



SCRAP TIRE CLEANUP GRANT Fiscal Year 2020

INTRODUCTION AND ELIGIBILITY CRITERIA

Part 169, Scrap Tires, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), Section 324.16908(2)(c), requires that the Scrap Tire Regulatory Fund shall be used: “For the cleanup or collection of abandoned scrap tires¹ and scrap tires at collection sites. The department shall give priority to funding activities under this subdivision at collection sites in which the scrap tires were accumulated prior to January 1, 1991, and to collection sites that pose an imminent threat to public health, safety, welfare, or the environment. For collection sites that have accumulated tires after January 1, 1991, a lien, in favor of the State of Michigan (State), up to the value of the cleanup grant amount and any increase in the value of the property as a result of the cleanup of the property with grant funds, shall be placed on the property that is affected by the removal of the tires as provided in Section 324.16908b. Before making a grant under this subdivision, the department shall consider the extent to which the making of the grant would contribute to the achievement of a balanced distribution of grants under this subdivision throughout Michigan. If a grant is awarded under this subdivision for collecting scrap tires at a community cleanup site, the tires shall be removed from the community cleanup site by the time specified in the grant agreement.”

The Department of Environment, Great Lakes, and Energy (EGLE) (formerly the Department of Environmental Quality) is now accepting applications for funding the cleanup and collection of scrap tires from eligible publicly and privately-owned sites. Potential grantees may submit an application via e-mail to EGLE-ScrapTire@Michigan.gov. Payment reimbursements will be made utilizing State’s accounting software, SIGMA.

PLEASE NOTE: NO WORK SHOULD TAKE PLACE AND NO CLEANUP DAY OR RESIDENT DROP-OFFS SHOULD BE SCHEDULED UNTIL AFTER A FULLY EXECUTED GRANT AGREEMENT IS IN PLACE. NO WORK CAN BE REIMBURSED RETROACTIVELY OR BEYOND AWARDED GRANT AMOUNTS.

Submission of a complete application does not guarantee that the applicant will receive a Scrap Tire Cleanup Grant. Award of Grant funds is subject to legislative appropriation.

¹Section 324.16901(1)(a) of Part 169 states: “Abandoned scrap tires’ means an accumulation of scrap tires on property where the property owner is not responsible in whole or in part for the accumulation of the scrap tires. For the purposes of this subdivision, an owner who purchased or willingly took possession of an existing scrap tire collection site shall be considered by the department to be responsible in whole or in part for the accumulation of the scrap tires.”

ELIGIBILITY CRITERIA

Eligibility Criteria - All Applicants

1. The applicant possesses eligible scrap tires, which include abandoned scrap tires and scrap tires at a collection site.

The following are **NOT** eligible scrap tire sites:

- Tire sites located outside of Michigan.
 - A property with less than 500 tires.
 - A retailer with less than 1,500 tires.
 - An automotive recycler with less than 2,500 tires.
 - A commercial contractor whose property has less than 150 cubic yards of tire chips.
2. The applicant initiates an application, as described below in the section titled “Required Application Components,” that has been received by the application deadline.
 3. The applicant **HAS NOT** received Grant Program funds previously for the *complete removal* of tires from the site(s).
 4. The applicant will contract with a Michigan-based scrap tire processor, if needed, that meets the conditions listed under the application process and evaluation criteria reference guide under the section titled “Scrap Tire Processor Conditions”. If the applicant is a county or other local unit of government, the Michigan-based scrap tire processor shall be selected through the local unit of government’s competitive bid process to ensure the most cost-effective use of Grant funds. To assist applicants in selecting a Michigan-based scrap processor, the Scrap Tire Program maintains a list of Michigan-based scrap processors on the internet at: http://www.michigan.gov/documents/deq/deq-whm-stp-processorlist_240416_7.pdf
 5. The applicant will contract with a registered Michigan scrap tire hauler, if needed, that meets the conditions listed under the application process and evaluation criteria reference guide under section titled “Scrap Tire Hauler Conditions”. Registered Michigan scrap tire haulers must take scrap tires to a legal destination. To assist applicants in selecting a registered scrap tire hauler, the Scrap Tire Program maintains a list of registered Michigan-based scrap tire haulers on the internet at: http://www.michigan.gov/documents/deq/deq-whmd-stp-commercial-haulers_231619_7.pdf
 6. Out-of-state haulers/processors may be considered and approved by the Scrap Tire Program on a case by case basis for tires **located in the Upper Peninsula (UP)**, provided the applicant is unable to find a Michigan hauler/processor willing to travel to the UP or provide services for the grant reimbursement amount. Out-of-state haulers/processors must also meet conditions detailed above.
 7. The applicant has submitted proof of property ownership (only a warranty deed or land contract will be accepted as proof of property ownership) **of the site where the scrap tires are located**. If the applicant is a governmental entity, a nonprofit entity, or an approved scrap tire material end-user, as defined in Part 169, Section 324.16901(1)(k), who wishes to remove scrap tires from private property, documentation of legal authority to remove the

