

**FFY 2019-2021
Hazardous Materials Emergency
Preparedness Grant Guidance**

Guidance Released: January 31, 2019

MONTANA DISASTER AND EMERGENCY SERVICES

www.readyandsafe.mt.gov/emergency



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Application Due Date: 11:59 pm Friday, April 5, 2019

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Hazardous Materials Emergency Preparedness (HMEP) Grant

Funding for this program is provided to Montana Disaster and Emergency Services (MT DES). MT DES is the state Administrative Authority for this program. Funding is provided by the U.S. Department of Transportation (DOT), Pipeline and Hazardous Materials Safety Administration (PHMSA).

Catalog of Federal Domestic Assistance (CFDA) Number: 20.703

CFDA Title: Hazardous Materials Emergency Preparedness (HMEP) Grant Program

Applications will be due to MT DES via email to Keith Simendinger at ksimendinger@mt.gov no later than the application period close date on the application form.

KEY DATES:

- **Open no later than January 31th, 2019**
- **Closes on April 5th, 2019 at 11:59 PM MDT**
- **Year 1: Projected period of performance (POP) is 1 October 2019 – 30 September 2020.**
- **Year 2: Period of Performance is 1 October 2020 – 30 September 2021**
- **Year 3: Period of Performance is 1 October 2021 – 30 September 2022**
- **Adjustments and project changes for Year 2 and Year 3 can be made during the application update period each year (April/May prior to start of funding year)**

NOTE: Changes to Notice of Funding Opportunity guidance may result in modifications to this document.

Overview

The purpose of the Federal Fiscal Year (FFY) 2019 HMEP grant is to increase State, Tribal, and local effectiveness in safely and efficiently handling hazardous materials incidents, enhance implementation of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA), and encourage a comprehensive approach to emergency training and planning by incorporating unique challenges of responses to transportation situations. Through this grant program, PHMSA seeks to increase the effectiveness of hazardous materials response and preparedness efforts, and reduce the risks associated with the bulk transport of highly flammable liquids, and other hazardous materials, throughout the United States.

Seventy-five percent (75%) of HMEP funds must be passed through to local or tribal units of government. Up to twenty-five percent (25%) of the overall HMEP funds received by the state may be used for administration and maintenance costs (M&A) that may be necessary for oversight of the grant program.

At the date of publication of this document, the Department of Transportation has not yet released the FFY 2019 HMEP Notice of Funding Opportunity (NOFO). When released, the complete FFY 2019 HMEP NOFO will be posted at www.readyandsafe.mt.gov/emergency.

The funding amount Montana will receive under HMEP in FFY 2019 is currently unknown. MTDES estimates that federal funding will be available no later than September 30, 2019.

I. Purpose

HMEP assists state, tribal, and local preparedness planning and training activities related to the transportation of hazardous materials. HMEP funds are available to:

1. Develop, improve, and carry out emergency plans under the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA), including ascertaining flow patterns of hazardous material on lands under the jurisdiction of a State, Native American Tribes, and between lands under the jurisdiction of a State or tribe and lands of another State or tribe.
2. Train public sector employees to respond to accidents and incidents involving hazardous material incidents. To the extent that a grant is used to train emergency responders, the applicant must ensure that the emergency responders who receive training under the grant will have the ability to protect nearby persons, property, and the environment from the effects of accidents or incidents involving the transportation of hazardous material in accordance with existing regulations.

II. Priorities

MT DES in conjunction with the State Emergency Response Commission (SERC) Hazardous Materials Committee (Hazmat Committee) has developed guidance, priorities, and methodology for reviewing HMEP grant applications. MT DES ensures projects meet the intent of HMEP and the Hazmat Committee in sustaining and improving the state in regard to hazardous materials incidents.

The following types of projects will be given priority (all categories are given same priority when reviewing):

- A. Hazmat Technician Level Trainings
- B. Hazmat Operations Level Trainings
- C. Hazmat Awareness Level Trainings
- D. Local Hazmat Planning*
- E. Hazmat Exercises

*Applicants are encouraged to apply for funding towards developing or revising emergency plans to account for bulk transportation of energy products by rail and over the road. Applicants are also encouraged to conduct commodity flow studies to determine the frequency and quantity of hazmat shipments being transported through local communities.

MT DES will evaluate and provide a recommendation for funding to the State Emergency Response Commission for review and acceptance as required in the Notice of Funding Opportunity (NOFO). The SERC reserves the right to prioritize projects with the most benefit to meet the intent of the Hazardous Material Emergency Preparedness program in reducing vulnerabilities or increasing capabilities.

