



pennsylvania
EMERGENCY MANAGEMENT AGENCY

2022 HAZARDOUS MATERIALS SAFETY PROGRAM EXPENDITURES GUIDE



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Hazardous Materials Division**
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1. INTRODUCTION

The purpose of the Hazardous Materials Response Fund (HMRF) grant and the Hazardous Material Emergency Response (HMER) account are to provide funding to counties to protect against the risks to life, property, and the environment that are inherent in the use, storage, manufacturing, and transportation of hazardous materials in and about the Commonwealth of Pennsylvania.

These funds also aid counties in meeting the requirements of the Emergency Planning, Community Right-to-Know Act of 1986 §§ 301 and 303 (Title 42 U.S.C. Chapter 116) and Hazardous Material Emergency Planning and Response Act, Act 165 of 1990 as amended.

Through an effective hazardous material safety program, PEMA seeks to increase the capabilities of hazardous materials response teams (HMRT) and chemical preparedness efforts, while ensuring that available funds are utilized appropriately to protect emergency responders and the community.

Allowable costs for HMRF grants funds are defined by Section 208 of Act 165, as listed below
Developing periodic reports conforming to the requirements of section 204(b.1) of Act 165.
Developing, updating, and exercising emergency response plans required under §303 of SARA, Title III.
Performing public information functions as required by §324 of SARA, Title III.
Collecting, documenting, and processing chemical inventory forms and other documents required by SARA, Title III
Developing an emergency planning and response capability for responding to hazardous material releases and meeting the requirements of the Commonwealth's hazardous material safety program, including training, equipment, material, and other supplies needed to respond to a release.
Supporting the operation and administration of local committees
Reimbursing certain response costs of supporting volunteer emergency service organizations in accordance with section 207(b)(1) of Act 165.

The information contained in this document is provided to clarify specific criteria and standards for the use and management of Act 165 funds. This document supersedes all previous versions and is effective for fiscal year (FY) 2022 grant awards. Examples of allowable expenses provided in this document are not all-inclusive, and the absence of a specific expense does not preclude its possible approval. All proposed projects will be considered based on the needs identified in the individual county's annual report, and within the confines of the available grant award.

Questions and other inquiries should be directed to respective PEMA area offices.

2. GENERAL GUIDELINES

- Allowable expenditures are those that are: reasonable, necessary, and allocable to the approved project consistent with Act 165 Revenue Expenditure Requirements Directive (D2022-01).
- Conditionally allowable expenses are only allowable after review and approval from PEMA.
- Unallowable expenditures are costs prohibited by law or regulation, Federal/State cost principles, PEMA Directive or the Pennsylvania HAZMAT Safety Program.
- The following items require prior approval and the submission of a Grant Activity Request Form to PEMA:
 - Activities not specified in the approved grant application
 - Budget revisions
 - Extensions
 - Reallocations
 - Special requests

*Certain legal documentation must still be completed in the
Single Application for Assistance (ESA)*

3. PERCENTAGE OF FUNDS FOR PROGRAMMITIC ACTIVITIES

Pa Act 165 of 1990 created in the State Treasury a non-lapsing restricted account to be known as the Hazardous Material Response Fund. The fund consists of the hazardous chemical fees, toxic chemical registration fees, toxic chemical release form fees, civil penalties and fines and funds appropriated by the General Assembly. Monies in the fund and any accrued interest are appropriated annually to PEMA for disbursement and shall be used to carry out the purposes, goals and objectives of SARA, Title III, and the Commonwealth's hazardous material safety program.

PEMA is directed to administer and allocate monies in the fund, including all interest generated therein, in the following manner:

- Up to 10% may be expended on training programs.
- Up to 10% may be expended for public and facility owner education, information and participation programs.
- Up to 10% may be used for the general administrative and operational expenses of the act.
- The remaining revenue in the fund shall be used as grants to support the activities of counties under the act, as described in section 208.

4. AUDITS

Recipients are responsible for obtaining audits in accordance with Pa Act 165 of 1990, Sec 204(b.1)(6). PEMA may audit a recipient at any time.

5. ALLOWABLE EXPENDITURES

Examples of allowable expenditures under each hazardous materials response program area as per Act 165 are listed below.

