (This



does not apply to illegal sites CalRecycle is aware of and/or actively pursuing enforcement actions against.)

3) Grantees must note on the Inspection Report the information they received that necessitated the inspection and must mark “Referral” as the Inspection Type.

- If all TPID numbers listed in the Inspection Priority Work Plan can and will be inspected within the grant performance period, the grantee may inspect active TPID numbers not on the Inspection Priority Work Plan any time during the grant performance period except for ineligible inspection activities listed below. Inspection scheduling is the responsibility and at the discretion of the grantee.
- Only Inspections at the following frequencies are eligible:
  - Only one routine inspection is allowed per active TPID number.
  - A maximum of two re-inspections may be performed per active TPID number if a NOV was documented during the original routine inspection.
  - Only one observation inspection may be performed, as described below, per active TPID number.
  - Only one educational inspection may be performed per each active, new, never-inspected TPID number within the grant performance period.
- Only the following are eligible inspection activities:
  - On-the-job inspection training for TEA staff.
  - Scheduling and pre-inspection researching.
  - Physically inspecting the TPID number locations, taking photographs, interviewing personnel, writing and submitting a complete and correct inspection report.
  - Researching, updating or correcting WTMS records and the grantee's database.
  - Providing technical assistance to tire businesses during or after an inspection on waste tire laws and regulations.
  - Conducting an observation inspection if a TEA inspector is in the field conducting other eligible waste tire activities and observes a potential violation.

**Note:** The Inspection Report must note the type of inspection that was conducted based on the circumstances that prompted the inspection, e.g. “Observation,” “Referral,” “Routine,” etc.

- Inspection reports may only be completed when the inspector performs an inspection at the TPID number’s physical address.

**Note:** When the grantee learns of a new or changed TPID number site (physical) address, that information must be submitted to the Waste Tire Hotline (toll-free 1-866-896-0600 or [WasteTires@CalRecycle.ca.gov](mailto:WasteTires@CalRecycle.ca.gov)) or to the CalRecycle Inspector Liaison assigned to the grantee within seven calendar days and be noted on the Inspection Report.

- Ineligible inspection activities include inspections of the following except as otherwise pre-approved in writing or requested by the CalRecycle Inspector Liaison. If you find a TPID number has been included on your Work Plan that you believe is ineligible based on the following, **do not**

**inspect it.** Contact your CalRecycle inspector liaison for confirmation or written approval:

- Locations where the TPID number does not have a site (physical) address in the grantee's jurisdiction or at an address that is not listed in WTMS
- Closed TPID numbers (refers to the TPID number's Business Status in the WTMS)
- Farm/Ranch/Dairy/Ag Sites
- Tribal Lands
- Permitted Major or Minor Waste Tire Facilities
- Small quantity generators (SQG)—SQG refers to the TPID number's Business Role identified in the WTMS

**Note:** Inspections of SQGs included on the Inspection Priority Work Plan are considered approved.

2. **Quality of Inspections.** Inspections shall be conducted in a manner consistent with state laws and regulations, and according to CalRecycle guidance and business practices implementing sound investigative techniques, and as described below:

- For each inspection conducted, at a minimum, the grantee inspector shall:
  - 1) Complete a pre-inspection review of hauler records, CTLs, WTMS, authorizations, prior inspections and enforcement actions prior to inspections.
  - Obtain permission to inspect, either explicit or implied, from appropriate facility personnel documenting the name and title of the person who granted permission (including taking photos).
  - Conduct a visual inspection to verify the TPID certificate is posted and correct.
  - Determine a waste tire count for the facility using an appropriate method.
  - Complete a review of the Comprehensive Trip Logs (CTLs) and/or waste tire receipt and disposal records documenting any discrepancies found.
  - Make an assessment of compliance/noncompliance with all applicable waste tire regulations including storage and disposal standards for facilities storing greater than 499 waste tires.
  - Verify that the information in WTMS is current and accurate, including operational status, exclusions, addresses, owners, operators, facility contacts, etc. If discrepancies are noted, the inspector shall submit corrections to the Waste Tire Hotline or to the CalRecycle Inspector Liaison assigned to the grantee within seven calendar days. Inspectors are also to note these corrections in the inspection report.
- The grantee inspector shall fill out inspection reports completely and thoroughly to accurately reflect compliance/noncompliance at the facility in accordance with guidance provided in the [Grantee Toolbox](http://www.calrecycle.ca.gov/tires/enforcement/Grantee/) ([www.calrecycle.ca.gov/tires/enforcement/Grantee/](http://www.calrecycle.ca.gov/tires/enforcement/Grantee/)), and according to training provided by CalRecycle, and as follows:
  - 1) Thorough and accurate notes must be included to document the representative granting permission to inspect, updated facility

