



August 2023

Department of Resources Recycling and Recovery

# **Legacy Disposal Site Abatement Partial Grant Program**

## **Application Guidelines and Instructions**

**Fiscal Year 2023–24**

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# Grant Cycle Overview

The Department of Resources Recycling and Recovery (CalRecycle) offers the Legacy Disposal Site Abatement Partial Grant Program pursuant to Section 48020 of the Public Resources Code. Public entities bear a financial responsibility for maintaining public landfill sites in compliance with state regulations and standards. The purpose of the grant is to provide financial assistance in the form of reimbursement grants up to \$750,000 in matching funds for eligible costs to assist public entities requiring financial assistance, and committed to accelerating the pace of cleanup, restoring sites, and protecting public health and safety and the environment. Assembly Bill 2136 (enacted October 1993) required CalRecycle to initiate Solid Waste Disposal and Co-disposal Site Cleanup Program (program) for cleanup of solid waste sites and solid waste co-disposal sites where the responsible party either cannot be identified or is unwilling or unable to pay for timely remediation and where cleanup is needed to protect public health and safety and/or the environment. Under program, local governments can finance a wide range of remediation projects.

This resource document provides applicants with instructions to access and complete the application online and information about grant administration. The web-based application is in CalRecycle's [Grants Management System \(GMS\)](https://www.calrecycle.ca.gov/Funding/GMS/) (<https://www.calrecycle.ca.gov/Funding/GMS/>). The applicant will need to sign in to GMS to complete and submit an application.

**Note:** The following terms used in this document are defined below, unless the context clearly indicates otherwise:

- “Applicant” refers to either the legal name of the entity that is legally responsible for grant administration and any entity that will receive and control grant funded equipment, if awarded, or to a person who is completing an application on behalf of the Applicant (this is usually the primary contact listed on the application, but could also be the secondary contact, signature authority, or consultant).
- “You” refers to a person who is completing the application on behalf of the Applicant.
- “Grantee” refers to an applicant after approval of grant award.

## Timeline

Date	Activity
August 23, 2023  January 10, 2024 (if needed)	<b>Question and Answer Period</b> <ul style="list-style-type: none"> <li>• Questions may be submitted from application release date to this date</li> <li>• Questions must be submitted by email</li> </ul>
August 30, 2023  January 17, 2024	<ul style="list-style-type: none"> <li>• All answers will be posted (tentative)</li> </ul>
September 20, 2023  February 14, 2024	<b>Application Due Date</b> <ul style="list-style-type: none"> <li>• Applications must be submitted in GMS by 11:59 p.m. on this date</li> <li>• Customer service will be available until 4:00 p.m. on this date</li> </ul>
October 25, 2023  March 13, 2024	<b>Secondary Due Date</b> <ul style="list-style-type: none"> <li>• Approved Resolution must be uploaded in GMS by this date if it was not submitted with the application</li> <li>• Applicant must have an Environmentally Preferable Purchasing and Practices (EPPP) Policy by this date</li> </ul>
December 2023  April 2024	<b>Grants Awarded</b> CalRecycle considers funding recommendations, and if approved, conditionally awards grants during this month (tentative)
June 30, 2026	<b>Grant Term</b> From date of Notice to Proceed to this date
June 30, 2026	<b>Final Report and final Payment Request Deadline</b>

For milestones that take place during the grant term, refer to the **Procedures and Requirements** document.

## Eligible Applicants

California Labor Code section 1782 prohibits a charter city from receiving state funding or financial assistance for construction projects if that charter city does not comply with Labor Code sections 1770-1782. If any applicants or participating entities are charter cities or Joint Powers Authorities that include charter cities, the lead participating entity must certify on the Detail tab of the application that Labor Code section 1782 does not prohibit any included charter city from receiving state funds for the project described in this application. If it is determined after award that an applicant or participating entity is a charter city prohibited from receiving state funds for this grant project, the grant will be terminated and any disbursed grant funds shall be returned to CalRecycle.

Grants are available to public entities, including counties, cities, districts, state agencies, and Joint Powers Authorities.

### Joint Powers Authority Application Requirements

Joint Powers Authorities (JPA) may submit a grant application as an individual applicant. An entity may not submit an individual application if that entity is also a

member of an applicant JPA. In addition to the requirements for an Individual Application, a JPA must upload a copy of its JPA Agreement.

The JPA Agreement must:

1. Give authority over solid waste management.
2. List all member entities.
3. Contain the signature of all members.

## **Eligible Projects/Products**

Solid waste cleanup project sites where cleanup is needed to protect public health and safety or the environment within the applicant's jurisdiction.

## **Available Funds**

- \$1,500,000 is available for this grant cycle, fiscal year 2023–24, subject to funding availability.
- \$ 750,000 is the maximum available for individual grant awards.