Preparation of a periodic report on the county's hazardous material safety program
Computer equipment dedicated to hazardous material safety program activities (Note: maintenance of such equipment is not a grant covered expense)
Costs directly related to an audit of the Hazardous Material Emergency Response account to fulfill Sec. 204(b.1)(6) of Act 165.
Developing, updating, & exercising emergency response plans (ERP)
Gap analysis to enhance planning objectives
HAZMAT risk analysis
Commodity Flow Study
Public information functions
Costs associated with making facility off-site emergency response plans available to the public in accordance with SARA, Title III.
Cost of advertising of meetings in accordance with Sunshine Act
Collecting, documenting, and processing chemical inventory forms and other documents required by SARA, Title III
Office supplies, telephone usage (landline), postage, printing/document reproduction
Software purchases and license fees which are directly related to, and necessary for, the county hazardous materials safety program.
Cost of billing and collecting chemical and planning fees, records keeping and files maintenance of Act 165 documents.
Develop emergency planning & response capability
HAZMAT response training for emergency response personnel in accordance with PEMA Directive D2022-01 or most current revision
Travel expenses for county employees, LEPC members or representatives, and rostered members of the county's HMRT for the purpose of attending approved training and exercises. (Travel expense payment not to exceed current approved State rates)
Technical and other advanced HAZMAT training for rostered members of the county's HMRT as needed at the discretion of the LEPC
Decontamination training or exercises for all emergency response personnel; to include radiological decontamination if the county does not receive funding from the Radiological Emergency Response Fund (RERF)
Plume Modeling Software (i.e. PEAC)
Simulation software for HAZMAT training
HAZMAT training suits
Class B Aqueous Film Forming Foam (AFFF)
AFFF training foam
Supplies and equipment listed in the HMRT equipment directive, for state certified HMRT's
Appropriate supplies and equipment directly related to the response level of the receiving entity

Communications equipment for HMRT response
LEPC Operation and Administration costs
Costs associated with development of grant applications
Personnel costs to support the hazardous materials safety program (must submit supporting documentation prior to approval)
Cost of preparing, storing, and printing meeting minutes
Expenses counted as match funds toward another grant program or cooperative agreement.
Volunteer Emergency Service organization reimbursement
Response costs for a volunteer emergency service when acting in support of a certified HMRT, and the responsible party is unknown or unable to pay. (Limited to \$1000/response and authorized by LEPC)

6. CONDITIONALLY ALLOWABLE EXPENDITURES

Conditionally allowable expenditures are those that, while not commonly approved, will receive special consideration. These expenditures frequently have additional requirements that must be submitted via the [Grants Activity Request Form](#) prior to approval. Each request is assessed on a case-by-case basis.

Small Unmanned Aerial System (sUAS)
<ul style="list-style-type: none"> - Equipment only (Training costs are not covered) - Must submit FAA Remote Pilot Certificate, with a sUAS rating, for each authorized pilot, and/or; - Must submit FAA Certificate of Waiver or Authorization - Must include proof of registration with annual report
Multi-purpose equipment
<ul style="list-style-type: none"> - Much equipment utilized for HAZMAT response is also used by the fire service. To ensure that Act 165 funds are being used to maintain the HAZMAT response capabilities of a county the following items require justification to be submitted for approval. - Self-Contained Breathing Apparatus (SCBA) - Thermal Imaging Cameras - Gas meters - Watercraft - Pumps (except transfer pumps) - Motors
Specialized training as may be required to meet the needs of the county hazardous material safety program, not included in recommended training table.
<ul style="list-style-type: none"> - Class syllabus and outline must be submitted for approval
Refreshments
<ul style="list-style-type: none"> - Non-alcoholic beverages and light food items for trainings/meetings that exceed 3 hours in length - Training conducted where hydration is needed to ensure exercises are safely conducted.

<p>HAZMAT Response Vehicle</p> <ul style="list-style-type: none"> - “Take-home” vehicle is not allowable - HAZMAT “Duty-officer” vehicle allowable as percentage-based purchase - Lease payments for HAZMAT specific vehicle
<p>Promotional Products</p> <ul style="list-style-type: none"> - Items must be used to fulfill the requirements of Section 324 of SARA, Title III - PEMA may request that examples be submitted with the request. - Must be specifically attributed to the Hazardous Materials Safety Program or LEPC.
<p>Personnel Salaries</p> <ul style="list-style-type: none"> - Must submit a special request and include the following documentation: <ul style="list-style-type: none"> - Job description. weighted Salary - Percentage of salary being reimbursed by HMRF funds - Percentage of workload related to hazardous materials planning, response or other directly related activities.
<p>Mileage Reimbursement</p> <ul style="list-style-type: none"> - Agency owned vehicle only - Only allowable for training and conferences. - Must have log that contains beginning and ending mileage, starting address, destination address, reason for travel, name of driver, number of passengers.
<p>Real Property</p> <ul style="list-style-type: none"> - Any expenditure to lease and/or purchase real property with HMRF/HMER monies

7. UNALLOWABLE EXPENDITURES

Examples of unallowable expenditures are listed below. These are expenses that are either not considered beneficial to the Hazardous Materials Safety Program or are duplication of services provided by existing state systems. Not every scenario can be covered in this guide, and recipients should make an effort to ensure that requests are clearly beneficial to the safety program.