information, additional inspectors present during the inspection, status and location of posted TPID certificate, findings of the CTL/disposal records review, and tire count including methods and calculations.

- 2) Violations shall be cited using the correct code sections pertaining to the specific violation.
  - 3) Violations and corrections to violations shall be noted on the inspection report and supported with written comments and documentation of observations made to warrant a violation. Documentation may include photographs, description of conditions at the site, information gathered through interviews, and any other documentation which supports violations or corrections of violations.
  - 4) Statements or directives the inspector made to the owner/operator must be noted in the report.
  - 5) Any additional information shall be included which would support a future enforcement action and that would enable the report to stand on its own without any explanations or additional information.
- Inspection reports must be submitted according to established CalRecycle business practices.
    - Inspection reports must be submitted no later than 15 calendar days after the inspection date. All inspection reports must be submitted electronically using the WTMS e-reporting process.
    - One inspection report is to be submitted per TPID number, regardless of whether there are multiple roles noted in WTMS for the TPID number.
  - All inspections resulting in the issuance of a NOV may result in a referral to CalRecycle for enforcement action. Enforcement Referrals to CalRecycle shall be on the CalRecycle 228 Form and shall be handled in the following manner:
    - 1) On the first inspection the grantee shall:
      - Advise the TPID number owner, operator and/or representative of the violation(s) and provide them a copy of the [CalRecycle Notice of Violation and Citable Offenses Handouts](https://www.calrecycle.ca.gov/Tires/Enforcement/Inspections/Forms) (<https://www.calrecycle.ca.gov/Tires/Enforcement/Inspections/Forms>).
      - Document on the Inspection Report in detail:
        - a. To whom and how the NOV and Citable Offenses handouts were delivered (e.g., in person, by mail or email).
        - b. Description of all violations noted and specifically what needs to be corrected.
        - c. Compliance deadline date when all violations must be corrected.
          - i. This date shall be no more than 30 calendar days following the date of the inspection, except for inspections where the violations are limited only to recordkeeping or manifest requirements. In this case, the compliance

deadline date shall be between 45 and 90 calendar days after the date of the inspection and shall be set in a timeframe that allows an adequate number of records to have been processed, providing a significant sample set by which to assess whether corrective action has been taken.

- Immediately refer the TPID number and violation to CalRecycle to allow for expedited enforcement if the violation is significant, chronic, or if it is anticipated that the violation will not be corrected,

2) On the second inspection (first re-inspection) the grantee shall:

- Re-inspect the site within 15 calendar days of the NOV compliance deadline date.
- Include in the inspection report written documentation and evidence (photographs, copies of documents, etc.) that address all of the same violation(s) using the same citations as documented in the previous inspection, by documenting all of the following:
  - a. Evidence of correction of the violation(s).
  - b. Partial correction(s) or good faith effort made, the justification of the extension, and the new compliance deadline date, not to exceed 30 calendar days following the date of the re-inspection.
  - c. Continued violation(s) without significant good faith, and referral of the TPID number and uncorrected violation(s) to CalRecycle for further enforcement action.
- Document any new violations noted during the inspection.

**Note:** New violations noted during a re-inspection do not extend the limit of two re-inspections authorized under the Grant.

