

# THE PUBLIC UTILITIES COMMISSION OF OHIO

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

CASE NO. 20-359-TR-UNC

## FINDING AND ORDER

Entered in the Journal on August 26, 2020

### I. SUMMARY

{¶ 1} The Commission awards hazardous materials training grants to ten 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 fifty 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 five 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 2020 for violations of the rules adopted under R.C. 4923.04(A)(2) and the total amount of unexpended hazardous materials training grant funds from prior state fiscal years available for reallocation are sufficient to cover the appropriation authority associated with this grant. As such and pursuant to R.C. 4921.21(B)(2), the Commission may award the maximum amount of \$800,000, of which \$400,000 is reserved for Cleveland State University, leaving \$400,000 available for hazardous materials training grants and any staff administration costs. During this grant cycle, ten applicants submitted grant requests totaling \$1,378,797. Since grant requests greatly exceeded available funding during this grant cycle, Staff

recommends fully funding Cleveland State University's grant and all grants for \$50,000 or less and funding all other grants on a pro rata basis with the remaining funds available.

{¶ 6} Accordingly, Staff recommends that the ten 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.

COMMISSIONERS:

*Approving:*

Sam Randazzo, Chairman

M. Beth Trombold

Lawrence K. Friedeman

Daniel R. Conway

Dennis P. Deters

DL/hac

## **ATTACHMENT**

The Public Utilities Commission of Ohio (PUCO) received 10 applications for 2020 Hazardous Materials (Hazmat) Planning and Training Grants (Grants). The grant applications requested funding to pay for hazardous materials emergency response training, workshops and training equipment. Given the number of grant applications, the limited amount of available funds, and the desire to fund all grant applications, staff recommends fully funding Cleveland State University's grant and grants for \$50,000.00 or less. All other grants should be funded on a pro rata basis using the remaining available funds. 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 2020 totaling \$800,000.00.

These 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 verification of 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 August 2020**

#### **Bascom Joint Fire District**

The Bascom Joint Fire District requests \$3,880.00 to fund Emergency Response to Hazardous Materials Refresher training for 20 personnel.

The Bascom Joint Fire District is awarded \$3,880.00 towards the completion of the proposed training.

#### **Cincinnati State Technical and Community College**

The Cincinnati State Technical and Community College requests \$456,906.00 to fund the following:

- OSHA 40-hour HAZWOPER (HazMat) Training Workshops for 244 students
- OSHA 8-hour HazMat/HAZWOPER Annual Refresher Training Workshops for 1,150 students

The Cincinnati State Technical and Community College is awarded \$158,363.15 towards the completion of the proposed courses. A revised description of the scope of work based on the

amount of the grant award versus the grant request must be submitted within 30 days of the Finding and Order approving the grant. The scope of work description must contain the number of students involved and the cost per student or cost per class and number of classes to be conducted to comply with the reduced award amount.

#### **City of Toledo, Division of Environmental Services**

The City of Toledo, Division of Environmental Services requests \$46,190.00 to fund the following:

- Hazardous Waste Operations and Emergency Response Refresher (8 hour) for 120 personnel
- Emergency Response Awareness Workshops (2 hour) for 250 personnel
- Emergency Response Conflict Resolution (4 hour) for 50 personnel
- Advanced IQ HazMatIQ Classroom Training (8 hour) for 150 personnel
- First Responder Offensive HazMatIQ Training (4 hour) for 150 personnel
- HazMat Officer/HazMat Safety Officer Course for 150 personnel
- A total of \$570.00 is requested for supplies.

The City of Toledo, Division of Environmental Services is awarded \$46,190.00 towards the completion of the proposed courses.

#### **Cleveland State University**

Cleveland State University requests \$400,000.00 to fund the 10 courses (112 classes) listed below. Each class will train 8 - 12 students.

- 8 Hour Ohio Hazardous Materials Awareness Training (2 classes)
- 8 Hour Ohio Hazardous Materials Refresher Training (67 classes)
- 16 Hour Ohio Hazardous Materials Operations Training (2 classes)
- 24 Hour Ohio HMO / HMSO Training (6 classes)
- 40 Hour Ohio Hazardous Materials Technician Training (6 classes)
- 8 Hour Hazardous Materials Alternative Fueled Vehicles Training (4 classes)
- 40 Hour Chemistry of Hazardous Materials Training (1 class)
- 8 Hour Hazardous Materials Permit Required Confined Space Entry Training (6 classes)
- 16 Hour Hazardous Materials Permit Required Confined Space Rescue Training (6 classes)
- 8 Hour Hazardous Materials Permit Required Confined Space Rescue Refresher Training (12 classes)

Cleveland State University is awarded \$400,000.00 towards the completion of the proposed courses.

#### **Delaware County Emergency Management Agency**

The Delaware County Emergency Management Agency requests \$5,145.00 to purchase a

Teletrix 4 Gas Meter Training Simulator.

The Delaware County Emergency Management Agency is awarded \$5,145.00 towards the purchase of this equipment.

#### **City of Mason Fire Department**

The City of Mason Fire Department requests \$16,850.00 to fund First Responder Offensive 8 Hour Training for 90 personnel.

The City of Mason Fire Department is awarded \$16,850.00 towards the completion of the proposed course.

#### **Payne Fire Department**

The Payne Fire Department requests \$7,300.00 to fund Confined Space and HazMat Refresher training for 15 personnel.

The Payne Fire Department is awarded \$7,300.00 towards the completion of the proposed training.

#### **Summit County Special Operations Response Team**

Summit County Special Operations Response Team requests \$8,235.00 to fund Research Specialist & Cryogenic Emergencies for 60 personnel.

Summit County Special Operations Response Team is awarded \$8,235.00 towards the completion of the proposed course.

#### **The University of Findlay**

The University of Findlay requests \$428,916.00 to fund the following training courses:

- ER HazMat Operations Level (8 hour) for 450 students
- ER HazMat Technician Level (24 hour) for 360 students
- ER HazMat Refresher (8 hour) for 450 students.

The University of Findlay is awarded \$148,661.84 towards the completion of the proposed courses. A revised scope of work description based on the amount of the grant award versus the grant request must be submitted within 30 days of the Finding and Order approving the grant. The scope of work description must contain the number of students and cost per student or cost per class and number of classes to be conducted to comply with the reduced award amount.

#### **Utica Volunteer Fire Department**

The Utica Volunteer Fire Department requests \$5,375.00 to fund Hazmat Refresher & Confined Space Rescue Refresher training for 20 personnel.

The Utica Volunteer Fire Department is awarded \$5,375 towards the completion of the proposed training.



**This foregoing document was electronically filed with the Public Utilities**

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**Case No(s). 20-0359-TR-UNC**

Summary: Finding & Order awarding hazardous materials training grants to ten applicants as set forth in the attachment electronically filed by Heather A Chilcote on behalf of Public Utilities Commission of Ohio