III. Requirements for Applicants

Eligible Applicants

Eligible applicants (sub-recipients), local units of government within Montana (county, city, town, special district, agency of a local government), state agencies, and federally recognized tribal governments within Montana. Local Emergency Planning Committees (LEPC) are encouraged to apply or have a local agency apply on behalf of the LEPC for hazmat planning projects.

Cost Share or Match

Cost share: Applicants for HMEP funds will be required to provide 20% cost share of the overall project amount. For example: The total cost of a project is \$50,000, the applicant must provide at least \$10,000, and DOT will provide no more than \$40,000.

The matching requirements must be satisfied by costs incurred by the grantee or by the value of in-kind contributions. All matching funds must meet the Federal requirements as described in 2 CFR 200.306 *Cost sharing or matching*. Funds or costs used for matching purposes under any other Federal grant or cooperative agreement may not be used for HMEP matching purposes.

Other Requirements

Per 2 CFR 200.212, non-Federal entities and contractors are subject to the non-procurement debarment and suspension regulations implementing Executive Order 12549 and 12689, 2 CFR Part 180. These regulations restrict awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in Federal assistance programs or activities.

IV. Allowable Project Activities

Federal funds made available through this award may only be used for the purpose set forth in the award and must be consistent with statutory authority for the award. Award funds may not be used for matching funds for any other Federal award, lobbying, or intervention in federal regulatory or adjudicatory proceedings. In addition, federal funds may not be used to sue the Federal Government or any other government entity.

Sub-recipients must comply with all the requirements in 2 C.F.R. Part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards) http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl

Costs charged to HMEP must be consistent with the Cost Principles for Federal Awards, 2 C.F.R Part 200, Subpart E.

Applicants are required to provide project and budget details related to Planning and Training activities.

See the 2017 HMEP Expenditures Guide attached to this guidance or at www.readyandsafe.mt.gov/emergency for examples and more information on eligible HMEP activities. 2018 Expenditure guide will be posted on the website once it has been released by PHMSA.

Planning

HMEP funds may be used for a range of planning activities such as those associated with enhancing HazMat Plans, conducting/attending planning courses, and attending allowable conferences and meetings. Additionally, LEPC meeting expenses, hospital drills, Emergency Operations Center Exercises, Title III software may be allowable expenses upon approval from US DOT.

Planning should include participation from all stakeholders in the community who are able to contribute critical perspectives and may have a role in executing the plan. Planning should be flexible enough to address incidents of varying types and magnitudes. Jurisdictions should focus planning efforts to enhance and expand capabilities through partnerships.

Entities receiving HMEP funds to create or enhance a Hazmat Plan must validate the plan through no less than a table top level exercise.

Training/Exercise

Allowable training-related costs under HMEP include the establishment, support, conduct, and attendance of training specifically identified under the HMEP program (NFPA 472 or OSHA 29 CFR 1910.120) competency requirement courses. Training may be designed for public officials who are not responders but who perform activities associated with emergency response plans developed under EPCRA.

HMEP scope of exercise scenarios should consider the jurisdiction's gap analysis, exercise or event After Action Reports, and plans. Exercise scenarios used in HMEP funded exercises must focus on validating existing capabilities, be large enough in scope and size to exercise multiple activities, and warrant involvement from multiple disciplines and non-governmental organizations.

Sub-recipients are required to submit an After-Action Report/Improvement Plan (AAR/IP) for each HMEP-funded exercise. AAR/IPs should be submitted to MT DES after completion of the exercise. Sub-recipients are encouraged to use the HSEEP AAR/IP template at www.readyandsafe.mt.gov/emergency.

V. Funding Restrictions

The following costs are not eligible for reimbursement under the HMEP program: (Not all inclusive)

- Expenses not related to the transportation of hazardous materials
- Expenses claimed and or reimbursed by another program
- Expenses counted as match toward another Federal program
- Expenses that supplant existing operational funds/programs
- Entertainment, alcohol, morale costs
- Any costs disallowed or stated as ineligible in 2 CFR part 200
- Excessive costs for general office supplies, equipment, computer software, printing, copying
- Other unallowable costs can be found in the FY17 Expenditures Guide attached

Supplanting

Grant funds must supplement, not supplant, replace or offset State or local funds that have been appropriated for the same purpose.

