



State of New Hampshire

DEPARTMENT OF SAFETY
OFFICE OF THE COMMISSIONER
33 HAZEN DR. CONCORD, NH 03305
603/271-2791

JOHN J. BARTHELMES
COMMISSIONER

February 3, 2016

Her Excellency, Governor Margaret Wood Hassan
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 with the DOS Division of Fire Standards and Training and Emergency Medical Services in the amount of \$71,080.00 for the continued statewide hazardous material required training. Effective upon Governor and Council approval from October 1, 2015, through September 30, 2016. Funding Source: 100% Federal Funds.

Funds are available in the following account:

02-23-23-238010-53110000	Dept. of Safety Div of Fire Safety	HMEP Grant
072-500576	Grants to Other State Agencies - Federal	\$71,080.00
Activity Code: 23HMEP1516TR		

Explanation

This MOU is **retroactive** as, once the grant award was confirmed, the Division reviewed and re-evaluated the program's mission and directives and implemented resulting changes such as increased training that would provide greater benefits to New Hampshire residents. As a result, this agreement between the Division of Fire Safety and the Division of Fire Standards and Training and Emergency Medical Services could not be completed until the review process was complete and approval received from the advisory council on emergency preparedness and security (ACEPS). The classes conducted by the Division of Fire Standards and Training and Emergency Medical Services are federally mandated and need to be scheduled throughout the fiscal year.

This MOU will allow for the continued statewide hazardous materials training provided by the New Hampshire Fire Academy. This training is required per federal mandates OSHA 1910.120(q) and EPA 40 CFR Part 311, which require specific skills and competencies for personnel responding to calls for assistance where hazardous materials are present. Class curriculum encompasses material based on the National Fire Protection Association (NFPA) guidance for fire, rescue and emergency medical services responders. NFPA 472 and NFPA 473 provide specific guidance on skills and competencies for personnel who work with hazardous material incidents. Funds were awarded from the U.S. Department of Transportation, Hazardous Materials Emergency Planning (HMEP) Grant, to the New Hampshire Department of Safety, Division of Fire Standards and Training and Emergency Medical Services, Advisory Council on Emergency Preparedness and Security (ACEPS).

These HMEP funds are 80% federally funded and 20% soft matched by recipients. The 20% soft match is covered by state training dollars paid from Fire Standards and Training Administration, accounting unit 40650000.

Highway Funds or General Funds will not be used should Federal Funds become unavailable.

Respectfully submitted,

John J. Barthelmes
Commissioner of Safety

MEMORANDUM OF UNDERSTANDING
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 Agreement describes U.S. DOT Hazardous Materials Emergency Preparedness 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 Agreement is effective upon Governor and Council approval for cost incurred conducting grant activities from October 1, 2015 through September 30, 2016.

For the purpose of the Agreement, Fire Safety and 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 \$71,080.00 reimbursement basis with a 20% soft match required for the purpose of hazardous materials training for first responders.
- B. This Agreement 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 Agreement 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 agreement.
- B. Expend funds for this Agreement 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 sixty (60) days from the end of the quarter. **Grant period ends September 30, 2016. Final billing must be received by Dept of Safety no later than November 30th.**

	Qtr 1	Qtr 2	Qtr 3	Qtr 4
Qtr Dates	Oct 1 - Dec 31	Jan 1 - Mar 31	Apr 1 - June 30	July 1 - Sept 30
Bill Due by	Feb 28	May 31	Aug 31	Nov 30

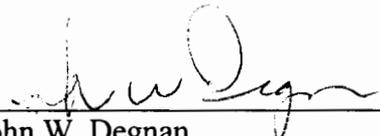
- D. This Agreement may be terminated for good cause by any one of the parties or for convenience if all parties agree, with the provision for orderly termination of the project. Termination of the Agreement shall not occur until thirty (30) days after a "notice of termination" has been received by the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

ACTIVITIES OUTLINE

The NH Fire Academy will offer a Hazardous Materials Programs under the HMEP Training Grant 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 01/19/16



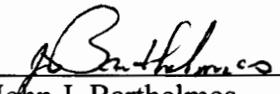
John W. Degnan
Director Division of Fire Safety

Date Jan 11, 2016



Deborah Pendergast
Director Division of Fire Standards & Training

Date 1/20/16



John J. Barthelmes,
Commissioner Department of Safety

Date 2/16/16



Attorney General's Office



U.S Department of Transportation

Pipeline and Hazardous Materials Safety Administration

Grant Agreement

1. RECIPIENT NAME AND ADDRESS New Hampshire Department of Safety 33 Hazen Dr Concord, NH 03305-0011	2. AGREEMENT NUMBER: HM-HMP-0510-15-01-00	3. AMENDMENT NO. 0
	4. PROJECT PERFORMANCE PERIOD: FROM 09/30/2015 TO 09/30/2016	
	5. FEDERAL FUNDING PERIOD: FROM 09/30/2015 TO 09/30/2016	

1A. IRS/VENDOR NO. 026000618	6. ACTION New
1B. DUNS NO. 060340564	

7. CFDA#: 20.703	TITLE			
8. PROJECT TITLE NH Department of Safety HMEP Program	9. PREVIOUS AGREEMENTS	FEDERAL	NON-FEDERAL	TOTAL
	10. THIS AGREEMENT	0.00	0.00	0.00
	11. TOTAL AGREEMENT	137,757.00	34,439.00	172,196.00

12. INCORPORATED ATTACHMENTS
THIS AGREEMENT INCLUDES THE FOLLOWING ATTACHMENTS, INCORPORATED HEREIN AND MADE A PART HEREOF:

13. STATUTORY AUTHORITY FOR GRANT/ COOPERATIVE AGREEMENT
Federal Hazardous Materials Transportation Law , 49 U.S.C. 5101 et seq

14. REMARKS
1. Training Federal Allocation = 72,853 Planning Federal Allocation = 64,904
2. The Recipient is designated as medium-risk based upon PHMSAs FY15 HMEP risk assessment. The Recipient is required to submit a description of the activities associated with each reimbursement request.
3. The indirect cost rate for this award is 8.3%. Indirect costs can only be requested if the Recipient maintains a current, approved indirect cost rate.

GRANTEE ACCEPTANCE		AGENCY APPROVAL	
15. NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL Pamela Urban-Morin		17. NAME AND TITLE OF AUTHORIZED PHMSA OFFICIAL Mr. Magdy El-Sibaie PHMSA Associate Administrator	
16. SIGNATURE OF AUTHORIZED GRANTEE OFFICIAL Electronically Signed	16A. DATE 09/04/2015	18. SIGNATURE OF AUTHORIZED PHMSA OFFICIAL Electronically Signed	18A. DATE 09/08/2015

AGENCY USE ONLY

19. OBJECT CLASS CODE: 41000	20. ORGANIZATION CODE: 50D0308EP0
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21. ACCOUNTING CLASSIFICATION CODES	BY	BPAC	AMOUNT
DOCUMENT NUMBER: HM-HMP-0510-15-01-00	FUND: 5282XXXDA0	2015	EPGRT01020 137,757.00