3) If applicable, on the third inspection (second re-inspection) the grantee shall:

- Re-inspect the site within 15 calendar days of the extended NOV compliance deadline date.
- Include in the inspection report written documentation and evidence (photographs, copies of documents, etc.) that address all of the same violation(s) using the same citations as documented in the previous inspections, by documenting all of the following:
  - a. Evidence of correction of the violation(s).
  - b. Continued violation(s) and referral of the TPID number and uncorrected violation(s) to CalRecycle for further enforcement action.
- Document any new violations noted during the inspection.
- Refer the TPID number and violation(s) to CalRecycle for further enforcement action if all violations were not corrected, and/or new violations were documented during the re-inspection.

- Referrals must be made by completing and submitting to the CalRecycle liaison the [CalRecycle Referral Form \(CalRecycle 228\)](https://www.calrecycle.ca.gov/docs/cr/tires/Forms/Inspection/CalRecycle228.pdf) (<https://www.calrecycle.ca.gov/docs/cr/tires/Forms/Inspection/CalRecycle228.pdf>) to [WasteTires@calrecycle.ca.gov](mailto:WasteTires@calrecycle.ca.gov), and indicating the referral in the Enforcement Status section of the inspection report.
  - The referral shall be made within 15 calendar days following the re-inspection and must include the date of the inspections, and any other documentation and evidence not already submitted to CalRecycle with the previous inspection reports.  
**Note:** CalRecycle will provide training and assistance on the above requirements as needed or requested. If an inspection report is determined inadequate, the grantee will be responsible for correcting errors as identified by CalRecycle.
3. **Timeframes.** Inspections and referral documents shall be submitted in a timely manner, as follows:
- All inspection reports shall be delivered to the TPID number representative or owner/operator and be submitted electronically to CalRecycle within 15 calendar days following the inspection date.
  - All NOV's shall be issued with a compliance date 30 calendar days or less, unless NOV is only limited to recordkeeping and manifest requirements.
  - For inspections resulting in violations, of only recordkeeping and manifest requirements contained in 14 CCR 17357 and 14 CCR 18459.2.1 through 18462, the compliance deadline date shall be set between 45 and 90 calendar days from the date of the inspection. The compliance deadline date must be set within this timeframe with the intention of providing adequate time for a significant sample set of records to be generated, by which to analyze and assess whether compliance has been achieved.
  - The first re-inspections (for NOV) shall be conducted within 15 calendar days following the compliance deadline date.
  - The second re-inspections (for NOV), if applicable, shall be conducted within 15 calendar days following the extended compliance deadline date.
  - Outstanding NOV's shall be referred to CalRecycle after the Second Re-inspection or earlier as appropriate.
  - NOV referral packages shall be submitted to CalRecycle within 15 calendar days following the final inspection noting "Referred to CalRecycle" in the Enforcement Status section of the inspection report.
  - All unregistered haulers must be referred to CalRecycle within 15 days following the date of the observed violation using the Hauler Observation Report (CalRecycle 775).
4. **Eligible Costs to Carry out Inspections:**
- Personnel expenditures will be reimbursed based on actual time spent on inspections.
  - The grantee must record actual time spent on all phases of the inspection as detailed in the Eligible Costs section.
  - Time allocated for conducting physical inspections in the field and pre-inspection research shall be reasonable and relative to the state average for similar sites. The timeframe shall be sufficient to conduct a complete and correct inspection.

- Travel time shall be minimized by efficient scheduling (i.e., by grouping inspections by geographic areas).

**Note:** 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 Section 42850(c); (2) enforcing regulations relating to the hauling of waste and used tires, as provided in Public Resources Code Section 42963(b); and (3) fulfilling any other enforcement obligations with which it is charged by statute or regulation.

## Training

Reimbursement for training is for tire enforcement staff, supervisors and any staff working directly on the grant. In-house training is to be charged under the applicable budget category (i.e. inspection training is charged under the inspection budget).