## **Grant Term**

The Grant Term begins on the date of the Notice to Proceed email. Grant-eligible program expenditures may start no earlier than the date indicated in the Notice to Proceed. The Grant Term ends on June 30, 2026, and all eligible program costs must be incurred by this date.

For detailed information about requirements within the grant term, refer to the Procedures and Requirements document.

## **Eligible and Ineligible Costs**

Grantees may incur eligible costs only during the Grant Term. For detailed information about eligible and ineligible costs, refer to the Procedures and Requirements document.

## **Eligible Costs**

Eligible costs are limited to the following:

- Waste removal and disposal.
- Security measures such as fences, barriers, warning signs, and other measures to prevent recurring illegal dumping at the remediated sites. These prevention measures and staff time are limited to no more than 25 percent of the overall grant amount. These measures can include public information materials.
- Site grading and drainage controls to minimize erosion.
- Slope and foundation stabilization.
- Excavation, consolidation, and capping of waste areas.
- Installation of landfill gas and leachate control systems.
- Field and laboratory testing
- Health and safety measures required for eligible project work.

These costs may include, but are not limited to, expenditures for contractors, public agency labor, rental equipment, preparation of designs, or consultant services directly associated with an eligible cost item.

## Ineligible Costs

Ineligible costs include, but are not limited to:

- Staff costs not directly related to grant related eligible activities listed above and grant administration. This includes any personnel costs incurred as a result of time an employee assigned to the project funded by the grant does not actually work on the project (e.g., use of accrued vacation, sick leave, etc.).
- Costs incurred prior to receipt of the Notice to Proceed email or after June 30, 2026.
- Expenses for services rendered or goods purchased prior to the date indicated on the Notice to Proceed, or any expenses incurred after the end of the Grant Term.
- Public Agency indirect costs (unless pre-approved in writing by the Grant Manager, but in no event shall exceed 10 percent of the total direct labor costs requested for reimbursement).
- Costs explicitly for the profit of the grantee.
- Bonus payments for early completion of grant project or any phase of the grant project.
- Any portion of a program currently covered or incurred under another CalRecycle contract, loan, grant or grant cycle.
- Overtime costs (except for local government staffing during specially scheduled evening or weekend events that have been pre-approved in writing by the Grant Manager when law or labor contracts require overtime compensation or when such staffing and/or costs are pre-approved in writing by the Grant Manager).
- Cellular phones, personal digital assistants, personal electronic devices, pagers, and similar electronic and telecommunications devices.
- Activities that are not cost effective, as determined by the Grant Manager.
- Travel and per diem expenses (unless pre-approved in writing by the Grant Manager). (See Terms and Conditions, subsection (e) under **Payment**).
- Any food or beverages (e.g., as part of meetings, workshops, training, events, etc.).
- Equipment or other materials that are not primarily used to implement the approved project.
- Staff training that is not directly related to the implementation of the approved project.
- Interest charges or other payments on bonds or indebtedness required to finance the project.
- Costs associated with relocation of inhabitants or storage of personal property.
- Costs connected with contractor claims/liens against the grantee.
- Fines or penalties due to violation of federal, state or local laws, ordinances, or regulations.
- Permit, inspection and use fees.
- Closure activities as defined by 27 CCR section 20164.
- Ground water remediation.
- Operation and maintenance of monitoring systems.
- Post-closure maintenance activities.
- Preparation of closure and/or post-closure maintenance plans.
- Improvements to property for post-closure land uses.

- Removal, abatement, and cleanup or otherwise handling of only hazardous substances as defined in the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 [42 U.S.C. section 9601(14)] not co-disposed with nonhazardous solid waste.
- Any other costs not deemed reasonable or related to the purpose of the grant by the Grant Manager.

## Cost Recovery Requirements

PRC section 48023 directs CalRecycle to seek reimbursement for monies expended under the program to the extent possible. Expended funds may be recoverable by CalRecycle from the property owners and other responsible parties in a civil action brought by CalRecycle [PRC section 48023(c)] and/or by imposing a lien upon the real property owned by the property owners that is subject to the remedial action [PRC section 48023.5(a)]. Under the program cost recovery policy, CalRecycle may decide not to pursue cost recovery based on factors including, but not limited to:

- Publicly owned sites maintained for public benefit and use.
- The owner did not cause the disposal of waste.
- The owner will not gain a benefit due to condition of property.
- The value of property significantly less than cost of cleanup.
- Hardship to the property owner.
- No responsible party.

Applicants are advised that cost recovery must be addressed as part of the **Goals and Objectives** and **Work Plan** sections of the Narrative Proposal document.

Applicants cleaning up public property for the public benefit where no responsible party can be identified may request a waiver of cost recovery. Examples of types of projects where CalRecycle elected to waive cost recovery include cleanup of sites on public rights-of-way, public parks, public lands, and other sites owned by public entities for the benefit of and use by the public.

