

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE HAZARDOUS
MATERIALS TRAINING GRANT
PROGRAM AWARD.**

CASE NO. 18-1258-TR-UNC

FINDING AND ORDER

Entered in the Journal on October 24, 2018

I. SUMMARY

{¶ 1} The Commission awards hazardous materials training grants to sixteen applicants as set forth in the attachment.

II. APPLICABLE LAW

{¶ 2} R.C. 4923.99 provides for the Commission to assess civil forfeitures for violations of R.C. Chapters 4921 and 4923, and rules adopted thereunder. R.C. 4921.21(B)(2) provides that the first \$800,000 in civil forfeitures collected under R.C. 4923.99 for violations of rules applicable to the highway transportation of hazardous materials shall be credited to the public utilities transportation safety fund. The Commission is tasked with distributing the moneys to "educational institutions, state agencies, regional planning commissions, and political subdivisions" for the purposes of "emergency response planning and the training of safety, enforcement, and emergency services personnel in proper techniques for the management of hazardous materials releases that occur during transportation or otherwise." R.C. 4921.21(B)(2). This section also sets forth the manner in which such funds shall be distributed by the Commission for the purposes of emergency response planning.

{¶ 3} Under R.C. 4921.21(B)(2), Cleveland State University receives 50 percent of the funds for its training program for public safety and emergency services personnel in proper techniques for the management of hazardous materials releases that occur during transportation or otherwise. Another 5 percent is retained by the Commission for

administration and hazardous materials training for staff. The remainder is distributed to other educational institutions, regional planning commissions, state agencies, and political subdivisions that have training programs for public safety and emergency services personnel in proper techniques for the management of hazardous materials releases that occur during transportation or otherwise (hereinafter referred to as "hazardous materials training grants").

III. DISCUSSION

{¶ 4} Entities interested in receiving a hazardous materials training grant submit applications to the Commission. Information regarding the grant program and application materials is provided on the Commission's website. All requests are reviewed by a committee of Staff members including the director of the transportation department, the chief financial officer, and legal counsel. The review committee ensures the proposals from applicants are consistent with the purposes described in R.C. 4921.21(B)(2), including whether requested funding for equipment is essential for training purposes, whether courses are sufficiently related to the transportation of hazardous materials, and whether courses involve only necessary travel. These determinations are made pursuant to course descriptions and additional literature provided by the applicant and the course instructor. The review committee must also determine whether sufficient funds are available to reimburse all requests. When necessary, Staff then works with applicants to modify the proposals in consideration of available funds and in accordance with the purpose of R.C. 4921.21(B)(2).

{¶ 5} The total amount of civil forfeitures collected during state fiscal year 2018 for violations of the rules adopted under R.C. 4923.04(A)(2) was \$513,398.20. Pursuant to R.C. 4921.21(B)(2), \$256,699.10 was reserved for Cleveland State University and \$25,669.91 was reserved for administration of the grant, leaving \$231,029.19 available for hazardous materials training grants. During this grant cycle, seventeen applicants submitted grant requests totaling \$536,130.00. Since grant requests greatly exceeded available funding

during this grant cycle, Staff recommended that applicants only receive reimbursement for course, manual, and facility costs associated with their grant requests. Based upon the above criterion, Staff recommended the Commission deny the grant application for training equipment submitted by Deerfield Township Fire Rescue.

{¶ 6} Accordingly, Staff recommends that the sixteen remaining applicants be awarded grants in the amounts indicated in the Attachment to this Finding and Order. These grants are to be made on a reimbursement basis. As such, hazardous materials training grant funds are not provided to grantees before the approved activities are complete. Once the approved activities are complete, the grantee must submit a request for reimbursement to the Commission. The request for reimbursement shall include sufficient documentation to demonstrate the grantee has followed any and all conditions of the approved grant application and grant agreement.

{¶ 7} The Commission finds that the applications for hazardous materials training grants, as modified through mutual agreement between Staff and the applicant, are reasonable and should be awarded. Accordingly, Staff should award the training grants on a reimbursement basis to the selected applicants and enter into a grant agreement in conformance with this Finding and Order and the Attachment.

IV. ORDER

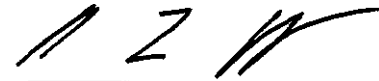
{¶ 8} It is, therefore,

{¶ 9} ORDERED, That the hazardous materials training grants be awarded to the applicants in the amounts set forth in the Attachment. It is, further,

{¶ 10} ORDERED, That the grants be distributed on a reimbursement basis as set forth in Paragraph 7. It is, further,

{¶ 11} ORDERED, That a copy of this Finding and Order be served upon each of the applicants identified in the Attachment.

