

State of New Hampshire

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

FEB 25 '15 PM 4:10 DAG

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JOHN J. BARTHELMES
COMMISSIONER

February 25, 2015

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 \$50,000.00 for the continued statewide hazardous material required training. Effective upon Governor and Council approval from October 1, 2014, through September 30, 2015. 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		\$50,000.00
Activity Code: 23HMEP1415TR			

Explanation

This request is **retroactive** as the Memorandum of Understanding (MOU) cannot be developed and processed until the Hazardous Materials Emergency Planning (HMEP) grant is awarded. The grant is awarded on October 1st which is the beginning of the performance period. As a result, this agreement between the Division of Fire Safety and the Division of Fire Standards and Training and Emergency Medical Services will always be **retroactive**.

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, 2014 through September 30, 2015.

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 \$50,000.00 reimbursement basis with no 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, 2015. 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

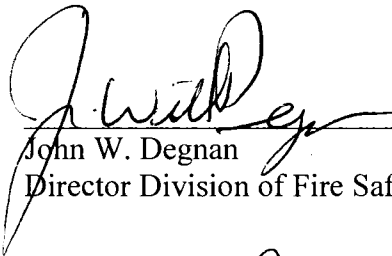
- D. This Agreement may be terminated for good cause by any one of the parties or for convenience if all parties agree, with the provision for orderly termination of the project. Termination of the Agreement shall not occur until thirty (30) days after a "notice of termination" has been received by the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

ACTIVITIES OUTLINE

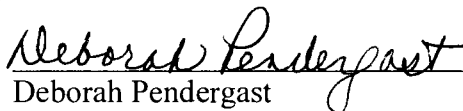
The NH Fire Academy will offer a Hazardous Materials Programs under the HMEP Training Grant covering awareness, operations, technician, incident command system, and decontamination training. Due to the nature of this training, classes will be scheduled in advance through out the year to be reimbursed 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 1-14-15


John W. Degan
Director Division of Fire Safety

Date 1-15-15


Deborah Pendergast
Director Division of Fire Standards & Training

Date 1/23/15


John J. Barthelmes,
Commissioner Department of Safety

Date 3/2/15


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-0438-14-01-00	3. AMENDMENT NO. 0	
		4. PROJECT PERFORMANCE PERIOD: FROM 09/30/2014 TO 09/30/2015		
		5. FEDERAL FUNDING PERIOD: FROM 09/30/2014 TO 09/30/2015		
1A. IRS/VENDOR NO. 026000618		6. ACTION New		
1B. DUNS NO. 060340564		FUNDING		TOTAL
7. CFDA#: 20.703		9. TOTAL FEDERAL AMOUNT OF THIS AGREEMENT		135,718.62
8. PROJECT TITLE NH Department of Safety HMEP Program		10. TOTAL MATCHING AMOUNT OF THIS AGREEMENT		33,929.66
		11. TOTAL AMOUNT OF THIS AGREEMENT		169,648.28
12. GRANTEE PROGRAM MANAGER Ms. Les Cartier		12A. GRANTEE PROGRAM MANAGER EMAIL Leslie.Cartier@dos.nh.gov		
		12B. GRANTEE PROGRAM MANAGER PHONE NUMBER 603-223-4289		
12C. GRANTEE PROGRAM MANAGER ADDRESS 33 Hazen Drive Concord, NH 03305-0011				
13. GRANT PROGRAM OFFICER Lisa O'Donnell		13A. GRANT PROGRAM OFFICER EMAIL lisa.o'donnell@dot.gov		
		13B. GRANT PROGRAM OFFICER PHONE NUMBER 202-366-6415		
14. INCORPORATED ATTACHMENTS				
15. STATUTORY AUTHORITY FOR GRANT/COOPERATIVE AGREEMENT Federal Hazardous Materials Transportation Law , 49 U.S.C. 5101 et seq				
16. REMARKS Award Amounts: Federal Share: Planning \$63,730.11 + Training \$71,988.51 = Total Fed \$135,718.62 Non-Federal Share: Planning \$15,932.53 + Training \$17,997.13 = Total Non-Fed \$ 33,929.66 Total Budget: \$169,648.28				
GRANTEE ACCEPTANCE			AGENCY APPROVAL	
17. NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL			19. NAME AND TITLE OF AUTHORIZED PHMSA OFFICIAL Mr. Magdy El-Sibaie, PHMSA Associate Administrator	
18. SIGNATURE OF AUTHORIZED GRANTEE OFFICIAL		18A. DATE	20. SIGNATURE OF AUTHORIZED PHMSA OFFICIAL Electronically Signed	20A. DATE 10/01/2014
AGENCY USE ONLY				
21. OBJECT CLASS CODE: 41000			22. ORGANIZATION CODE: 50D0308EP0	
23. ACCOUNTING CLASSIFICATION CODES				
DOCUMENT NUMBER	FUND	BY	BPAC	AMOUNT
HM-HMP-0438-14-01-00	5282XXXDA0	2014	EPGRT01020	135,718.62