

REQUEST FOR APPROVAL

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

From: Lorraine Van Kekerix
Branch Chief, Waste Evaluation and Enforcement Branch

Request Date: April 10, 2013

Decision Subject: Amendment to the Current California Highway Patrol Waste Tire Enforcement Support Interagency Agreement

Action By: April 15, 2013

Summary: The goal of this amendment is to enhance the existing waste tire enforcement activities with the continued assistance of the California Highway Patrol to increase the compliance rates of waste tire haulers and eliminate the illegal transport and storage/disposal of waste tires through enforcement and educational activities.

In Fiscal Year 1997/98, CalRecycle (formerly the CIWMB) entered into the first in a series of agreements with the California Highway Patrol (CHP) to create a training video on the waste tire hauler regulations which was used to conduct training of law enforcement officers statewide. In addition to the training video, CHP and CalRecycle staff created a reference sheet listing requirements for hauling waste tires and procedures for becoming registered as a waste tire hauler.

In FY 1998/99, the scope of the agreement was expanded to include aerial surveillance to identify illegal tire disposal sites. As part of the second agreement, which was approved by the Board at the May 2002 meeting, the CHP began working in cooperation with CalRecycle staff to conduct enhanced vehicle checkpoints throughout the state. The aerial surveillance program and the enhanced vehicle checkpoint activities continued during FY 2006/07 through a third agreement approved by the Board in April 2005.

In 2009 the agreement was expanded to include CHP assistance in conducting legal process service, assisting CalRecycle staff in investigations, security details, developing and implementing training activities on the waste tire hauler regulations, and performing/supporting other enforcement-related activities for the CalRecycle, as needed, including along the California Mexico Border Region.

Due to the recent rapid expansion of the waste tire export market and subsequent collapse of that market, there has been a higher frequency of clandestine, unpermitted waste tire facilities operating in violation of waste tire facility permitting laws. Even though there has been a temporary decrease in waste tire exporting during the past year, it is highly likely the export market will resume in the future and may increase suddenly. This will lead to additional unregulated waste tire facilities that can cause significant fire and environmental hazards to industrial areas surrounding California ports and communities in general.

The waste tire enforcement program expects to continue utilizing the CHP services in investigations at levels that were not envisioned when the current interagency agreement was first approved. Although there are no new tasks associated with this amendment, there is expected to be a higher frequency of use and a broader geographic need. This will lead to existing funds being expended quicker than anticipated. Therefore it is necessary to amend the interagency agreement to insure there are adequate funds when the needs for service arise.

Through this interagency agreement amendment, the CHP will continue providing the same type of services that have been provided over the last several years. In conjunction with other CalRecycle agreements, this agreement will help ensure CalRecycle continues to implement a comprehensive and effective waste tire enforcement program that promotes the safe and legal hauling and storage/disposal of California's 40 million waste tires.

Recommendation: Staff recommends that you approve the amendment to the current interagency agreement with the California Highway Patrol for waste tire enforcement support in an amount not to exceed one hundred thousand dollars (\$100,000).

Fiscal Year	Fund Source	Amount Available	Amount to Fund Item	Amount Remaining	Line Item
2012/2013	Tire Recycling Management Fund	\$101,015	\$100,000	\$1,015	Contracts

Findings:

On the basis of the information and analysis in this Request for Approval, I hereby approve the amendment to the current interagency agreement with the California Highway Patrol for Waste Tire Enforcement Support

Dated: 4/18/12



Mark de Bie
Deputy Director
Waste Permitting, Compliance and Mitigation Division

Attachment: Contract Services Request