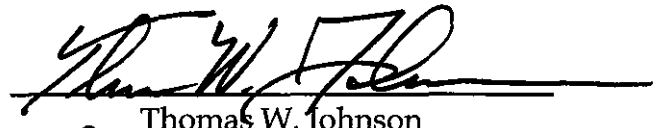
THE PUBLIC UTILITIES COMMISSION OF OHIO



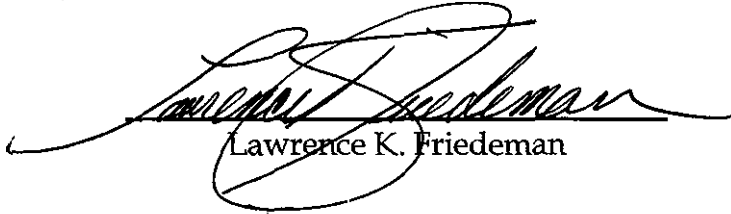
Asim Z. Haque, Chairman



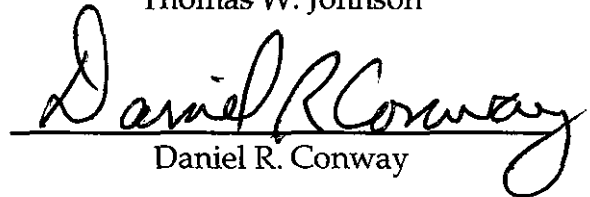
M. Beth Trombold



Thomas W. Johnson



Lawrence K. Friedeman

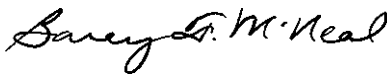


Daniel R. Conway

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OCT 24 2018



Barcy F. McNeal
Secretary

ATTACHMENT

The Public Utilities Commission of Ohio received 17 applications for 2018 Hazardous Materials Planning and Training Grants. The grant applications requested funding to pay for hazardous materials emergency response training, hazardous materials emergency response exercises and a hazardous materials transportation commodity flow study. Given the number of grant applications, the limited amount of available funds, and the desire to fund all grant applications, individual grant amounts are reduced. Potential grantees were contacted with preliminary determinations of grant amounts and requested to state if they wished to receive the reduced grant. All of the applicants decided to proceed with a reduced grant. The following outlines the PUCO Hazmat Planning and Training Grant awards for 2018 totaling \$231,029.19.

The PUCO Hazardous Materials Planning and Training Grants are reimbursement grants. Grant funds are not provided before the approved activities are performed. Once the PUCO makes a grant and the grantee performs the training as described in the approved grant application and the grant agreement, the grantee must submit a request for reimbursement. A request for reimbursement must include documentation that demonstrates the grantee has followed the conditions of the approved grant application and grant agreement. After review for compliance with the conditions of the grant, the grantee is reimbursed. The amount of the reimbursement may be reduced based on the grantee's compliance with the condition of the grant agreement.

**HAZARDOUS MATERIALS TRAINING GRANTS
October 2018****Chagrin/Southeast Council of Governments**

The Chagrin/Southeast Council of Governments requests \$7,500 to assist in funding the 2018 Ohio Hazmat Teams Conference scheduled for November 1-3, 2018. The Chagrin/Southeast Council of Governments expects to train 237 emergency responders at the conference. The request includes \$7,500 for speaker fees, \$5,000 for speaker lodging, \$2,500 for event facility costs and \$500 for handouts/certificates. The Chagrin/Southeast Council of Governments proposes to contribute \$8,000 toward speaker funding.

The Chagrin/Southeast Council of Governments is awarded \$3,973.41 for this conference. A revised scope of work based on the amount of the grant award versus the grant request must be submitted as soon as possible.

Chemical Emergency Preparedness Advisory Council

The Chemical Emergency Preparedness Advisory Council (CEPAC) serves as the official Local Emergency Planning Committee of Franklin County. The CEPAC requests \$4,000 to fund a Hazardous Material Transportation Incident Full-Scale Exercise for Franklin County.

The CEPAC is awarded \$2,119.21 to pay contractor fees for the exercise.

Cincinnati State Technical and Community College

The Cincinnati State Technical and Community College requests \$263,205 to fund 40-hour Basic HazMat Technician Course for 145 students and OSHA 8-hour HazMat Annual Refresher Workshop for 650 students at Cincinnati State Technical and Community College.

The Cincinnati State Technical and Community College is awarded \$104,974.95 towards the completion of the proposed courses. A revised scope of work based on the amount of the grant award versus the grant request must be submitted as soon as possible.

City of Mason Fire Department & Northeast Fire Collaborative

The City of Mason Fire Department & Northeast Fire Collaborative request \$16,850 to fund the HazMat IQ Above the Line/Below the Line training for a total 90 first responders in Hamilton and Warren Counties.