scrap tires from a private site (e.g., local ordinance, court order, or written permission from all parties with ownership interest in the property) must be provided.

NOTE: Community Cleanup Days, Resident Drop-Offs, and Cleanups of Tires Dumped on Publicly Owned Properties are exempt from the requirement to submit proof of property ownership.

8. The applicant or a current or previous owner/operator of the site is NOT in litigation (meaning from the time of referral for escalated enforcement action until any fines/penalties are paid) with the State or another public entity concerning compliance with Part 169 or other state or local public health or environmental protection requirements (unless the litigation has been resolved against the applicant or a current or previous owner/operator, all penalties/fines have been paid, and the applicant agrees to sign a binding agreement, as part of the Grant agreement, that prohibits the applicant from taking new tires at the site until the site is brought into full compliance with Part 169 or other law that was the subject of litigation).
9. If the applicant or a current or previous owner/operator of the site has been sentenced for a criminal violation concerning the site, the terms of such sentence must be completed, including payment of all penalties and damages unless EGLE has agreed to the terms of a probation order that envisions the use of Grant funds to cleanup the site. Written documentation from the Materials Management Division (MMD) District Supervisor that EGLE agrees with the probation terms must be submitted with this application. The applicant must be complying with the terms of such a probation order. If the applicant or current or previous owner/operator of the site has a civil judgment against them, all penalties must be paid. Payment of court penalties will not be a prerequisite for eligibility if the applicant is a local unit of government applying to cleanup a site that is under litigation.
10. All existing financial assurance for the site must be utilized before Grant funds can be expended for the site.
11. **For sites that have accumulated tires after 1991, a lien, in favor of the State, up to the value of the cleanup costs and for any increase in property value because of any grant-funded cleanup, shall be placed by EGLE on the property that is affected by the removal of the tires, as provided in Part 169, Section 324.16908b.** The lien will be filed following the completion of the cleanup activity according to the final cleanup fund expended. This does not apply to abandoned, roadside cleanup, cleanup day, community drop off tires, or tires dumped on publicly owned properties.
12. The entity must keep track of how many scrap tires were collected and report this number to EGLE for reimbursement, along with supporting documentation, including proof of payment and properly documented scrap tire transportation records.

Eligibility Criteria - Cleanup Day - Resident Drop-Off

1. *Do Not Schedule Cleanup Events Prior To Receiving a Fully Executed Grant Agreement.*
2. Applicant *must be* a local unit of government (county, township, city, or village) or nonprofit organization (entity).

3. A community cleanup site is owned by a local unit of government or nonprofit organization that has received a scrap tire cleanup grant and uses this site for the purposes of collecting scrap tires from residents as part of a community cleanup day or resident drop off.
4. EGLE may limit the total number of cleanup days with regard to grants issued each year based on the priorities listed above and the amount of funding available.
5. **Local units within the same geographical area are strongly encouraged to consolidate their cleanup days** or schedule cleanup days during the same week to facilitate collection. Each entity can briefly store (as *specified in the grant agreement*) all the collected scrap tires at a community cleanup site to coordinate regional pickups by the hauler.
6. The entity must have the scrap tires disposed of as soon as possible. The entity cannot maintain piles of over 500 scrap tires without registering as a collection site and meeting all requirements under Part 169. A community cleanup site is not considered a collection site, provided the scrap tires are disposed of as soon as possible (*as specified in the grant agreement*).
7. The entity has the ability to charge a fee to residents for tire recycling according to the type and number of scrap tires in order to cover additional costs. However, the applicant may not profit from this Grant activity.