Applicants not requesting a waiver must address cost recovery, either through their own mechanisms on behalf of CalRecycle, or by assisting CalRecycle in pursuing cost recovery through its own statutorily authorized mechanisms. See the cost recovery instructions in the Goals and Objectives Section of the application for additional information.

## Environmentally Preferable Purchases and Practices Policy Requirement

Consistent with CalRecycle's core values, CalRecycle requires all applicants to have or develop, adopt, and implement an Environmentally Preferable Purchasing and Practices (EPPP) Policy for their organizations.

Applicants must have an EPPP Policy in place prior to submitting their application and certify to this fact on the Detail tab in the application. If applicants do not have an EPPP Policy in place prior to submitting their application, they must certify to the fact that a Policy will be adopted by the secondary due date on the Detail tab in the application.

Some additional practices that CalRecycle encourages organizations to include in their EPPP Policies are:

- Buildings and Grounds
  - All building and renovations follow the green building practices for design, construction and operation, where appropriate, as described in the Leadership in Energy and Environmental Design [Green Building Rating System](https://www.usgbc.org/resources/leed-v4-building-design-and-construction-current-version) (https://www.usgbc.org/resources/leed-v4-building-design-and-construction-current-version).
- Continual Improvement
  - Training is provided to new and existing employees.
  - Organization regularly evaluates and/or improves implementation of EPPP policy.

Additional EPPP Policy resources include:

- [Tools and Resources](https://www.calrecycle.ca.gov/EPP/Resources/) (https://www.calrecycle.ca.gov/EPP/Resources/)
- [Laws and Policies](https://www.calrecycle.ca.gov/EPP/LawPolicy/) (https://www.calrecycle.ca.gov/EPP/LawPolicy/)
- [Responsible Purchasing Network](http://www.responsiblepurchasing.org/purchasing_guides/all/policies/) (http://www.responsiblepurchasing.org/purchasing\_guides/all/policies/)

**Note:** If a Joint Powers Authority (JPA) applies, only the JPA needs an EPPP Policy.

For more information, visit the [EPPP Frequently Asked Questions web page](https://www.calrecycle.ca.gov/Funding/EPPPQandA) (https://www.calrecycle.ca.gov/Funding/EPPPQandA).

## Questions and Answers Process

Questions regarding the application and its requirements must be emailed to [Julian.Lopez@calrecycle.ca.gov](mailto:Julian.Lopez@calrecycle.ca.gov). CalRecycle must receive the questions by the date identified in the Timeline for the specific cycle or the questions will not be accepted.

Applicants or interested parties may access the Questions and Answers web page from the Notice of Funds Available web page or from the application. CalRecycle may group together similar or related questions and respond to them as one question, and reword questions for clarity or to remove identifying information. CalRecycle may update the Questions and Answers web page intermittently during the Questions and Answers period and post all Questions and Answers approximately two weeks after the deadline. The posted Questions and Answers are subject to updates, and it is the applicant's responsibility to check the Questions and Answers web page for the latest information.

## Public Records Requests

CalRecycle's policy is to make records requested by the public promptly available in accordance with the laws governing disclosure of records and information to the public. In general, all records in the possession of a state agency are public records subject to disclosure, unless a law provides that a particular kind of record or information is not a public record or is exempt or prohibited from disclosure.

Upon request, the entire contents of the submitted application are subject to public records requests. This may include contact information, project summary, uploaded documents, and scoring information. Public records may be requested from CalRecycle through the [California Public Records Act Requests web page](https://www2.calrecycle.ca.gov/Forms/ContactUs/PublicRecordsRequest/) (https://www2.calrecycle.ca.gov/Forms/ContactUs/PublicRecordsRequest/).



## Confidentiality

The following describes the treatment of certain confidential or proprietary information under the California Public Records Act (Government Code 6250, et seq.) and related regulations. It also describes how questions are resolved on whether information is truly confidential, the legal protections for confidential information, and internal and program procedures to maintain confidentiality.

### Confidential or Proprietary Information

Title 14 of the California Code of Regulations (14 CCR), [sections 17041-17046](https://www.calrecycle.ca.gov/Laws/Regulations/Title14/) (<https://www.calrecycle.ca.gov/Laws/Regulations/Title14/>), states that confidential or proprietary information shall include, but is not limited to:

- Personal or business-related financial data, customer client lists, supplier lists and other information of a proprietary or confidential business nature provided by persons in applications, reports, returns, certifications or other documents submitted to [CalRecycle] which if released would result in harmful effects on the person's competitive position.
- Tax information prohibited from disclosure, pursuant to the Revenue and Taxation Code.

Accordingly, appropriate documents submitted with an application that are clearly marked, on each page, "confidential or proprietary information" will be treated by CalRecycle pursuant to the procedures set forth in 14 CCR sections 17041-17046. However, the law does not treat documents marked as "confidential or proprietary information" (such as sales brochures, promotional literature and other general non-financial documents) as confidential if they do not fall within the categories of protected financial documents listed above.