Unless otherwise approved, grantee training requirements and eligibility are as follows:

1. Grantee must maintain and provide to CalRecycle a list of inspectors and lead inspectors, their qualifications and the amount time they are committed to the Program (i.e., percentage or quantity of inspections).
2. All inspectors must be trained and approved by CalRecycle prior to conducting eligible inspections. Existing inspectors may be approved without additional training.
3. The following are **mandatory training** activities:
  - New inspector inspection training (must be provided and approved by CalRecycle)
  - CalRecycle-sponsored waste tire Round Tables<sup>1</sup>
  - WTMS Training<sup>1</sup>
  - Technical Training Series<sup>1</sup>
  - Grant Administration Training
  - Other mandatory training as requested by CalRecycle
4. The following are eligible **non-mandatory training** activities/costs:
  - Meetings, training or conferences requested by CalRecycle
  - Coordinating and hosting CalRecycle-sponsored training events
  - CalEPA sponsored Enforcement Symposium
  - Basic Inspector Academy
  - Conducting Effective Interviews for Inspectors
  - Environmental Enforcement Training
  - Basic and refresher health and safety related classes, including Hazardous Waste Operations and Emergency Response (HAZWOPER)
  - Hauler Training
  - Costs/training approved in the Budget or that have been pre-approved in writing by the Grant Manager
5. When multiple sessions of a training event are scheduled, grantees must attend the session closest to their location. Exceptions must be supported by a compelling justification.

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<sup>1</sup> Grantee must send at least one inspector to each of these events.

6. 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 proportional to the class time devoted to waste tire enforcement.

## Transportation

Eligible transportation costs **are those which are necessary** to perform waste tire activities under the TEA Grant. The total 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:

- **Use of grantee-owned or personal vehicles.** Grantees may claim vehicle usage costs based upon actual mileage of the grantee or the state mileage rate, whichever is less. 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 must use the rate in effect at the time the mileage was incurred.
- **Travel and Travel Expenses.** 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 nor directly related to performance of eligible activities and the approved grant project 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 NTP email or after June 29, 2021.
- Report Preparation Period costs incurred after September 30, 2021.
- 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.
- Investigation, inspection or enforcement of local code violations that do not involve waste tires.
- Educational activities provided to the general public via small and large community events or at events consisting primarily of K-8 children.
- Costs associated with activities related to the use of recycled products.
- Costs that the Grant Manager deems unreasonable, excessive, ineligible, inappropriate, duplicative, disproportionate or not related to the Program.



## Modifications

Any proposed revision(s) to the Budget must be submitted in writing and pre-approved in writing by the Grant Manager prior to grantee incurring the proposed expenditure. Proposed revisions must be clearly marked on the Budget and must be accompanied by a summary of proposed changes/modifications, including the justification(s) for the proposed changes. Costs based on the proposed revisions may not be incurred until Grant Manager approval. If approved, the Grant Manager will upload the final revised Budget to GMS. The approval document(s) should be retained by the grantee for audit purposes. See Audit Record/Access section of the Terms and Conditions (Exhibit A).

To request a budget modification:

1. Complete the current budget document with proposed changes.
2. Email the proposed budget document as an attachment to the Grant Manager. Include a compelling justification in the body of the email.

## Reporting Requirements

A Progress Report and a Final Report are required by this Agreement; however, the Grant Manager may request a Progress Report at any time during the Grant Term. Failure to submit the Final Report with appropriate documentation by the due date 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 grant funding.

All reports must be uploaded in GMS. For further instructions regarding GMS, including login directions, see the section above entitled, Grants 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**.
  - Select the **Back** button to upload another document and continue the process until all required documents as listed below are uploaded.
  - The maximum allowable file size for each document is 35MB.
5. Click the **Submit Report** button to complete your report submittal. The **Submit Report** button will not be enabled until all required reporting documents are uploaded.

[GMS Instructional Videos](https://www.calrecycle.ca.gov/Funding/GMS/) (<https://www.calrecycle.ca.gov/Funding/GMS/>) providing information for grantees to manage their grant are available online.

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.