EGLE will reimburse the actual costs incurred at a rate of \$1,000 per dropped trailer for the first 500 tires. Then there is a \$2 per passenger tire equivalent (PTE) reimbursement for over 500 tires up to a maximum of \$2,000 per trailer. For cleanups being reimbursed by weight, the reimbursement will be \$178 per ton. For cleanups being reimbursed by volume, the reimbursement will be \$17.80 per cubic yard.

8. The entity will limit the number of scrap tires brought by a resident to 10 scrap tires (this is the number of tires anyone can haul without a requiring a scrap tire hauler registration).
9. Commercial businesses may **NOT** bring tires to the cleanup event. The event is limited to household and residential scrap tires **ONLY**. NOTE: A commercial “farm” or “farm operation” as defined in the Michigan Right to Farm Act, 1981 PA 93, Section 2, MCL 286.472, is a commercial business.
10. The entity must advertise the eligibility criteria, cost (if any), date, and hours of the cleanup/drop-off day(s), and provide a copy of the flyer, notice, or marketing piece to the Scrap Tire Program Coordinator via email to Egle-Scraptire@Michigan.gov.
11. It is recommended that the entity encourage the resident to call for an appointment with an estimate of the number of scrap tires they will be bringing, so the entity will have an idea of the number of scrap tires to expect at the cleanup day.
12. The entity will coordinate with the hauler on the date of the cleanup day.
13. The entity can hold a scrap tire drop-off day in conjunction with a regular community cleanup day. However, the Grant covers *only* the cost to remove scrap tires. Costs for the disposal of other recyclable materials are **NOT** eligible for reimbursement under this grant program.

14. The entity will be responsible for providing labor (volunteer or paid) to coordinate loading of the scrap tires. Labor costs are **NOT** eligible for reimbursement under this grant program.
15. The entity must encourage residents to dispose of tires properly (such as paying the disposal fee when buying new tires), instead of taking the scrap tires home. Otherwise, taxpayers are supporting the removal of scrap tires. EGLE has developed a flyer for educating participants why scrap tires should not be stored at home and will provide a copy that the entity can reproduce.

Eligibility Criteria - Annual Community Collection Site (Resident Drop-off and/or Removal of Illegally Dumped Tires)

Convenient and economical disposal of scrap tires is essential in the fight to prevent illegal dumping and to prevent the spread of mosquito-borne illnesses. For this reason, entities may wish to establish a Collection Site of their own. This site may be grant eligible if all criteria are met. This would be encouraged in the hope of increasing awareness of proper disposal options that would decrease the need for small site cleanups.

1. *Do Not Schedule Cleanup Events Prior To Receiving a Fully Executed Grant Agreement.*
2. Applicant *must be* a local unit of government (county, township, city, or village) and will be referred to as the “entity.”
3. An established contract must be in place with a registered scrap tire hauler. The entity has a choice to charge a fee to residents for tire recycling according to the type and number of scrap tires in order to cover costs. However, the applicant may not profit from this Grant activity.

EGLE will reimburse the actual costs incurred at a rate of \$1,000 per dropped trailer for the first 500 tires. Then there is a \$2 per PTE reimbursement for over 500 tires up to a maximum of \$2,000 per trailer. For cleanups being reimbursed by weight, the reimbursement will be \$178 per ton. For cleanups being reimbursed by volume, the reimbursement will be \$17.80 per cubic yard.

4. For a permanent collection site, the site must be located in a fenced and gated area under control of the entity.
5. No more than 500 scrap tires may be stored in an outdoor storage pile, or all tires must be in road worthy storage trailers; otherwise bonding pursuant to Part 169 will be required, at the expense of the entity. This requirement will be waived if the storage area is part of a licensed Part 115 solid waste disposal area authorized to store scrap tires and is maintained in compliance with the Part 115 license requirements, as prescribed in Part 115, Solid Waste Management, of the NREPA.
6. The entity will be required to complete the Collection Site Registration process. The \$200.00 registration fee may be requested as part of the reimbursement under the grant. If applicable, the request for such should be indicated in the application narrative. This requirement will be waived if the storage area is part of a licensed Part 115 solid waste disposal area authorized to store scrap tires and is maintained in compliance with the Part 115 license requirements.