If supplanting is determined, sub-recipients will be required to repay grant funds expended in support of those efforts.

VII. Application and Submission Information

Applications will be accepted via email utilizing the 2019 HMEP Grant Application Package. Application packets may be obtained online at www.readyandsafe.mt.gov/emergency or by requesting a packet from MT DES by emailing the point of contact below.

Key Dates and Times

Application Period Opens: Application will be available no later than January 31, 2019

Application submission deadline: April 5, 2019 at 11:59.59 PM MDT

All applications must be received prior to the deadline. MT DES staff will only allow late submissions due to technical issues or emergency situations. Applicants meeting this criterion must submit within four (4) business days of the original submission deadline.

Applicants are responsible for planning far enough in advance to complete their application prior to the established deadline.

The FY2019 HMEP grant is a three-year grant with 1-year periods of performance and budget periods. Applications must completely define activities in year 1. Year 2 and Year 3 activities may be detailed or estimates.

The application will consist of the following forms that must be completed:

1. Organizational and Point of Contact Information
2. Project Narrative
 - a. Planning / Training Needs Assessment
 - b. Planning and Training Activity – Narrative
 - c. Output and Objectives
 - d. Project Timeline and Milestones
3. Project Budget
 - a. Narrative
 - b. Cost Category Breakdown

Organizational and Point of Contact Information:

Applicants will be required to provide the following organizational information:

- Applicant Agent or Authorized Representative contact information
- Agency/organization Finance point of contact information
- Agency Data Universal Numbering System (DUNS) number with their application. Applicants should verify they have a DUNS number or take the necessary steps to obtain one.

PROJECT NARRATIVE:

Planning/Training Needs Assessment: Describe the current capacity and any areas of deficiency as it concerns preparedness for the transportation of hazardous materials.

Planning and Training Activity Narrative: Clearly describe the proposed HMEP project activities to be accomplished during the period of performance. Explain how the proposed grant activity will increase program effectiveness and address gaps identified in the needs assessment.

Output and Objectives: Include measurable outputs related to hazardous materials planning to be accomplished during the grant's period of performance. In addition, applicants should include long-term program objectives. Outputs may include the number of plans updated, number of commodity flow studies conducted, number of exercises conducted, number of public sector personnel trained – courses taken and contact hours, or any other relevant outputs related to preparedness of hazmat transportation.

Project Timeline and Milestones: Provide a schedule for implementing the proposed hazardous materials planning and training activities in the upcoming project period. Include milestones that will be used to assist in determining if a project is on schedule.

PROJECT BUDGET

Budget Narrative: Budget narrative is a narrative explanation of each budget component that supports the costs of the proposed work. The budget narrative should focus on how each budget item is required to achieve the proposed project goals and objects. It should also justify how the budget costs were calculated.

Cost Category Breakdown

Salary and Fringe Benefits

Personnel costs are not allowable for sub-grantees. Personnel costs may be used to meet the match requirement of the grant.

Travel

Travel costs are those costs requested for field work or for travel to professional meetings associated with grant activities. Applicants must provide the purpose, method of travel, number of persons traveling, number of days, and estimated cost for each trip. Domestic travel costs are allowed under this program including mileage, airfare, hotel, and per diem. International travel is not an allowable cost under this program.

Equipment

Equipment costs include those items that are tangible, nonexpendable, personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit – unless the applicant has a clear and consistent written policy that determines a different threshold. Include a description, quantity, and unit price for all equipment. Equipment allowable by HMEP is limited to equipment used for HMEP activities only. All equipment requests will need justification and approval from US DOT prior to purchasing. Equipment cannot be purchased for the purpose of response operations.

Supplies

Supplies are tangible personal property other than equipment. Include the type of property in general terms. It is not necessary to document office supplies in great detail (for example: reams of paper, boxes of paperclips, etc.). Applicant should include quantity and unit cost for larger cost supply items.

Contractual

Contractual costs are those services carried out by an individual or organization, other than the applicant, in the form of a procurement relationship. For all contractual line-item costs, include the rationale for the amount of the costs and include the specific contract goods and/or services provided and the related expenses for those goods and services.

Other Costs

Other costs do not fit in any of the other cost categories, such as leased equipment, employee training tuition, etc. "Other" direct costs must be itemized in the application.

Indirect Costs

Indirect costs are allowable in the HMEP grant. If the rate will not be approved by the application due date, attach a letter of renewal or letter of request that you sent to your cognizant agency to your application. The applicant must include a signed copy of the approved negotiated rate agreement that is valid as of the date of the application.