### What if there is a question about what is confidential?

If CalRecycle receives a request to disclose data claimed by the applicant to be confidential, CalRecycle would notify the applicant of the request and state that the documents were under review to determine whether information was correctly identified as "confidential." If there was any question as to whether specific information was confidential, CalRecycle would contact the person(s) identified in the application to provide a justification and statement why the information is confidential. The process for evaluating confidentiality claims is set forth in section 14 CCR 17046.

### What procedures does CalRecycle have in place to ensure that confidential information is kept confidential?

Confidential or proprietary information will be evaluated and analyzed only by CalRecycle staff, kept confidential, and will be maintained with restricted access. Grantee businesses agree to provide key financial information for three years to develop benchmarks to evaluate the program. Records no longer needed to provide the services offered under the grant program are periodically destroyed, when allowed by audit policies and state law.

# Application Instructions

## Application Access

The application is available in CalRecycle's web-based Grants Management System (GMS). Access to GMS is secure; therefore, you must have a CalRecycle WebPass to log in to the system. Those who have not previously obtained a CalRecycle WebPass can create an account at the [CalRecycle WebPass page](https://secure.calrecycle.ca.gov/WebPass/) (<https://secure.calrecycle.ca.gov/WebPass/>).

To start an application:

1. Log in to [GMS](https://secure.calrecycle.ca.gov/Grants) (<https://secure.calrecycle.ca.gov/Grants>).
2. Select **Apply for a Grant** on the left.
  - All open grant cycles are displayed in a table.
3. Find Legacy Disposal Site Abatement Partial Grant Program: 2023 – 24 and select **Start Application**.
  - A pop-up window will appear asking for contact information. If you have an existing GMS Account, the information may be auto populated.
  - GMS will automatically add you as the Primary Contact for the new grant application; however, you may update this later.
4. Click **Save**.

## GMS Tabs - Application Contents and Instructions

The components of the application are divided into tabs. To fill out an application, click on each tab and complete the sections in each tab as required. General directions are on the top of each tab, and detailed information about the requirements for each tab is listed below.

The applicant is responsible for a complete application. This includes signing documents, uploading required documents, and submitting the application by the due date(s). Failure to do so will result in disqualification from the Legacy Disposal Site Abatement Partial Grant Program.

Examples of disqualifications may include:

- Applicant does not meet the eligibility requirements.
- Project is not eligible.
- Applicant fails to use required CalRecycle documents or forms.
- Applicant uploads incomplete or blank documents to the Documents tab.
- Signature Authority fails to sign Application Certification or any document that requires a signature.
- The online application is incomplete or missing information.
- Applicant fails to adopt an EPPP Policy by the secondary due date.

### Summary Tab

This tab provides a summary of the application, due dates, resource documents and links, application documents, and the Application Submission section. It is the applicant's responsibility to submit all required documents, based on the particular grant application/project, by the appropriate due date.

## Applicant/Participant Tab

The applicant name is the legal name of the entity that is legally responsible for grant administration, if awarded.

1. Select the **Add Applicant/Participant** button and type in the **Applicant Name** and **County**. Do not enter your personal name.
2. Search the table for the correct applicant name and select **Add Applicant/Participant**.
3. Choose the **Lead Participant** radio button and click **Save**.
  - Every application must have a Lead Participant even if it is an individual application with no Non-Lead Participants.

If the Participant Search List does not contain your Applicant/Participant name:

1. Click on **Add New Applicant/Participant**.
2. Enter the **Applicant/Participant Name** as it appears on the Resolution or Letter of Commitment. Do not include the department or unit name. Do not enter your personal name.
  - List county names with the name first followed by the word “County,” e.g., “Sacramento County.”
  - List city names as “City of” followed by the city’s name, e.g., “City of Sacramento.”
3. Complete all required fields then click **Save**.

For Joint Powers Authority Applications, add the name of each eligible Non-Lead Participant and select the Participating Jurisdiction radio button.

For a list of eligible applicants, please see the Grant Cycle Overview section titled “Eligible Applicants.”

## Detail Tab

Complete this tab as follows:

1. Enter a dollar amount in the **Grant Funds Requested** field. Do not exceed the maximum grant award amount of \$750,000. Please round all amounts to the nearest whole dollar
2. For matching grants only: Enter the amount of **Matching Funds**. Applicable for Legacy Disposal Site Abatement Partial Grant Program only. Not applicable to Illegal Disposal Site Abatement Grant Program.
3. Enter the **Assembly Districts and Senate Districts**. To select more than one district hold the “Ctrl” key while selecting the numbers.
4. Enter the applicant’s **Department Name**, e.g., “General Services.” If the applicant does not have a department, enter the applicant’s name.
5. Enter the grant payment mailing address.
6. **Project Summary/Statement of Use**: Provide a brief description of the project in 3-5 sentences.
7. Select the appropriate option for the Resolution or Letter of Commitment Requirement and optional Letter of Designation.
8. Select the appropriate option for the Environmentally Preferable Purchasing and Practices Policy.
9. Select the appropriate answer for Program Questions.