The City of Mason Fire Department & Northeast Fire Collaborative is awarded \$8,927.17 towards the completion of the proposed training. A revised scope of work based on the amount of the grant award versus the grant request must be submitted as soon as possible.

City of Toledo, Division of Environmental Services

The City of Toledo, Division of Environmental Services requests \$32,255 to fund the following: 8 Hour HazMat Refresher course; Emergency Response Awareness; Hazmat IQ Advanced IQ and HazMat IQ First Responder Offensive Training for a total of 480 personnel. A total of \$480 is requested for supplies.

The City of Toledo, Division of Environmental Services is awarded \$17,088.78 towards the completion of the proposed courses. A revised scope of work based on the amount of the grant award versus the grant request must be submitted as soon as possible.

Darke County LEPC

The Darke County LEPC requests \$8,500 to fund 40 Hour Hazardous Materials Technician training for 12 personnel.

The Darke County LEPC is awarded \$1,742.42 towards the completion of the proposed training. A revised scope of work based on the amount of the grant award versus the grant request must be submitted as soon as possible.

Dayton Regional Hazardous Materials Response Team

The Dayton Regional Hazardous Materials Response Team requests \$12,799 to fund Confidence in the Hot Zone training for a total of 75 personnel.

The Dayton Regional Hazardous Materials Response Team is awarded \$6,780.94 towards the completion of the proposed training. A revised scope of work based on the amount of the grant award versus the grant request must be submitted as soon as possible.

Delaware County EMA

The Delaware County EMA requests \$5,400 to fund 40 Hour Hazardous Materials Technician/WMD training for a total of 20 personnel.

The Delaware County EMA is awarded \$2,860.93 towards the completion of the proposed training. A revised scope of work based on the amount of the grant award versus the grant request must be submitted as soon as possible.

Fairfield County EMA

The Fairfield County EMA requests \$11,900 to fund HazMat IQ – First Responder Offensive Class and HazMat IQ – Above the Line/Below the Line for 56 first responders.

The Fairfield County EMA is awarded \$5,475.55 towards the completion of the proposed training. A revised scope of work based on the amount of the grant award versus the grant request must be submitted as soon as possible.

Greater Cincinnati Hazmat Unit & Evandale Fire Department

The Greater Cincinnati Hazmat Unit & Evandale Fire Department request \$10,900 to fund HazMat IQ – Above the Line/Below the Line training for 40 personnel.

The Greater Cincinnati Hazmat Unit & Evandale Fire Department is awarded \$5,372.46 towards the completion of the proposed training. A revised scope of work based on the amount of the grant award versus the grant request must be submitted as soon as possible.

Hamilton County LEPC

The Hamilton County LEPC requests \$27,040 to fund the following: Anhydrous Ammonia Training; Propane IQ Training and HazMat IQ – Above the Line/Below the Line Training for a total of 184 personnel.

The Hamilton County LEPC is awarded \$12,377.26 towards the completion of the proposed courses. A revised scope of work based on the amount of the grant award versus the grant request must be submitted as soon as possible.

Payne Fire Department

The Payne Fire Department requests \$8,800 to fund Confined Space Training and HazMat Refresher training for a total of 24 personnel.

The Payne Fire Department is awarded \$3,484.84 towards the completion of the proposed training. A revised scope of work based on the amount of the grant award versus the grant request must be submitted as soon as possible.

Stark County LEPC

The Stark County Emergency Management Agency requests \$6,136 to fund a transportation commodity flow study.

The Stark County Emergency Management Agency is awarded \$3,250.87 to pay contractor fees for the flow study.

Summit County EMA (Special Ops Response Team, HazMat Branch)

The Summit County EMA (Special Ops Response Team, HazMat Branch) requests \$9,000 to fund three Masters of Gas Detection courses for a total of 110 personnel. The request includes \$6,000 for speaker fees and \$3,000 for speaker travel/lodging.

The Summit County EMA (Special Ops Response Team, HazMat Branch) is awarded \$4,768.22 towards the completion of the proposed courses. A revised scope of work based on the amount of the grant award versus the grant request must be submitted as soon as possible.

The University of Findlay

The University of Findlay requests \$99,945 to provide the following courses to 345 personnel around the state: HazMat Emergency Response Operations Level (8 Hour); HazMat Emergency Response Technician Level (24 Hour) and HazMat Emergency Response Refresher (8 Hour).

The University of Findlay is awarded \$45,871.90 towards the completion of the proposed courses. A revised scope of work based on the amount of the grant award versus the grant request must be submitted as soon as possible.

Warren County LEPC

The Warren County LEPC requests \$3,700 to fund the Warren County 2018-2019 LEPC Functional EOC Exercise.

The Warren County LEPC is awarded \$1,960.27 to pay contractor fees for the exercise.