

# Federal Grant Application Summary

## 2013-2014 Hazardous Materials Emergency Preparedness (HMEP) Grant

### Application due date:

April 19, 2011

### Grant Details

**Federal Awarding Agency(s)** United States Department of Transportation (US DOT)/Pipeline and Hazardous Materials Safety Administration (PHMSA)

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**CFDA# (Catalog of Federal Domestic Assistance):** 20.703

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**Common Grant Name:** FY13 HMEP Grant

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#### Applicable Law(s):

Federal Hazardous Materials Transportation Law, 49 U.S.C. 5101 et seq; 42 U.S.C. 1101, The Emergency Planning and Community Right-to-Know Act of 1986, Section 301 and 303; Title VI of the Civil Rights Act of 1964 as implemented by US DOT

#### Applicable Regulations/Guidance:

2 CFR Part 225 (Office of Management and Budget Circular A-87), OMB Circulars A-102 and A-133; Title 49, CFR Parts 18 and 110; National Incident Management System (NIMS); Occupational Safety and Health Administration (OSHA) Standard 1910.120; National Fire Protection Administration (NFPA) Standard 472; PHMSA HMEP Activities Guidance

#### Percentage of funds that *MUST* be Subgranted:

Federal regulations require that at least 75 percent of the Planning award be made available to the Local Emergency Planning Committees (LEPC), and at least 75 percent of the Training award be made available for the purposes of training public sector employees employed or used by political subdivisions.

#### Eligible Subgrantees:

California's LEPCs; state or local agencies; and federally recognized tribal governments may apply for sub-grants. Local governments are defined in Title 49 CFR, Part 18.30. It should be noted that the planning awards are to be made available to the LEPCs. Since the LEPCs do not have the ability to receive and distribute grant funds, the sub-grant applications must be approved and prioritized by the LEPCs before being forwarded to Cal EMA.

#### Federal/State/Local Share Percentages (match):

80 percent Federal / 20 percent Match Share (Title 49, CFR Part 110.60(a).)  
Cal EMA provides the 20 percent Match Share for all state operations expenses, and sub-grantees provide the 20 percent Match Share for their sub-awards.

#### Federal Grant Project Period:

October 1, 2013 to September 30, 2014.

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Phone# 845-8765

## Eligible Grant Activities

### List below any activities this grant is eligible for:

- All grant expenditures and activities must be eligible, reasonable, allowable, and allocable in accordance with 2 CFR Part 225 (OMB Circular A-87) and 49 CFR Part 18, and part of a fully justified, approved application for grant funds.
- The HMEP Grant funds transportation-related hazardous materials (hazmat) planning and training activities.
- Planning grants are to be used by HMEP grantees for the funding of planning activities that enhance State, territory, Native American Indian tribe (tribe), and local preparedness for hazmat transportation incidents, such as:
  - Development, improvement, and implementation of emergency plans required under the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA), as well as exercises that test the emergency plans;
  - Enhancement of emergency plans to include hazards analysis, as well as response procedures for emergencies involving transportation of hazardous materials, including radioactive materials;
  - Conduct appropriate hazard assessments and gap analysis to determine the level of HazMat safety risks within a jurisdiction, state, or region, or deficiencies in training or planning;
  - An assessment to determine the flow patterns of hazardous materials within the state, between states or Native American lands, and development and maintenance of a system to keep such information current;
  - An assessment of the need for regional hazardous materials emergency response teams;
  - An assessment of local response capabilities;
  - Emergency response drill and exercises associated with emergency preparedness plans;
  - Provision of technical staff to support the planning effort;
  - And additional activities appropriate to implement the scope of work for the proposed project plan and approved by U.S.DOT/PHMSA.
- Training grants are to be used by HMEP grantees for training public sector employees to respond safely and efficiently to accidents and incidents involving the transportation of hazardous materials (hazmat).
- Funded training courses must meet the core competency requirements and mission specific competency requirements listed in National Fire Protection Association (NFPA) 472 and Occupational Safety and Health Administration (OSHA) 29 CFR 1910.120 (known as "the National Curriculum") for emergency responders.
  - Allowable Training activities include: An assessment to determine the number of public sector employees employed or used by a political subdivision who need the proposed training, and to select courses consistent with the National Curriculum;
  - Delivery of comprehensive preparedness and response training to public sector employees;
  - Design and delivery of preparedness and response training to meet specialized needs;
  - Financial assistance for trainees and for the trainers, if appropriate, such as tuition, travel expenses to and from a training facility, and room and board while at the training facility;
  - Emergency response drills associated with training, a course of study, and tests and evaluation of emergency preparedness plans;
  - Expenses associated with training by a person, (including a department, agency, or instrumentality of a State or political subdivision thereof or an Indian tribe) and activities necessary to monitor such training including, but not limited to examinations, critiques and instructor evaluations;
  - Provision of staff to manage the training effort designed to result in increased benefits, proficiency, and rapid deployment of local and regional responders;
  - And additional activities appropriate to implement the scope of work for the proposed project plan and approved by U.S.DOT/PHMSA.

## Budget Information

### Amount of Funding Available to California:

The federal share for the Planning award is \$738,380 and the federal share for Training is \$1,129,815 for a TOTAL of \$1,868,195.

The non-federal share for matching purposes is \$184,595 for Planning and \$282,454 for Training which is a TOTAL of \$467,049 matching funds.