## Contacts Tab

CalRecycle requires the application to have only one Primary Contact and at least one Signature Authority. Each application contact may be granted access by checking the box on the top of the contact's detail screen. The contact will be able to log in to GMS using their own CalRecycle WebPass and access the application.

**Note:** CalRecycle requires a valid email address for the Signature Authority in order to route the Grant Agreement, if awarded.

- **Primary Contact.** One person who the Signature Authority or their designee has authorized to manage and oversee the grant. This person will be the first contact with whom the Grant Manager will communicate.
- **Signature Authority.** The person(s) authorized to sign CalRecycle documents, such as grant applications, grant agreements, etc., as authorized by a board/council-adopted Resolution, Letter of Designation, or Letter of Commitment (if applicable).
- **Secondary Contact.** A person authorized (by the Primary Contact or Signature Authority or their designee) as the alternate person with whom the Grant Manager will communicate. (Not required.)
- **Consultant.** A professional who provides advice in an area of expertise. If CalRecycle awards a grant to the applicant, the consultants may manage the grant or only conduct specific activities, based on a written agreement between the applicant and the consultant outlining work to be performed. (Not required.)

## Budget Tab

Select the applicable budget category and enter a dollar amount and budget detail information as listed below. The total must equal the Grant Funds Requested amount shown on the Detail tab.

- Clean-Up/Removal
- Construction/Application
- Disposal
- Planning/Design/Development/Fabrication

## Site(s) Tab

Add an entry for each grant project/site. Enter a site name, choose a site type from the drop-down menu, and enter a county.

## Documents Tab

See the Application Documents Section in the Summary tab for documents that must be uploaded in the Documents tab.

When uploading a document, enter a document title, select the appropriate document type from the drop-down list, and enter the date that it was executed/signed, if applicable, or select "today's date."

Utilizing a document form other than the official CalRecycle versions, tampering with the CalRecycle version, or otherwise circumventing imposed character limits may subject the applicant to disqualification.

## Application Submittal and Deadline

The **Submit Application** button located in the Summary tab will be enabled after all required documents have been uploaded.

Click the **Submit Application** button and the application status will change to **Submitted**. You can only submit the application once; however, you may upload the following documents until the secondary due date: Resolution, Letter of Commitment, Letter of Designation, Letters of Authorization, JPA Agreements.

You must submit your application no later than 11:59 p.m. on the date identified in the Timeline for the specific cycle. Customer service will be available until 4:00 p.m. on the application due date either by emailing [grantassistance@calrecycle.ca.gov](mailto:grantassistance@calrecycle.ca.gov) or calling (916) 324-1219 , however, there is no guarantee CalRecycle will be able to provide support if there is an influx of inquiries.

**Note:** Applications that are not submitted by the due date will be deleted from GMS.

# Application Documents

## Electronic and Original Signatures

CalRecycle now allows for certified e-Signature or original wet signature on documents or forms that certify legally binding information.

**Note:** E-signatures must include the first and last name of the Signature Authority, be in the Adobe Digital ID format (or through another certified digital signature program) and cannot be completed using the “Fill and Sign” function within Adobe. Any documents using the “Fill and Sign” function, is considered incomplete and may be sent back to the applicant.

Once the document(s) have been signed by the Signature Authority, upload the digitally signed document, or scan the wet signature and save it to GMS. Retain the original document for potential CalRecycle audits. See Audit Considerations Section of the Procedures and Requirements document for more information.

If you have questions, email [grantassistance@calrecycle.ca.gov](mailto:grantassistance@calrecycle.ca.gov).

## CalRecycle Documents

CalRecycle documents are accessible through the Summary tab in the Application Documents section. To access a document, click on the link, open it up, fill it out, save it to your computer, and upload it to the Documents tab. If you are having trouble with a document, email [grantassistance@calrecycle.ca.gov](mailto:grantassistance@calrecycle.ca.gov) or call (916) 324-1219.

Altered or reproduced CalRecycle documents or templates may result in automatic disqualification of your application. Unless a document specifies that it may be reproduced as necessary, **do not** alter CalRecycle documents.

**Note:** Do not include special characters in file names. Doing so may result in automatic disqualification of your application.

## Application Certification

The Application Certification is a required application document that must be generated from GMS.

After you have completed each tab of the application and uploaded the required documents, generate the Application Certification.

