

REQUEST FOR APPROVAL

To: Mark De Bie
Deputy Director
Waste Permitting, Compliance, and Mitigation Division

From: Steve Santa Croce
Senior Waste Management Engineer
Engineering Support Branch

Reviewed By: Steve Levine, Legal Office
Anthony Balestreri, Legal Office
Marissa Cota, Fiscal Process and Oversight Unit

Request Date: August 1, 2018

Decision Subject: Eligibility, Scoring Criteria, and Evaluation Process for the Solid Waste Disposal and Codisposal Site Cleanup Grant Program (Solid Waste Disposal Trust Fund, Fiscal Years 2018–19 and 2019–20)

Action By: August 10, 2018

Summary of Request

Staff seeks approval of the proposed eligibility, scoring criteria, and evaluation process for the Solid Waste Disposal and Codisposal Site Cleanup Grant Programs (Program). The current criteria was approved in April 2016 and were effective until June 30, 2018.

The proposed revisions to the scoring criteria include adjusting the points awarded in existing criteria and to add a criterion to consider impacts to California communities that are disproportionately burdened by, and are vulnerable to, multiple sources of pollution. A copy of the proposed revised scoring criteria is included as Attachment 1. Staff is also seeking approval of reducing the number of cycles from three to two.

Recommendation

Staff recommends approval of the proposed eligibility, scoring criteria, and evaluation process for the Solid Waste Disposal and Codisposal Site Cleanup Grant Program for fiscal years (FYs) 2018–19 and 2019–20.

Deputy Director Action

On the basis of the information and analysis in this Request for Approval and the findings set out above, I hereby approve the eligibility, scoring criteria, and evaluation process for FYs 2018–19 and 2019–20.



Mark de Bie
Deputy Director



Dated

Background and Analysis

Statutory Authority

The Department of Resources Recycling and Recovery (CalRecycle) is authorized to expend funds from the Solid Waste Cleanup Trust Fund directly for cleanup, to provide loans to responsible parties who demonstrate the ability to repay, to provide partial grants to public entities for site cleanups, and to provide full grants to public entities for the abatement of illegal disposal sites. Statutory authority for the Program is contained in Public Resources Code Sections 48020 et seq. and Assembly Bill 2136 (Eastin, Chapter 655, Statutes of 1993).

Program Background

CalRecycle implements this Program to clean up solid waste disposal sites and solid waste at codisposal sites where the responsible party either cannot be identified or is unable or unwilling to pay for timely remediation and where the cleanup is needed to protect public health and safety or the environment.

CalRecycle has previously adopted policies regarding the prioritization of applications for competitive grant programs. In addition, the statutes and regulations governing the implementation of the Program contain specific requirements regarding the prioritization of sites. The proposed scoring criteria meets the statutory, regulatory, and policy requirements of CalRecycle.

Proposed Process and Eligibility

Staff will conduct an initial review of all applications to confirm applicant and project eligibility and application completeness. Eligible applicants must be a public entity, including counties, cities, districts, state agencies, and Joint Powers Authorities with direct authority over solid waste management. Eligible and ineligible remedial actions are specified in Title 14, California Code of Regulations (14 CCR), Section 18904.

The maximum grant award that eligible applicants may request and be awarded is as follows:

- \$ 500,000 for grants in the Illegal Disposal Site Abatement Grant Program
- \$ 750,000 for partial grants in the Legacy Disposal Site Abatement Partial Grant Program

All eligible applications will be ranked according to the total number of points received in accordance with the scoring criteria provided in Attachment 1. An application may receive a maximum of 100 points, with a minimum of 70 points required to be considered eligible for funding. Applications receiving a passing score in each cycle will be ranked and funds distributed from highest to lowest score until funds are exhausted.

Proposed revisions to the previous scoring criteria adds a criterion to allow for consideration of impacts to California communities that are disproportionately burdened by, and vulnerable to, multiple sources of pollution through the use of the California Communities Environmental Health Screening Tool (CalEnviroScreen 3.0). Minor adjustments to the other criteria are made to allow for the 5 points available for the new criterion.

Tentative Timeline for FY 2018–19

The number of cycles is also being reduced from three to two. These grant programs has been oversubscribed for several years and the last cycle has been cancelled in most years. The application deadline for the first cycle is also being pushed back to allow more time for applicants to prepare more complete grant applications.

Staff will post a Notice of Funds Available on CalRecycle’s website informing potential applicants of the funding, eligibility requirements, deadlines, and other important information.