7. If the Community Collection Site is accepting illegally dumped/abandoned scrap tires, the scrap tires may be picked up by the entity and delivered to the Community Collection Site to await pick up by the registered scrap tire hauler.
8. Commercial businesses may **NOT** bring tires to a cleanup event or the Community Collection Site. The event is limited to household and residential scrap tires **ONLY**. NOTE: A commercial “farm” or “farm operation” as defined in Section 2 of the Michigan Right to Farm Act, 1981 PA 93, MCL 286.472, is a commercial business.
9. If the Community Collection Site is accepting resident drop-off tires, the entity must advertise the eligibility criteria, cost (if any), date, and hours of the community collection site. This must include drop off availability of at least one day per month. A schedule of available time must be provided to the Scrap Tire Program Coordinator via email to EGLE-ScrapTire@Michigan.gov.

Eligibility Criteria - Abandoned Scrap Tires or Scrap Tires Dumped on Publicly Owned Properties

1. *Do Not Schedule Cleanup Events Prior To Receiving a Fully Executed Grant Agreement.*
2. The governmental entity must estimate the number of abandoned scrap tires on publicly owned properties to be cleaned up and include this information in the Grant application.
3. There must be one individual/community/entity that coordinates the cleanup.
4. Municipalities may elect to aggregate applications in their geographic area and set up a community cleanup site for consolidation of these smaller accumulations of scrap tires, to simplify paperwork and the collection of scrap tires. If a community cleanup site is established, the entity will ensure that the scrap tires are legally transported to the community cleanup site and removed from the community cleanup site to a legal destination as specified in the grant agreement.
5. The entity must have the scrap tires disposed of as soon as possible. The entity cannot maintain piles of over 500 scrap tires without registering as a collection site and meeting all requirements under Part 169. A community cleanup site is not considered a collection site, as long as the scrap tires are disposed of as soon as possible (*as specified in the grant agreement*).

The entity will be responsible for providing labor (volunteer or paid) to coordinate loading of the trailer. **Labor costs are not covered by the Grant.** The applicant may not profit from this Grant activity.

The entity must remove the scrap tires from publicly-owned lands and leave them at a consolidation point for easier tire removal by the hauler.

EGLE will reimburse the actual costs incurred at a rate of \$1,000 per dropped trailer for the first 500 tires. Then there is a \$2 per PTE reimbursement for over 500 tires up to a maximum of \$2,000 per trailer. For cleanups being reimbursed by weight, the

reimbursement will be \$178 per ton. For cleanups being reimbursed by volume, the reimbursement will be \$17.80 per cubic yard.

6. In areas where dumping appears to occur frequently, the entity will target that area for anti-dumping enforcement and provide a written description of the enforcement as part of the Grant application. Law Enforcement Grants are also available to help offset the costs of surveillance equipment as part of establishing or reinforcing anti-dumping campaigns.

Eligibility Criteria - Roadside Cleanup

1. *Do Not Schedule a Cleanup Event Prior To Receiving a Fully Executed Grant Agreement.*
2. The entity with jurisdiction over the roadway is eligible to apply for a Grant. Entities are allowed to apply for a Grant for scrap tires they have already picked up. Abandoned scrap tires must be removed from road rights-of-way.
3. An entity is eligible for a Grant of up to a maximum of \$2,000.00 for roadside cleanup. EGLE may limit the total number of roadside cleanup Grants issued each year based on the priorities listed above and the amount of funding available.
4. Different entities in same area are encouraged to consolidate their roadside cleanup days or schedule cleanup days during the same week to facilitate collection.
5. The entity must have the scrap tires disposed of as soon as possible. The entity cannot maintain piles of over 500 scrap tires without registering as a collection site and meeting all requirements under Part 169. A community cleanup site is not considered a collection site, as long as the scrap tires are disposed of as soon as possible (*as specified in the grant agreement*).
6. The entity will be responsible for providing labor (volunteer or paid) to coordinate loading of the trailer. **Labor costs are not covered by the Grant.** The applicant may not profit from this Grant activity.

The entity must remove the scrap tires from the roadside and leave them at a consolidation point for easier tire removal by the hauler.