1. Click “Print Application Certification” under the Application Submission section of the Summary tab.
  - a. **Note:** You will not be able to click “Print Application Certification” until each tab of the application is completed and all required application documents have been uploaded.
2. Signature Authority signs Application Certification.
3. Upload the signed Application Certification to the Documents tab.

## **Narrative Proposal**

The Narrative Proposal is a **required** application document, and it is used to describe your proposed project. Applicants must score a minimum of 60 points out of 100 to be considered for funding. For a point breakdown, see the approved *Scoring Criteria for Solid Waste Disposal and Co-disposal Site Cleanup Grant Program, FY 2022–23 and 2023–24*. This document can be located on the Summary Tab, in the Resources Document section.

## **Site Characterization**

This is a **required** application document. Complete one document for each site proposed for cleanup under the application under the Sites tab. Provide the CalRecycle Solid Waste Information System (SWIS) number (if applicable), location, parcel numbers, and acreage. Describe the method of disposal, types and estimated quantity of waste to be disposed, period of operation and owners/operators. Topography, proximity to populated areas, environmentally sensitive areas, and other important information should also be included. Attach a copy of the grant deed with legal description of the property on which the site is located. Attach site investigation reports and regulatory inspections, investigations, and enforcement orders. All relevant information is required for each site proposed for cleanup and for which grant funds are requested. This document can be located on the Summary Tab, in the Resources Document section.

The information in the Site Characterization document and the accompanying information should:

- Summarize actions taken to characterize/cleanup site prior to submittal of application (e.g., site investigation reports, regulatory inspections, investigations, enforcement orders, etc.).
- Provide evidence that the sites pose a significant risk to public health and safety or the environment.
- Provide sufficient detail to substantiate that remedial actions proposed for funding are eligible work as defined in the program regulations.
- Provide documentation that responsible parties cannot be identified or located, are unable to pay for timely and proper remediation, or are unwilling to pay for timely and proper remediation.

## **Applicant's Documents**

Below is a list of documents that the applicant is responsible for preparing and uploading to their application. For examples/templates of some of these documents, please refer to the Summary tab. Retain the original hard copy documents for potential CalRecycle audits. See Audit Considerations Section of the Procedures and Requirements for more information.

## **Additional Scoring Documents**

You may upload additional scoring documents needed for your application. These types of documents may include reports, investigations, drawings, specifications, photographs, and other material. The maximum file size is 35 MB. If your document is larger than 35 MB, it can be mailed or split into sections and uploaded in parts. Mailed documents should be on 8 1/2" by 11", 100 percent recycled content paper and double

sided. Furnish any engineering drawings preferably on 11" by 17" paper, but not on paper larger than 24" by 36."

## **Budget**

Create your own Budget document and include the total anticipated project costs broken down by each task outlined in the Work Plan and identify **eligible** and **ineligible** project costs. Include a list of funding sources required to complete the project. Show the value of the applicant's efforts to achieve project cost savings through volunteer labor/equipment, in-kind services, reduced or waived tipping fees, and other savings. Be sure to identify separately the costs for which grant funds are requested and any participating costs by the applicant and/or others. Local agency participating costs can include costs incurred prior to the grant award, such as prior expenses on studies, design, and permitting efforts, that are directly related to the proposed grant project.

For each itemized task, show the estimated cost for labor, equipment, materials, contracts, consultants, and other costs (e.g., donated resources). Itemize work that is **eligible** and **ineligible** for grant funds, as described in the Eligible and Ineligible Costs section of these grant instructions. Include the cost of all activities directly related to implementing and completing the project.

Public Agency indirect costs (e.g., costs not directly associated with the project including accounting, office space rental, communications, etc.) are ineligible unless pre-approved in writing by the Grant Manager. If a justification is provided and approved, the indirect costs shall not exceed 10 percent of the total Public Agency direct labor costs requested for reimbursement. Note that actual staff time used directly towards the implementation of any eligible cost items including administering the grant is eligible.

If an applicant proposes to utilize its own resources for the site cleanup activities and to be reimbursed with grant funds, allowable costs shall be determined in accordance with procedures in *State Department of Transportation Standard Specifications* Section 91.03, Force Account Payment, except that overhead and profit markups to direct cost of labor, materials, equipment or subcontractors will not be allowed; or the applicant shall submit its proposed costs along with any justification for review and approval and personnel rate breakdown (i.e. actual salaries, benefits, overheads, etc.) must be provided.

The evaluation of this section will be based on the following:

- The documentation that the project is cost effective and maximizes the use of available grant funds through use of other funding sources and participating costs, and through cost savings, such as use of volunteer labor, in-kind or matching services, and recycling options;
- Detail that expenses are reasonable with all Work Plan tasks itemized in the budget; and
- The applicant's ability to adequately remediate the site with available funds including in-kind service match.

