

THE PUBLIC UTILITIES COMMISSION OF OHIO

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

CASE NO. 17-1680-TR-UNC

FINDING AND ORDER

Entered in the Journal on September 27, 2017

I. SUMMARY

{¶ 1} The Commission awards hazardous materials training grants to twelve 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 and representatives from the enforcement and compliance divisions of the transportation department. 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 2017 for violations of the rules adopted under R.C. 4923.04(A)(2) was \$491,013.69. Pursuant to R.C. 4921.21(B)(2), \$245,506.85 was reserved for Cleveland State University, leaving \$221,485.91 available for hazardous materials training grants. During this grant cycle,

thirteen applicants submitted grant requests totaling \$396,034.28. One applicant withdrew its grant request during follow up discussions with Staff due to the limited availability of funding. Based upon the above criterion, Staff recommends that the twelve remaining applicants be awarded grants in the amounts indicated in the Attachment to this Finding and Order. Since grant requests greatly exceeded available funding during this grant cycle, Staff recommends that applicants only receive reimbursement for course, manual, and facility costs associated with their grant requests. 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.

{¶ 6} 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

{¶ 7} It is, therefore,

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

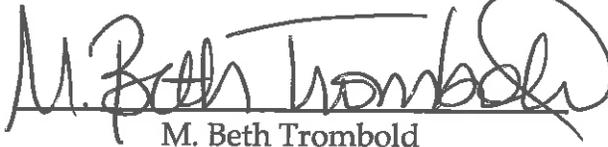
{¶ 9} ORDERED, That the grants be distributed on a reimbursement basis as set forth in Paragraph 7. It is, further,

{¶ 10} 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



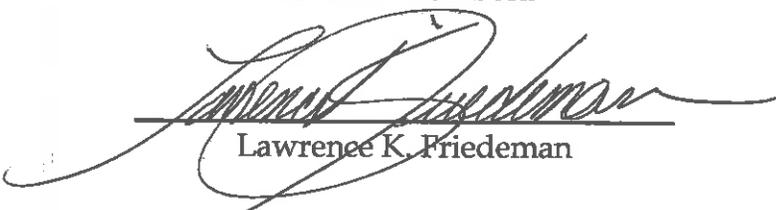
Asim Z. Haque, Chairman



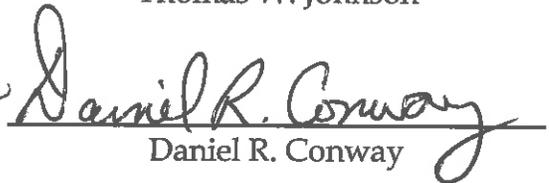
M. Beth Trombold



Thomas W. Johnson



Lawrence K. Friedeman



Daniel R. Conway

DL/sc

Entered in the Journal

SEP 27 2017



Barcy F. McNeal
Secretary

ATTACHMENT

The Public Utilities Commission of Ohio received thirteen applications for 2017 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. Compared to previous years, the funds available for the PUCO to make grants have decreased considerably. Given the number of grant applications, the decrease of available funds and the desire to fund all grant applications, individual grant amounts are reduced compared to previous grant years. Potential grantees were contacted with preliminary determinations of grant amounts and requested to state if they wished to receive the reduced grant. Most of the applicants decided to proceed with a reduced grant. The following outlines the PUCO Hazmat Planning and Training Grant awards for 2017 totaling \$221,485.91.

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 grantees compliance with the condition of the grant agreement.

HAZARDOUS MATERIALS TRAINING GRANTS August 2017

Brown County Local Emergency Planning Committee

The Brown County Local Emergency Planning Committee (LEPC) requests \$21,000 to conduct a full scale hazardous materials exercise. The exercise will be led by a contractor chosen by the Brown County Local Emergency Planning Committee (LEPC). The request includes \$20,000 for contractor fees, \$700 for meals and \$300 for equipment associated with the exercise. The Brown County LEPC proposes to contribute \$4,000 to fund the exercise.

The Brown County Local Emergency Planning Committee is awarded \$7,200 to pay contractor fees for the exercise. Meals and equipment are not funded by this grant.

Chemical Emergency Preparedness Advisory Council (CEPAC) of Franklin County

The Chemical Emergency Preparedness Advisory Council (CEPAC) of Franklin County serves as the official Local Emergency Planning Committee (LEPC) of the county. The CEPAC requests \$3,000 to fund a hazardous materials table top exercise for Franklin County. The exercise will be led by a contractor chosen by the CEPAC.

The Chemical Emergency Preparedness Advisory Council (CEPAC) of Franklin County is awarded \$1,080 to pay contractor fees for the exercise.

Champaign County Emergency Management Agency

The Champaign County Emergency Management Agency requests \$11,055 to conduct several hazardous materials training courses, pay for reference/response manuals and fund a hazardous materials table top exercise.