EGLE will reimburse the actual costs incurred at a rate of \$1,000 per dropped trailer for the first 500 tires. Then there is a \$2 per PTE reimbursement for over 500 tires up to a maximum of \$2,000 per trailer. For cleanups being reimbursed by weight, the reimbursement will be \$178 per ton. For cleanups being reimbursed by volume, the reimbursement will be \$17.80 per cubic yard.

7. In areas where dumping appears to occur frequently, the entity will target that area for anti-dumping enforcement and provide a written description of the enforcement as part of the Grant application. Law Enforcement Grants are also available to help offset the costs of surveillance equipment as part of establishing or reinforcing anti-dumping campaigns.

Cleanup of Buried Scrap Tires

Cleanup of scrap tires that were buried as a result of fire suppression activities will be allowed under the Grant Program but is considered a lower priority than cleaning up tires that are above the ground surface. The person or entity having ownership or legal access to the property where the scrap tires are buried is eligible to apply for a Grant to cleanup these scrap tires. If the scrap tires are found to be *exceptionally dirty*, EGLE must be contacted for further instructions.

EGLE will reimburse actual costs incurred at a rate of \$1,000 per dropped trailer for the first 500 tires and then \$2 per PTE for anything over the initial 500 tires, up to a maximum of \$2,000 per trailer. For cleanups being reimbursed by weight, the reimbursement will be \$178 per ton. For cleanups being reimbursed by volume, the reimbursement will be \$17.80 per cubic yard.

Transportation Costs

Additional transportation costs may be considered for sites located **ONLY** in the northern Lower Peninsula or in the Upper Peninsula. EGLE will reimburse scrap tire transportation costs up to \$1 per loaded mile for collection sites located over 100 miles from the processor's location. This reimbursement is based on the first 100 miles of transportation costs being included in the standard trailer rate and would apply to mileage in excess of 100 miles. ***These costs must be requested and justified in the narrative portion of the application and must be agreed to and approved by EGLE.***

APPLICATION PROCESS AND EVALUATION CRITERIA

REQUIRED APPLICATION COMPONENTS

- To be considered complete, a funding application must include all components listed below **and be submitted through the Scrap Tire mailbox, EGLE-ScrapTire@Michigan.gov. The application is considered fully executed upon submission.** Applications that are incomplete will be deemed ineligible and receive no further consideration for funding.
- Application for funding will include general Project Information, Cleanup Site Information, applicant signature, and all information indicated in Project Narrative Requirements.
- Proof of property ownership of the property containing the scrap tires (**only a warranty deed or land contract will be accepted as proof of property ownership**). If the applicant is a governmental entity, nonprofit entity, or an approved scrap tire end-user, as defined in Part 169, Section 324.16901(1)(k), who wishes to remove scrap tires from private property, documentation of legal authority to remove the scrap tires from a private site (e.g., local ordinance, court order, or written permission from all parties with ownership interest in the property) must be provided.

NOTE: Community Cleanup Days, Resident Drop-Offs, and Cleanups of Tires Dumped on Publicly Owned Properties are exempt from the requirement to provide proof of property ownership.

- For each collection site with tires accumulated prior to January 1, 1991, a copy of the 1991 Scrap Tire Collection Site Registration (if a copy is on file with EGLE, indicate in your application) or, for those sites that were not legally registered in 1991, other information documenting the number of scrap tires on the site that were accumulated prior to January 1, 1991 (e.g., documentation from EGLE District Office files, local citations, records, etc.).
- For any abandoned scrap tires, documentation the tires were abandoned at the collection site. This requirement applies to pre-1991 scrap tires and post-1991 scrap tires.

APPLICATION SUBMISSION INFORMATION

EGLE must receive all original applications along with the required narrative via the Scrap Tire mailbox EGLE-ScrapTire@Michigan.gov no later than **11:59 PM EST August 30, 2019**.

- If you are unable to send the application electronically, have difficulties accessing the grants module, or have any other questions related to the application's preparation or submission, please call the Scrap Tire Program Coordinator at 517-614-7431 for further instructions.
- Applications that are incomplete will be deemed ineligible and receive no further consideration for funding.

- A single application may be submitted to request funding for multiple sites. Please contact the Scrap Tire Coordinator at 517-614-7431 to discuss the appropriate process for submitting a single application or multiple sites.