## **Letters of Support**



Letters of Support are optional documents. Applicants are encouraged to include letters, endorsements, and reports from local enforcement agencies, and regulatory/advisory agencies in support of the project. The letter must be on the letterhead from the supporting agency, be project specific, and include the relationship of the supporting agency to the applicant.

### **Work Plan**

Create your own Work Plan document and include a specific list of all procedures or tasks necessary to complete the project. Include major work items, field supervision, health and safety requirements, testing bonds, permits, cost recovery, etc. Each task must be itemized separately and listed as specifically **eligible** or **ineligible** for grant funds, as described in the Eligible and Ineligible Costs section of these instructions.

For more complicated and engineering types of projects, the proposed Work Plan must be prepared under the supervision of a registered civil engineer or other persons appropriately experienced and qualified, and it should contain the major elements of the proposed remediation. Include the Work Plan each site proposed for cleanup. Examples of Work Plan elements include, but are not limited to:

- Site description and history. Discuss prior site/land uses, ownership, and previous site investigations and characterizations.
- Proposed project goals and objectives, and proposed remediation. Also indicate if a Remediation Action Plan to evaluate remedial alternatives was prepared and approved for the site.
- Regulatory approvals. Include a discussion of all the required regulatory agency approvals and permits and the status of these approvals and permits.
- Site Access. Indicate the owner/responsible party has granted access to the site for remediation. Upload a copy of the consent form, signed by the owner/responsible party, granting access to the site for the purpose of remediation. If the owner/responsible party has not granted site access at time of application for grant funds, outline measures to be taken by the Applicant to obtain site access.
- Mobilization/logistical preparation.
- Health and safety requirements.
- Quantity estimates by site (e.g., tires, solid waste for disposal, metals for recycling, fencing, revegetation, earthwork, etc.).
- Excavation, sorting, loading and halting of solid waste to disposal or recycling facilities.
- Sampling and Analysis Plans, if applicable.
- Construction management/ quality control/ quality assurance/inspection.
- Work to be performed by participating organizations (e.g., County Vehicle Abatement Program, County Hazardous Materials Teams, etc.).
- A project schedule from award of grant funds to project completion prior to the expiration of the Grant Term. The schedule should include major elements of the Work Plan, including obtaining necessary contracts, final inspection, and preparation of final project documents.
- Documentation that the project complies with the California Environmental Quality Act (CEQA). This requires a properly executed Notice of Exemption, Negative Declaration, or Environmental Impact Report.
- Discussion of cost recovery activities, if applicable.

## Applicant's Required Authorization Documents

Below is a list of required authorizing documents by application type that the applicant is responsible for preparing and uploading to their application.

**Note:** For Resolution, Letter of Commitment, Letter of Authorization, Letter of Designation, and Letter of Support templates, refer to the [Resolution and Letter Examples](https://www.calrecycle.ca.gov/Funding/SampleDocs) (<https://www.calrecycle.ca.gov/Funding/SampleDocs>) web page. CalRecycle staff are available to answer questions about the Resolution and Letter of Commitment or to review your draft Resolution to ensure it meets the requirements of the grant program. You may email your draft Resolution or draft Letter of Commitment to [grantassistance@calrecycle.ca.gov](mailto:grantassistance@calrecycle.ca.gov).

### Individual Application Authorization Documents:

If **subject to a governing body (excluding Corporations)**, the applicant must submit a Resolution no later than the application secondary due date or CalRecycle will deem the application incomplete and disqualify the applicant. The Resolution must:

1. Authorize submittal of an application for one or more specifically named CalRecycle grant(s) or for all CalRecycle grants for which the applicant is eligible.
2. Identify the time period, up to five years, during which the authorizations are valid.
  - a. Five years is encouraged; however, periods of less than five years are acceptable.
  - b. If a Resolution does not specify a time period, CalRecycle will consider the Resolution valid for one year from the date of adoption.
3. Identify the Signature Authority by listing the job title of the person(s) authorized to sign all grant-related documents necessary to implement and close-out the grant(s).
  - a. (Optional but encouraged) The Resolution should authorize the Signature Authority to delegate their signature authority to another person identified by job title. Applicants can only submit a Letter of Designation if the corresponding Resolution includes designee language.
4. Be signed or certified by the governing body.

**Note:** The Signature Authority must sign a Letter of Designation **prior** to the designee's exercise of their authority.

If **not subject to a governing body**, applicants must submit a Letter of Commitment (LOC). Publicly held businesses or private for-profit companies may submit an LOC even if they are subject to a governing body under the condition that the signatory is an individual authorized to contractually bind the applicant for the conditions of the grant award. The LOC is due by the application secondary due date or CalRecycle will deem the application as incomplete and disqualify the applicant.

The LOC must:

1. Be on official letterhead.
2. Specify the Fiscal Year and the grant program name.
3. Authorize submittal of the (Name of Grant Program) application on behalf of applicant.
4. Designate the job title of the person authorized to execute all grant documents necessary to secure grant funds and implement the approved grant project (Signature Authority).

