

67 dm



# State of New Hampshire

DEPARTMENT OF SAFETY  
OFFICE OF THE COMMISSIONER

33 HAZEN DR. CONCORD, NH 03305

603/271-2791

JOHN J. BARTHELMES  
COMMISSIONER

April 10, 2017

His Excellency, Governor Christopher T. Sununu  
and the Honorable Council  
State House  
Concord, New Hampshire 03301

*Retroactive*

### Requested Action

Authorize the New Hampshire Department of Safety (DOS), Division of Fire Safety to **retroactively** enter into a Memorandum of Understanding (MOU) with the Division of Fire Standards and Training and Emergency Medical Services (FSTEMS) in the amount of \$42,277.00 to support their hazardous materials training program. Effective upon Governor and Council approval from October 1, 2016 through September 30, 2017. Funding source: 100% Federal Funds.

Funding is available in the SFY 2017 operating budget as follows:

|                          |  |                     |              |
|--------------------------|--|---------------------|--------------|
| 02-23-23-238010-53110000 | Dept. of Safety                          | Div. of Fire Safety | HMEP Grant   |
| 072-500576               | Grants to Other State Agencies - Federal |                     |              |
| Activity Code: HMEP 2017 |  |                     | \$ 42,277.00 |

### Explanation

This MOU is **retroactive** due to administrative delays in processing required documentation and required approvals. Once the grant was awarded at the end of September 2016, the MOU could not be executed until the application review process was finalized and approval was received from the Advisory Council on Emergency Preparedness and Security (ACEPS). Once ACEPS approved, the MOU was forwarded to the Division of Fire Standards and Training and Emergency Medical Services (FSTEMS) for review and approval.

The funds received under this grant will support the hazardous materials training to fire and EMS first responders throughout the State of New Hampshire and covers instructional costs, equipment and consumable purchases to allow for the continuation of the training. The course schedule meets the training responsibilities as outlined by OSHA, CFR 1910.120, and NFPA 472.

The MOU will be funded from the FFY'17 Hazardous Materials Emergency Preparedness (HMEP) Grant Program which was awarded to the Department of Safety, Division of Fire Safety by the US Department of Transportation (USDOT), Pipeline and Hazardous Materials Safety Administration (PHMSA) to support activities that increase State and local effectiveness in handling hazardous materials incidents, to enhance implementation of the Emergency Planning and Community Right-to-Know Act (EPCRA), and to encourage a comprehensive approach to emergency training and planning.

The HMEP funds are 80% federally funded with a 20% match requirement supplied by the subrecipient (FSTEMS). FSTEMS acknowledges their match obligation as part of Section I of the MOU and will meet this cost share requirement of the grant by supplying course books and with the coordination of the training program.

In the event that Federal Funds are no longer available, General Funds and/or Highway Funds will not be requested to support this program.

Respectfully submitted,

*J. Barthelmes*  
John J. Barthelmes  
Commissioner of Safety

**MEMORANDUM OF UNDERSTANDING (MOU)**

between the  
Division of Fire Safety  
and the

Division of Fire Standards and Training and EMS

*Project Title:* U.S. DOT Hazardous Materials Emergency Preparedness (HMEP) Grant

This Memorandum of Understanding (MOU) describes the U.S. Department of Transportation Hazardous Materials Emergency Preparedness (HMEP) Grant activities that have been agreed to between the Division of Fire Safety and the Division of Fire Standards and Training and EMS for the purpose of hazardous materials training for first responders.

This MOU is effective upon Governor and Council approval for cost incurred conducting grant activities from October 1, 2016 through September 30, 2017.

For the purpose of the MOU, the Division of Fire Safety and the Fire Standards and Training and EMS agree to cooperate as follows:

Section I: Division of Fire Safety agrees to the following:

- A. Provide Fire Standards and Training and EMS with \$42,277.00 on a reimbursement basis with a 20% soft match required (\$10,569.00) for the purpose of hazardous materials training for first responders.
- B. This MOU may be terminated for good cause by any one of the parties or for convenience if all parties agree, with the provision for orderly termination of the project. Termination of the MOU shall not occur until thirty (30) days after a “notice of termination” has been received by the other party. Said notice shall specify the cause for termination.

Section II: Division of Fire Standards and Training and EMS agrees to the following:

- A. Complete all activities specified in the activities outline of this MOU.
- B. Expend funds for this MOU solely for the work specified in the attached outline.
- C. Request reimbursement of expended funds from Division of Fire Safety in writing quarterly, to be submitted within thirty (30) days from the end of the quarter. **Grant period ends September 30, 2017. Final billing must be received no later than October 31, 2017.** Quarterly Reports are due upon this same schedule.

|                    | <b>Qtr 1</b>     | <b>Qtr 2</b>      | <b>Qtr 3</b>      | <b>Qtr 4</b>     |
|--------------------|------------------|-------------------|-------------------|------------------|
| <b>Qtr Dates</b>   | Oct. 1 – Dec. 31 | Jan. 1 – March 31 | April 1 – June 30 | July 1 – Sept 30 |
| <b>Bill Due by</b> | January 31       | April 30          | July 31           | October 31       |

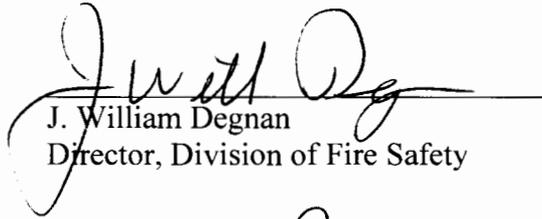
- D. This MOU may be terminated for good cause by any one of the parties or for convenience if all parties agree, with the provision for orderly termination of the project. Termination of the MOU shall not occur until thirty (30) days after a “notice of termination” has been received by the other party. Said notice shall specify the cause for termination.

## ACTIVITIES OUTLINE

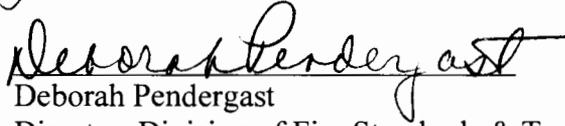
The NH Fire Academy will offer a Hazardous Materials Training Program under the Hazardous Materials Emergency Preparedness (HMEP) Grant Program covering awareness, operations, technician, incident command system, and decontamination training. Due to the nature of this training, classes will be scheduled in advance through out the year to be reimbursed quarterly. Program expenses include instructor time, mileage, student manuals, and other materials needed for the delivery of the above programs.

IN WITNESS WHEREOF, the respective parties have hereunto set their hands on the dates indicated.

Date 3-14-17

  
J. William Degnan  
Director, Division of Fire Safety

Date 3-8-17

  
Deborah Pendergast  
Director, Division of Fire Standards & Training

Date 4/12/17

  
John J. Barthelmes  
Commissioner, Department of Safety

Date 4/25/17

  
Attorney General's Office