EVALUATION CRITERIA

EGLE priorities will be to continue with the removal of tires from collection sites and accumulations of abandoned scrap tires, to complete Cleanup Days/Roadside Cleanups, and cleanup of scrap tires that were buried as a result of fire suppression activities. The following descriptions are brief and designed to provide a general explanation of the criteria that will be considered and the typical components of those criteria. The order of the listed criteria is not intended to indicate relative weight placed on individual criteria.

- Number of scrap tires abandoned pre-1991. The reliability of information submitted to confirm that the scrap tires at the site existed prior to 1991 will be critical (see “Required Application Components”).
- Actual or potential impacts to public health, the environment, and natural resources such as: the fire hazard posed; the potential for air contamination from fire; the risk from mosquito-transmitted diseases; the safety/injury potential; and the potential for chemicals or chemical by-products resulting from a tire fire to reach groundwater or surface water. At a minimum, location to residentially zoned areas will be used in evaluating this criterion and proximity to surface water bodies and groundwater, forest, public/private water supply wells/sources, and wellhead delineation areas will be major factors in evaluating this criterion.
- Actual or potential involvement of site in urban renewal/economic development activities. Involvement in such efforts and effects on property values and aesthetics (blight conditions) are some components that will be considered in this evaluation. No formal plan is necessary.
- Efforts to comply with Part 169 and efforts to remove tires by the tire site owner or local government using their own funds, in-kind services, etc.
- Effectiveness of the proposed removal program and Grant funding in addressing the needs of the site.
- If a judgment, including a fine or penalty (civil or criminal), has been rendered by a court under the NREPA against the applicant or a current or previous owner/operator of the site in favor of the State, the degree to which the applicant proposes to remove more than one passenger tire per the approved per tire reimbursement authorized by the Grant.
- Higher priority will be given to applicants who propose to use the tires for purposes other than tire-derived fuel usage (i.e., for use in modified asphalt, molded rubber products, extruded rubber products, and aggregate replacement materials).

APPLICATION REVIEW PROCESS

The following is the process that will be used to select scrap tire sites for funding assistance:

- For properties with 100,000 scrap tires or more, or cleanup of buried tires applications for funding will be reviewed and prioritized by a review committee based on the evaluation criteria indicated above. The review committee will consist of EGLE MMD central office and district staff.
- For properties with less than 100,000 scrap tires, Cleanup Day (resident drop-off), small accumulations of tires dumped on public lands, or roadside cleanup, applications for funding will be reviewed and prioritized by the EGLE MMD district staff.
- EGLE may limit the total number of cleanup day and roadside cleanup Grants issued each year based on the priorities listed above and the amount of funding available.
- The final prioritized listing will be approved by the EGLE Director. Grants in excess of \$500,000 require State Administrative Board approval before Grant agreements are awarded.
- Applicants will be notified in writing of the decision regarding their applications. Evaluation information concerning an application will be available upon request.
- EGLE reserves the right to issue press releases regarding approved applicants during the Grant cleanup and following the cleanup of selected sites.

AGREEMENT REQUIREMENTS FOR APPROVED APPLICANTS

Approved applicants will be required to enter into a standard EGLE Grant agreement with the EGLE. There will be limited opportunities for negotiation prior to entry of a Grant agreement. Opportunities to modify a signed agreement will also be limited.

The original application becomes part of the Grant agreement. The agreement will stipulate a project period during which the project must be completed, and all expenditures must be made. Successful applicants (Grantees) must be prepared to agree to the following minimum agreement conditions:

- All projects funded must be completed by **Friday, December 31, 2020**, unless otherwise specified in the Grant agreement. Grant extension requests may be approved, but must be received no later than 30 days prior to the grant end date.
- Grants are paid through a reimbursement process. Reimbursement requests submitted to EGLE must include proof of payment to the processor for work completed. Examples of acceptable proof of payment include cancelled checks, ACH or wire transfer confirmations, and bank statements. Front and back of cancelled check(s), front of the check(s) and bank statement showing the check(s) have cleared your financial institution or a copy of ACH or wire transfer confirmation.