## Mid-Year Progress Report

The grantee must submit a **Mid-Year Progress Report** by **February 28, 2021**. This report should cover grant activities that occurred from the NTP date through **December 31, 2020**.

## Final Report

The Final Report is due September 30, 2021. This report should cover grant activities **from the NTP** through September 30, 2021. The following four items must be included:

1. Grant Number
2. Grantee's name
3. Grant Term
4. 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 only for those materials and services specified in the approved grant application.
2. Reimbursement may be requested at least twice during the Grant Term. In conjunction with the submission of the Progress Report and in conjunction with the Final Report.
3. The grantee must submit the required Progress Report/Final 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.
5. Caps set within a budget category is calculated from the awarded amount and not the expended amount. Grantees may expend 100 percent of the capped amount without expending 100 percent of the grant budget.
6. Grant payments will only be made to the grantee. It is the grantee's responsibility to pay all contractors and subcontractors for purchased goods and services.
7. 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 Report, have been satisfied.
8. 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

Failure to submit the final Payment Request with appropriate documentation by the due date 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 grant funding.

Payment requests must be submitted in GMS. For further instructions regarding GMS, including login directions, see the section above entitled, Grants 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.
  - Choose the Document Type, enter a document title, 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. The **Submit Transaction** button will not be enabled until all required supporting documents are uploaded.

**Note:** Once a transaction is saved, select the transaction number from the Payment Request tab to access it again. Please do not create multiple transactions for the same requested funds.

### Supporting Documentation

- A. A scanned copy of the **Grant Payment Request form** (CalRecycle 87) with the signature of the signatory or his/her designee, as authorized by grantee's Resolution or Letter of Commitment, must be uploaded to GMS

**Note:** 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) for TEA related personnel hours
- C. Expenditure Itemization Summary (CalRecycle 736)
- D. CalRecycle Inspection Priority Work Plan (Completed Excel file)
- E. CalRecycle Waste Tire Surveillance/Field Patrolling Form (CalRecycle 229) for all surveillance & field patrolling activities
- F. Proof of payment for disposal fees related to small cleanups
- G. Travel Expense Log Form (CalRecycle 246) for hotel, meals, per diem and other expenses, hotel receipts and other receipts for conference fees, tuition, etc.
- H. Certificate of completion for non-mandatory training
- I. Mileage logs
- J. Hourly Rate Document

- K. Cost and Payment Documentation. Acceptable cost and payment documentation must include at least one of each of the following:
- a) Invoices, receipts, or purchase orders must include the vendor's name and telephone number, address, description of goods or services purchased, amount due, and date. The claimed expenses related to TEA should be highlighted and identified on each invoice with multiple program charges.
  - b) Proof of payment may include:
    - i. Copy of cancelled check(s) that shows an endorsement from the banking institution.
    - ii. Invoice(s) showing a zero balance, or stamped "paid" with a check number, date paid, and initials.
    - iii. Accounting system report from local government if it contains the vendor name, date of invoice, invoice number, check number or internal ID, and date amount was paid.
    - iv. Bank statement(s) along with a copy of the endorsed check or invoice showing the check number.
    - v. Copy of an electronic funds transfer confirmation.
    - vi. Copy of a credit card statement(s).

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

## **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.
- Description/listing of the activity/task on which the employee worked for each hour worked.

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.

## **Hourly Personnel Rates**

Grantees may calculate an actual/loaded hourly rate for each employee that includes actual salary, wages, shift differentials, and contractual fringe benefits.

## **Performance Evaluation**

The grantee will be evaluated on its effectiveness in fulfilling the procedures and requirements outlined in this document. Attention will be given to the grantee's ability to carry out its mandatory responsibilities, especially those Inspection functions and Training activities. The evaluations will look at the quality and efficiency, as well as eligible activities in all categories, particularly in Inspections, Enforcement, Education, and Field Patrolling.

# **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, competitive bids, grant amendments if any relating to the Budget or Work Plan, copies of any agreements with contractors or subcontractors if utilized, 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.