- a. The LOC may also authorize the Signature Authority to delegate this authority.
5. Be signed by an individual authorized to contractually bind the applicant.

### **Joint Powers Authority Agreement**

Joint Powers Authorities (JPA) must upload a copy of their JPA Agreements giving them authority to conduct the project, listing all member entities, and containing the signature of all members. CalRecycle does not require Letters of Authorization for JPA applicants. A JPA applicant must still upload a Resolution as a part of their application and list all JPA members as Non-Lead Participants on the Applicant/Participant tab.

### **Letter of Designation**

CalRecycle requires a Letter of Designation (LOD) only when the Signature Authority identified in the approved Resolution chooses to delegate their signature authority to another person.

The approved Resolution must indicate the Signature Authority's ability to delegate or designate their authority. The applicant must upload the LOD **prior** to the designee's exercise of their authority. If the designee signs an application document in place of the Signature Authority, the applicant must upload the LOD with their application.

The LOD must:

1. Be on the applicant's letterhead.
2. Include the job title of the designee and the scope of the designee's authority.
3. Include the time period during which the designee may exercise the authority.
4. Be signed by the Signature Authority.

The designee's authority may not extend beyond the effective date of the approved Resolution or Letter of Commitment. For example, if the Resolution is effective until December 31, 2024, then the Letter of Designation may not be effective beyond December 31, 2024. If the letter does not identify a valid time period, the letter will follow the same time frame as the Resolution.

# Grant Review and Award Process

## Grant Application Review Process

After the close of the application period, CalRecycle staff will review the applications for completeness and eligibility. Only complete applications will be considered for award. Grant applications will be evaluated and scored by a CalRecycle review panel based on the approved *Solid Waste Disposal and Co-disposal Site Cleanup Grant Program Grant Scoring Criteria for, FY 2022–23 and 2023-2024*. This document is located on the Summary tab in the Resources Document section.

All eligible proposals will be ranked according to the total number of points received. An application may receive a maximum of 100 points, with a minimum of 60 points required to be considered 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.

## Grant Award Process

For qualifying applications, CalRecycle staff will develop funding recommendations for the consideration and approval of CalRecycle’s Director, or their designee; CalRecycle tentatively schedules this for December 2023 and April 2024 (if needed). CalRecycle reserves the right to partially fund or fund individual phases of selected proposals, and CalRecycle may fund an amount less than requested.

CalRecycle reserves the right to not award any grant funds under one or more cycles.

## Grant Award Conditions

When awarded, this grant will be subject to two conditions:

1. The recommended grantee must pay all outstanding debts due to CalRecycle, or bring current outstanding payments owed to CalRecycle, within 60 days of the award email date.
2. The recommended grantee’s Signature Authority (or their delegated signature authority) must sign and return the Grant Agreement to CalRecycle. CalRecycle must receive the signed Grant Agreement within 60 days of the date of the award email.

**Failure to comply with either condition will void the grant award.**

# Grant Program Administration

## Grant Agreement

The Grant Agreement binds the Grantee to CalRecycle's requirements as outlined in the Grant Agreement documents. CalRecycle will send the Grant Agreement Cover Sheet electronically to allow for a certified e-signature using Adobe Sign.

These documents shall guide the grantee's administration of the grant project.

Following CalRecycle's conditional approval of the grant awards, we will email grantees the information below.

- **Award email**
- **Grant Agreement Cover Sheet (CalRecycle 110)**
  - To be signed by the grantee
- **Exhibit A: Terms and Conditions**
  - Contain CalRecycle standard legal requirements for grants
- **Exhibit B: Procedures and Requirements**
  - Contain specific requirements for administering this grant, including but not limited to project, reporting, and audit requirements
- **Exhibit C: Grantee's approved application with revisions, if any, and any amendments**
- **e-Signature Instructions for Awardees**
  - Contains instruction on how to sign the Grant Agreement Cover Sheet using Adobe Sign

## Reporting Process

CalRecycle requires grantees to report on the progress of their grant on a quarterly basis. The Procedures and Requirements document contains detailed reporting information and deadlines.

## Payment Request Process

CalRecycle will retain 10 percent of each approved Payment Request amount until the Grant Manager approves the Final Report, the final Payment Request, and all required supporting documentation. The Procedures and Requirements document contains detailed payment information.

All payments are reimbursed in arrears and based on verified actual costs and proof of payment as well as compliance with the grant agreement. Only expenses identified in the approved budget and Work Plan will be reimbursed. Eligible costs are authorized for reimbursement upon the Grant Manager's approval of the Payment Request, and the accompanying Progress/Final Report. Payment Requests must include itemized documentation of claimed expenses (e.g., itemized receipts and proof of payment of invoices).