**Is this a reoccurring grant?**

Yes  No

The Federal Hazardous Materials Law authorizes the US DOT to provide assistance to public sector employees through planning and training grants. The purpose of the HMEP grant program is to increase effectiveness in safely and efficiently handling hazardous materials accidents and incidents; enhance implementation of EPCRA; and encourage a comprehensive approach to emergency training and planning by incorporating the unique challenges of responses to transportation situations. This is a performance-based grant that builds on and supports accomplishments of long-term goals and objectives.

**If yes, what was the previous grant amount?**

The 2012-2013 HMEP Grant award (Federal share) for California was \$1,868,195

**Is there a Match requirement?**

Yes, the HMEP Grant has a match requirement of 20 percent, which for the 2013-2014 HMEP Grant award is \$467,049. Cash (hard-match), in-kind (soft-match) contributions, or a combination of in-kind plus hard-match may be used to meet this requirement.

**Is additional budget authority needed?**

No, additional budget authority is needed. Budget authority already exists for this program.

**How much is allowed for state operations?**

Cal EMA may budget not more than 25% of each award (Planning / Training) for state operations activities related to the Agency's approved activities and program management of each grant.

**Additional Information:**

The fully developed application narrative will be made available upon request to the State Emergency Response Commission (SERC) membership prior to the April 19, 2013 filing deadline.

**Application Components**

Cal EMA's application must include the following components.

- \* Grant Application Package submission confirmation page from Grants.gov
- \* Application for Federal Assistance (SF-424)
- \* Planning and Training Program narratives in electronic format following the outline template provided by PHMSA
- \* Budget Information for Non-Construction Programs (SF-424A)
- \* Assurances for Non-Construction Programs (SF-424B)
- \* Department of Education Combined Assurances (ED-80-0013)
- \* Attachments Form
- \* EPCRA/Programmatic Certification for States and Territories Form

**Grant Requirements and Conditions**

A single application may be used for both planning and training if the budgets for each are entered separately on all budget sheets. The training and planning grant application from a State or Territory must be accompanied by a letter from the Governor designating an entity to receive Federal funds if it has not already been provided to PHMSA. DOT encourages the designated entity to obtain substantive knowledge of the status of training and planning under EPCRA, familiarity with State

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and local emergency preparedness and response capabilities and training needs. Also required is a statement that all members of the State Emergency Response Commission (SERC) have been given an opportunity to review the grant application.

To be approved for a planning grant, a State or Territory must agree that it is complying with Sections 301 and 303 of EPCRA and the National Incident Management System (NIMS). With respect to Section 301, the State or Territory must state that a SERC has been established, emergency planning districts have been designated, and Local Emergency Planning Committees (LEPC) have been appointed by the SERC. The State or Territory also must describe the status of the LEPCs' emergency response plans and their compliance with Section 303. In addition, the State or Territory must agree that the aggregate expenditure of funds (as defined by the State or Territory), exclusive of Federal funding, for planning activities will not fall below its average expenditure for its last 5 fiscal years. The State or Territory also must agree to make available to LEPCs at least 75 % of the Federal planning grant funds provided.

To be eligible for a training grant, a State or Territory must agree that it is complying with Sections 301 and 303 of EPCRA. With respect to Section 301, the State or Territory must state that a SERC has been established, emergency planning districts have been designated, and LEPCs have been appointed by the SERC. The State or Territory also must describe the status of the LEPCs' emergency response plans and their compliance with Section 303. In addition, the State or Territory must agree to make at least 75 % of the awarded Federal funds available for the purpose of training employees either employed or used by political subdivisions. The State or Territory also must agree that it will maintain a 2-fiscal-year average of its own aggregate level of expenditures (as defined by the State or Territory) for training public sector employees and volunteers to respond to accidents and incidents involving hazardous materials and agree to use courses consistent with the National Curriculum Guidelines developed under HMEP.

### Recommendations

It is recommended that the California 2013-14 HMEP Grant application be approved and transmitted to U.S. DOT for funding consideration.

The Planning portion of the HMEP Grant award will be administered through the 6 LEPCs using an allocation that represents approving projects based on interest, need, and risk, which may result in unequal levels of funding among the LEPCs. The priorities for the 2013-14 HMEP Grant cycle are: 1) Area Plan development or revision of plans that are at least 3 years old, with an exercise component; 2) HazMat commodity flow study or comparable hazard analysis; 3) Assessment of local HazMat transportation incident response capabilities; HazMat transportation incident drills and exercises that test/validate emergency preparedness plans; Projects that have a regional benefit and/or build on previously-funded accomplishments; and other eligible planning activities.

The Training portion of the HMEP Grant award will be administered through the 6 LEPCs using an allocation that represents course development and delivery based on interest, need, and risk, which is intended to distribute approximately equal levels of funding among the LEPCs and that attempts to accommodate all eligible recipients. The 2013-14 CSTI HazMat training schedule begins October 1, 2013, and is currently under development using training course type and attendee needs identified by the LEPCs.

If approved, please sign the pages that have been marked and return to Neverley Shoemake, Emergency Services Coordinator and HMEP Grant Administrator, Hazardous Materials Section.

This application must be submitted to U.S. DOT by 5:00 p.m. Eastern Time on April 19, 2013.



Approved for application submission.

Neeraj S. Gelller  
Cal EMA Secretary

3/14/13  
Date

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