Match Costs

Match costs should show how the 20% required match is going to be met and which category. Personnel costs may be used to meet match requirements. The National Volunteer Rate may be used to calculate match costs.

Application Review and Selection

FY2019 HMEP applications will be evaluated by MT DES through a review process to determine the application completeness and eligibility based on adherence to state and federal program guidance. The project applications will be reviewed for project relevance to transportation of hazardous materials, feasibility, sustainability, and impact to reducing vulnerability or increasing capability. Applications that meet all the elements are not guaranteed funding. Projects will be presented to the SERC for review and approval for the overall submission to PHMSA.

VIII. Award Administration Information

Notification of award approval is made through the sub-recipient's authorized representative in the application.

Awards will be made to the sub-recipients no later than 45 days following the State's acceptance of the Federal award. Sub-recipients who wish to decline the award must provide a written notice of intent to decline.

Projects selected and approved for funding will be loaded into the online grant portal at www.fundingmt.org to conduct grant management activities. Training for awardees will be given at the beginning of the grant period of performance or as requested.

The Chief Elected Official or other authorized representative with the legal authority to enter into an agreement will be required to sign and return the Award Obligation document.

IX. Reporting

Quarterly Progress Reports (Status Reports)

Sub-recipients are responsible for providing semi-annual reports using the Status Report form on www.fundingmt.org.

The following reporting periods and due dates apply for the status reports:

Year 1 Projects (October 1, 2019 – September 30, 2020)

| Reporting Period | Report Due Date |
|----------------------------------|------------------|
| October 1, 2019 – March 31, 2020 | April 15, 2020 |
| April 1 – September 30, 2020 | October 15, 2020 |

Year 2 Projects (October 1, 2020 – September 30, 2021)

| Reporting Period | Report Due Date |
|----------------------------------|------------------|
| October 1, 2020 – March 31, 2021 | April 15, 2021 |
| April 1 – September 30, 2021 | October 15, 2021 |

Year 3 Projects (October 1, 2021 – September 30 2022)

| Reporting Period | Report Due Date |
|----------------------------------|------------------|
| October 1, 2021 – March 31, 2022 | April 15, 2022 |
| April 1 – September 30, 2022 | October 15, 2022 |

Financial Reporting (Claim Reimbursements)

Sub-recipients must submit at least one reimbursement request upon completion of the project. Requests may be made after major milestones are completed for longer duration projects. The reimbursement request must be done through www.fundingmt.org. All requests for reimbursement must include all supporting documentation to substantiate claimed expenses. Reimbursements are made only for expenditures made during the grant period of performance. Reimbursements may be withheld if any quarterly progress reports are outstanding.

Accruals

Sub-recipients with an open grant will be required to submit an accrual form prior to the end of the State Fiscal Year (SFY) to account for any expenditures or valid obligations that have occurred in the SFY and not been reimbursed prior to June 30. Sub-recipients that do not submit an accrual form and supporting documentation and then request reimbursement for goods or services from the prior SFY are at risk of non-payment due to lack of accrual funds.

X. Scope of Work, Budget Modifications, and Extensions

Any changes to the scope of work, budget or period of performance extensions must be made in writing to MT DES 30 days prior to the requested effective date. Scope of work changes will be required to obtain approval by US DOT if the scope is outside the approved application. Changes to quantities or price adjustments less than 10% of the grant award can be done by MTDES. Budget modifications greater than 10% of the award requires approval by US DOT. Extensions for projects in Year 1 and Year 2 funding may be requested to complete projects due to circumstances outside the sub-grantees control.

XI. Monitoring/Technical Assistance

Sub-recipients will be monitored by MT DES staff, both programmatically and financially, to ensure that the project goals, objectives, performance requirements, timelines, milestone completion, budgets, and other related program criteria are being met.

Technical Assistance will be accomplished through desk-based reviews of financial reimbursement requests and project status reports. In addition, on-site technical assistance visits will be performed according to MT DES schedules, as requested, or as needed. Technical Assistance will involve the review of the financial, programmatic, performance, compliance, administrative processes, policies, activities, and other attributes of each Federal assistance award and will identify areas where further assistance, corrective actions or other support may be needed.

XII. MT DES Contact Information

MT DES will provide programmatic support and technical assistance for the SHSP Grant.

PRIMARY POC

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