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State of New Hampshire

DEPARTMENT OF SAFETY
OFFICE OF THE COMMISSIONER
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603/271-2791

JOHN J. BARTHELMES
COMMISSIONER

November 6, 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 \$49,501.00 to support their hazardous materials training program. Effective upon Governor and Council approval from October 1, 2017 through September 30, 2018. Funding source: 100% Federal Funds.

Funding is available in the SFY 2018 operating budget as follows:

02-23-23-238010-53110000	Dept. of Safety	Division of Fire Safety	HMEP Grant
072-500576	Grants to Other State Agencies - Federal		
Activity Code: HMEP 2018			\$ 42,526.00
Activity Code: HMEP 2017			<u>\$ 6,975.00</u>
			\$49,501.00

Explanation

This MOU is **retroactive** due to the date the grant award was received and the required internal review process that followed. Once the grant was awarded at the end of September 2017, the MOU could not be executed until the application review process was finalized and approval was received from the Department of Safety Commissioner. Once the Commissioner's approval was received, the MOU was forwarded to the Division of Fire Standards and Training and Emergency Medical Services (FSTEMS) for the Director's review and signature.

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 with the HMEP Grant Program funds, which were 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,

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, 2017 through September 30, 2018.

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 \$49,501.00 on a reimbursement basis with a 20% soft match requirement in the amount of \$12,375.25 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 Activities 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, 2018. Final billing must be received no later than October 31, 2018.** Quarterly Reports are due upon this same schedule.

	Qtr 1	Qtr 2	Qtr 3	Qtr 4
Qtr Dates	Oct. 1 – Dec. 31	Jan. 1 – March 31	April 1 – June 30	July 1 – Sept 30
Bill Due by	January 31	April 30	July 31	October 31

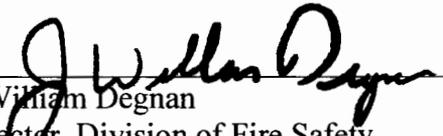
- D. This MOU may be terminated for good cause by any one of the parties or for convenience if all parties agree, with the provision for orderly termination of the project. Termination of the MOU shall not occur until thirty (30) days after a “notice of termination” has been received by the other party.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

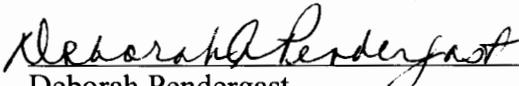
IN WITNESS WHEREOF, the respective parties have hereunto set their hands on the dates indicated.

Date Nov 13, 2017



J. William Degnan
Director, Division of Fire Safety

Date Nov 8, 2017



Deborah Pendergast
Director, Division of Fire Standards & Training

Date 11/17/17



John J. Barthelmes
Commissioner, Department of Safety

Date 11/28/17



Attorney General's Office