Under extenuating circumstances, the Grantee may assign Grant payments to the processor. **This type of payment arrangement must be requested in writing and approved in advance by EGLE. The scrap tire processor must also agree to this assignment of payment, in writing.**

- The Grantee acknowledges that it is a crime to knowingly and willingly file false information with the State for the purpose of obtaining this agreement or any payment under the agreement and that any such filing may subject the Grantee, its agents, and/or employees to criminal and civil prosecution and/or termination of the Grant.
- The Grantee and all contractors, subcontractors, etc., must operate in compliance with all applicable laws and the Grant agreement. Certain provisions contained in the Grant agreement may preclude various entities from receiving Grant funds. These provisions include, but are not limited to the following:
 - Conflict of Interest: No government employee, or member of the legislative, judicial, or executive branches, or member of the Grantee's Board of Directors, its employees, partner agencies, or their families shall benefit financially from any part of this agreement.
 - Debarment and Suspension: By signing this agreement, the Grantee certifies that it has checked with the federal debarment/suspension list at [Sam.Gov](https://www.sam.gov) to verify that its agents, and its subcontractors:
 - 1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or the State.
 - 2) Have not within a three-year period preceding this agreement been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction, as defined in 45 CFR 1185; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.
 - 3) Are not presently indicted or otherwise criminally or civilly charged by a government entity (federal, state, or local) with commission of any of the offenses enumerated in subsection (2).
 - 4) Have not within a three-year period preceding this agreement had one or more public transactions (federal, state, or local) terminated for cause or default.
 - 5) Will comply with all applicable requirements of all other state or federal laws, executive orders, regulations, and policies governing this program.

Actual transportation and processing costs incurred are eligible for reimbursement according to the processor's option.

EGLE will reimburse actual costs incurred at a rate of \$1,000 per dropped trailer for the first 500 tires and then \$2 per PTE for anything over the initial 500 tires, up to a maximum of \$2,000 per trailer. For cleanups being reimbursed by weight, the reimbursement will be \$178 per ton. For cleanups being reimbursed by volume, the reimbursement will be \$17.80 per cubic yard.

If the tires are found to be exceptionally dirty, or the site contains more than 10 percent of the tires on rims, you must contact EGLE for further instructions.

The grant will not pay any additional reimbursement amount for rim disposal.

Additional transportation costs may be considered for sites located in only the northern Lower Peninsula or in the Upper Peninsula. The State will reimburse scrap tire transportation costs up to \$1 per loaded mile for collection sites located over 100 miles from the processor's location. This reimbursement is based on the first 100 miles of transportation costs being included in the standard trailer rate and would apply to mileage in excess of 100 miles. **These costs must be requested and justified in the narrative portion of the application and must be agreed to and approved by EGLE.**

For sites with tires accumulated after 1991, applicants must agree to the placement of liens, in favor of the State up to the value of the cleanup costs and for any increase in the property value because of any Grant-funded cleanup, on the property that is affected by the removal of the tires. The liens would be filed by EGLE at the time a Grant agreement is awarded to a successful applicant.

Scrap Tire Cleanup Program

SCRAP TIRE PROCESSOR CONDITIONS

To assist applicants in selecting appropriate scrap tire processors, EGLE has developed and maintains a listing of registered Michigan-based scrap tire processors who have expressed an interest and willingness to participate in the cleanup program located at http://www.michigan.gov/deq/0,4561,7-135-3312_4123_4122-9262--,00.html. Prior to issuance of an agreement for Grant funds to cleanup tires, the Grantee will need to demonstrate to EGLE that the selected processor(s) meet the following conditions:

- The processor is authorized to do business in and is located in the state of Michigan. The processor must possess all the required permits, registrations, and/or licenses required by law. The processor must demonstrate the capability to process the scrap tires that will be removed from the site(s) covered by the Grant agreement. Out-of-state haulers/processors may be considered and approved by EGLE on a case by case basis for tires **located in the UP**, provided the applicant is unable to find a Michigan hauler/processor willing to travel to the UP or provide services for the grant reimbursement amount. Out-of-state processors must submit documentation of legal authority to operate within their state to EGLE prior to removing tires from any UP-cleanup site.
- The processor has agreed with the Grantee to process the tires and transport the processed tires to the approved end-user.
- The processor has a contract(s) with the scrap tire material user(s) that will receive the processed tires. This user contract must indicate that the user will accept an amount of processed scrap tire material equal to or greater than the number of tires to be removed from the Grant sites(s).
- The processor will use and properly complete the Scrap Tire Transportation Record form (EQP 5128) when accepting and transporting the scrap tires.
- The processor will notify the Grantee of any changes that would make the processor unable to meet all conditions or those of the Grant agreement.
- If the processor receives scrap tires that have excessive soil or dirt within the load, or over 10 percent of the tires with rims, they must contact EGLE for further instructions. The grant will not pay any additional reimbursement amount for rim disposal.