FY 2018-19	Activity
August 2018	Post Notice of Funds Available, Application Guidelines and Instructions, and related documents on the CalRecycle website
October 3, 2018 March 5, 2019	Applications due
November 7, 2018 April 2, 2019	Secondary due date for Resolutions
December 2018 May 2019	Grant awards presented at CalRecycle Public Meeting
Dec 2018 / Jan 2019 May/June 2019	Grant Agreements distributed and executed

The FY 2019–20 grant cycle timeline will be similar to the tentative FY 2018–19 grant cycle. Please refer to CalRecycle’s website for more information.

Attachment 1 - Scoring Criteria for FYs 2018–19 and 2019–2020

Attachment 1

SOLID WASTE DISPOSAL AND CODISPOSAL SITE CLEANUP GRANT PROGRAM GRANT SCORING CRITERIA FOR FISCAL YEARS 2018–19 and 2019–2020	
Applicants must score 70 points to be considered for funding.	
Points	Description
GENERAL CRITERIA	
15	SUBSTANTIATION OF THREAT TO PUBLIC HEALTH AND SAFETY AND/OR THE ENVIRONMENT: Describe the project(s) and efforts taken to demonstrate the threat, including documentation such as: site investigation reports and regulatory inspections, investigations, and enforcement orders.
15	SUBSTANTIATION OF FINANCIAL NEED FOR GRANT FUNDS: Demonstrate the need for funding. If the Applicant is the owner or responsible party, include financial statements, independent audits, statement of facts, etc. If the owner or responsible party is not the applicant, , submit evidence of inability or unwillingness to pay for timely and proper remediation. If the site is an abandoned site (i.e., owner or responsible party is unknown or cannot be located), submit evidence of abandonment. List availability of other appropriate federal or state enforcement and/or cleanup programs to remediate the site.
5	GOALS AND OBJECTIVES: Describe the goals and objectives for accomplishing the project(s). Examples include, but are not limited to: reduction of negative impacts to public health and safety and/or the environment, recycling and/or reuse of recovered materials, cost savings, restoration of land to beneficial uses, implementation of methods to prevent or minimize recurrence of problems corrected by this project, and cost recovery.
15	WORK PLAN: Describe the specific procedures or tasks used to complete the project(s) including measurable targets or milestones. Eligible and ineligible tasks must be itemized separately. Scope of work includes major work items, personnel and qualifications, use of contractors and/or consultants, field supervision, health and safety requirements, project implementation schedule, testing, bonds, permits, cost recovery, etc.
5	EVALUATION: Describe how the project will be evaluated against the goals, objectives, measurable targets, and milestones set for the project. Include at a minimum: evaluation of the resources used and methods and standards for inspecting, testing, and evaluating the work. Describes how the project benefitted from the grant and how the applicant will continue the efforts after funding has been used.

Attachment 1

20	<p>BUDGET: Provide total project costs in dollars showing both eligible and ineligible grant costs separately to accomplish the project described in the work plan.</p> <p><u>Legacy Disposal Site Abatement Partial Grant:</u> Application includes a breakdown of costs expected to be covered by the grant and those that will be provided by the applicant. Show value of applicant's initiatives to achieve project cost savings such as, but not limited to, using volunteer labor/equipment, in-kind services, reduced or waived tipping fees, etc.</p> <p><u>Illegal Disposal Site Abatement Grant Program:</u> Prevention measures shall be limited to no more than 25 percent of the overall grant amount. Include estimates of overall dollars spent per ton of waste removed and administrative costs as a percentage of the overall project.</p>
5	<p>LETTERS OF SUPPORT</p> <p>Applicants are encouraged to include letters, endorsements, and reports from local constituents, local enforcement agencies and regulatory/advisory agencies in support of the project.</p>
5	<p>USE OF CONSERVATION CORPS</p> <p>Use of the Conservation Corps (state or local) in performing a portion of the grant activities, if appropriate. To receive full points, applicants must submit documentation that the Conservation Corps will participate in the grant project.</p>
5	<p>DISADVANTAGED COMMUNITIES</p> <p>Proposed project is located within a census tract that is in the 71-100 percentile range as calculated using the California Communities Environmental Health Screening Tool (CalEnviroScreen 3.0). Applicant must submit printed output(s) from CalEnviroScreen version 3.0. Projects encompassing more than one census tract will use the average score.</p>
90	<p>SUBTOTAL</p>
PROGRAM CRITERIA	
10	<p>PRIOR PROGRAM GRANT FUNDING</p> <p>Applicant has not been awarded a grant under the Solid Waste Disposal and Codisposal Site Cleanup Program during the current and/or previous four fiscal years.</p>
100	<p>TOTAL</p>