The Champaign County Emergency Management Agency is awarded a \$2,923.25 for training course fees and \$1,008.00 to pay contractor fees for the exercise. Reference/response manuals are not funded by this grant. The Champaign County Emergency Management Agency is awarded a total of \$3,931.25.

Chagrin Southeast Council of Governments

The Chagrin Southeast Council of Governments requests \$13,000.00 to assist in funding the 2017 Ohio Hazmat Teams Conference scheduled for November 2 – 4, 2017. The Chagrin Southeast Council of Governments expects to train 292 emergency responders at the conference. The request includes \$10,000.00 for speaker fees, \$5,000.00 for speaker lodging, \$2,500 for event facility costs and \$500.00 for handouts/certificates. The Chagrin Southeast Council of Governments proposes to contribute \$5,000 toward speaker funding. This annual event has received PUCO grant funding for several years.

The Chagrin Southeast Council of Governments is awarded \$3,600 for conference speaker fees. Speaker lodging and event facility costs are not funded by this grant. A revised scope of work based on the amount of the grant award versus the grant request must be submitted as soon as possible.

Cincinnati State Technical and Community College

The Cincinnati State Technical and Community College requests \$120,825.00 to fund OSHA 40-hour hazardous materials technician training for 150 students and OSHA 8-hour hazardous materials refresher training for 360 students at Cincinnati State Technical and Community College.

The Cincinnati State Technical and Community College is awarded \$75,000.00 to conduct OSHA 40-hour hazardous materials technician training and OSHA 8-hour hazardous materials refresher training for a proportional number of students in both classes. A revised scope of work based on the amount of the grant award versus the grant request must be submitted as soon as possible.

Clinton County Local Emergency Planning Committee

The Clinton County Local Emergency Planning Committee requests \$27,381.18 to conduct a functional EOC Exercise. The request includes \$24,495 for contractor fees, \$1,505 for lodging and \$1,381.18 for equipment.

The Clinton County Local Emergency Planning Committee is awarded \$8,818.20 to pay contractor fees for a functional EOC Exercise. Lodging and equipment costs are not funded by this grant. A revised scope of work based on the amount of the grant award versus the grant request must be submitted as soon as possible.

Green Perrysville Joint Fire District

The Green Perrysville Joint Fire District requests \$2,600.00 to fund a hazmat refresher course for 15 individuals.

The Green Perrysville Joint Fire District is awarded \$1,430.00 to fund hazmat refresher training. Grant funds may be used to pay for course fees only. 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 Emergency Management Agency

The Stark County Emergency Management Agency requests \$12,000.00 to fund a transportation commodity flow study.

The Stark County Emergency Management Agency is awarded \$4,320.00 to pay contractor fees for the flow study.

Summit County Emergency Management Agency

The Summit County Emergency Management Agency requests \$16,109.10 to conduct three 8 Hour Gasoline Cargo Tank ER Workshops for ninety students.

The Summit County Emergency Management Agency is awarded \$8,859.96 towards conducting the training workshops. 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, Department of Public Utilities, Division of Environmental Services

The City of Toledo, Department of Public Utilities, Division of Environmental Services requests \$41,920.00 to fund the following: 8 Hour Hazmat Refresher Course; Emergency Response Awareness; HazmatIQ First Responder Offensive and 8 Hour Hazmat Competency Refresher for a total 660 personnel. A total of \$660.00 is requested for supplies.

The City of Toledo, Department of Public Utilities, Division of Environmental Services is awarded \$9,553.50 towards the completion of the proposed courses. Grant funds may be used to pay for course fees only. Course supplies are not funded by this grant. A revised scope of work based on the amount of the grant award versus the grant request must be submitted as soon as possible.

Wyandot County Emergency Management Agency

The Wyandot County Emergency Management Agency requests \$17,370.00 to conduct six Hazardous Materials Operations Refresher for a total of 242 personnel.

The Wyandot County Emergency Management Agency is awarded \$9,553.50 towards the completion of the proposed courses. Grant funds may be used to pay for course fees only. A revised scope of work based on the amount of the grant award versus the grant request must be submitted as soon as possible.

University of Findlay, All Hazards Training Center

The University of Findlay, All Hazards Training Center requests \$103,400.00 to provide the following courses to 330 personnel around the state: 8 Hour Emergency Response Operations; 24 Hour Hazmat Emergency Response Technician; 8 Hour Hazmat Refresher; 24 Hour Incident Command and 16 Hour Rail Hazmat Response.

The University of Findlay, All Hazards Training Center is awarded \$75,000.00 towards the conducting 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.

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

9/27/2017 5:04:01 PM

in

Case No(s). 16-1680-EL-REN

Summary: Finding & Order stating that the hazardous materials training grants be awarded to the applicants in the amounts set forth in the Attachment electronically filed by Docketing Staff on behalf of Docketing