The Grantee is hereby given notice that the agreement will require the Grantee, all contractors, subcontractors, agents, and employees, including processors, to be in compliance with Part 169 and other applicable laws and to not be in litigation with EGLE regarding Part 169 or other applicable laws to maintain the agreement. In addition, the processor may be subject to inspections by EGLE to ensure compliance with Part 169 and the Grant agreement. The Grantee shall provide the following notice to the processor of these requirements.

NOTICE

Due to decreased end use markets, a temporary suspension of the requirement that processors deliver all grant tires to an end user will be in place for the Fiscal Year 2020 cleanup grant

round. All scrap tires must continue to be handled according to Part 169, however disposal at a Part 115 licensed landfill in accordance with Part 115 will be an acceptable method for a processor to handle the incoming scrap tires under the grant.

Any grantee/contractor wishing to deliver scrap tires to a landfill, after proper size reduction, must contact EGLE grant administrator for approval. Whole motor vehicle tires are prohibited from being disposed of in a landfill.

Scrap Tire Cleanup Program

SCRAP TIRE HAULER CONDITIONS

To assist applicants in selecting appropriate scrap tire haulers, EGLE has developed and maintains a listing of registered Michigan-based scrap tire haulers located at; http://www.michigan.gov/deq/0,4561,7-135-3312_4123_4122-9262--,00.html. Prior to issuance of an agreement for Grant funds to cleanup tires, the Grantee will need to demonstrate to EGLE that the selected hauler(s) meet the following conditions:

- The hauler is authorized to do business in, is located in the state of Michigan, and must possess all the required permits, registrations, and/or licenses required by law. The hauler must demonstrate the capability to haul the scrap tires that will be removed from the site(s) covered by the Grant agreement. Out-of-state haulers, delivering the tires to an out-of-state processor, may be considered and approved by EGLE on a case by case basis for tires **located in the UP**, provided the applicant is unable to find a Michigan hauler/processor willing to travel to the UP or provide services for the grant reimbursement amount. Any out-of-state hauler approved for use must meet the remaining requirements above including, but not limited to, registering to transport scrap tires in the state of Michigan.
- The hauler has agreed with the Grantee to transport the scrap tires to the approved location: a registered collection site (indicate the Michigan Scrap Tire Collection Site Registration Number); disposal area licensed under Part 115, Solid Waste Management, of the NREPA; scrap tire processor; and end-user or scrap tire retailer. NOTE: Section 324.16902 of Part 169 states that a person shall deliver a scrap tire *only* to, and only with the consent of the owner or operator of a collection site registered under Section 324.16904, a location that has legally accumulated scrap tires below the regulatory threshold as qualifying as a collection site (exempt site), a disposal area licensed under Part 115 (**WHOLE TIRES MAY NOT BE DISPOSED OF IN A LANDFILL**), an end-user, a scrap tire processor, or a retailer, *that is in compliance with Part 169*.
- The hauler will use and properly complete the Scrap Tire Transportation Record form (EQP 5128) when accepting and transporting the scrap tires.
- The hauler will notify the Grantee of any changes that would make the hauler unable to meet all conditions or those of the Grant agreement.
- If the hauler receives scrap tires that have excessive soil or dirt within the load, or over 10 percent of the tires with rims, they must contact EGLE for further instructions.

The Grantee is hereby given notice that the agreement will require the Grantee, all contractors, subcontractors, agents, and employees, including haulers, to be in compliance with Part 169 and other applicable laws, and to not be in litigation with EGLE regarding Part 169 or other applicable laws, in order to maintain the Grant agreement. In addition, the hauler may be subject to inspections by EGLE to ensure compliance with Part 169 and the Grant agreement. The Grantee shall provide notice to the hauler of these requirements.