Tier II databases
WebEOC (EOC-Emergency Operations Center), or other EM situational awareness software
Entertainment costs
Foreign travel
Purchase of cellular/satellite devices except for those required by the HMRT equipment directive
Membership fees and subscriptions, except as otherwise noted.
Fire Department Instructors Conference (FDIC):
Class A Aqueous Film Forming Foam (AFFF)
Late fees incurred on purchases
Active Shooter Training
Pandemic Flu Training
Joint Terrorism Task Force (JTTF) Exercises
Overtime of trainees and any other employees who “backfill” positions of trainees during the period of training.

Meals – Meals purchased for exercises, planning sessions, meetings, conference and more
Courses not related to HAZMAT emergency response or incident command system
Pro Board® Accreditation and Membership Fees
Emergency Preparedness Presentation to Child Care Providers
School Violence Prevention
Stipends

8. EXAMPLES OF SUGGESTED TRAINING COURSES/CLASSES/CONFERENCES

While HMRF/HMER funds can be utilized to provide training to responders, there are other more appropriate funding streams available for this purpose. Utilizing the HMRF funds as the required match in other grants allows these funds to be used for operational purposes.

However, if the HMRF/HMER funds are going to be used for training courses, below are some recommended courses to be considered. The below listed courses are considered “pre-approved” for the purposes of budgeting.

Other courses may be secured using the HMRF/HMER funds, however course information must be submitted prior to approval.

HAZMAT Training Courses/Classes/Conferences
Pennsylvania HAZMAT Technicians Annual Conference.
TRANSCAER® *: TRANSCAER® (Transportation Community Awareness and Emergency Response)
International HAZMAT Conference , hosted by the International Association of Fire Chiefs (IAFC).
Hazardous Waste Operations and Emergency Response Standard (HAZWOPER) training with transportation tie-in
Incident Command System (ICS), which includes the following courses: <ul style="list-style-type: none"> - ICS-100: Introduction to the Incident Command System - ICS-200: Incident Command System for Single Resources and Initial Action Incidents - ICS-300: Intermediate Incident Command System - IS-700: National Incident Management System, an Introduction - IS-800: National Response Framework, an Introduction - Discipline specific courses
HAZMAT Awareness, Operations, Technician, Specialist, and Refresher Courses
HAZMAT Incident Commander
HAZMAT Officer/Safety Officer
Industrial Fire Fighting- (rail yards, fuel transfer facilities, and ports)
Confined Space Rescue
HAZMAT Basic Life Support/Advance Life Support
Chemistry for Emergency Responders
Marine Operations - firefighting, and HAZMAT

Airport Rescue Fire Fighting (aircraft response and rescue)
Explosive Ordinance Disposal/Explosives involving transport of explosives
Tank Car Specialty
Intermodal Tank Specialty
Marine Tank Vessel Specialty
Flammable Liquid Bulk Storage
Flammable Gas Bulk Storage
Radioactive Material Specialty in Transportation
First Receiver Awareness Training
Crude Oil Training
Cargo Tank Specialty
Ammonia, Ethanol, Chlorine Response
Alternative Fuels, used in transportation
Developing a Plan of Action
Chemistry of HAZMAT-Part I/II
Surveying a HAZMAT Incident
Level A/Level B Personal Protective
HAZMAT for Emergency Management System (EMS)
HAZMAT for Dispatcher
HAZMAT Containers
Hazardous Materials Monitoring Refresher
HAZMAT Level B Dress-out and Decon
HAZMAT Technical Decon Refresher
HAZMAT Containment and Control
Haz-Cat Training
Pro Board® Certification for HAZMAT Training Courses
Pipeline Incident in Transportation Response Training
Haz Mat IQ Training (Above and Below the line, Advanced IQ & Tox Medic, etc.)
Employee HAZMAT Emergency Response Readiness Training
Weapons of Mass Destruction (WMD) Terrorism courses
Weapons of Mass Destruction (WMD) Radiological Training
Mobile Meth Lab Training

9. BUDGET SUBMISSION

The DGM-28 Expenditures and Final Report workbook is to be submitted between March 15 and April 15 into the HAZMAT Division SharePoint. Instructions for accessing the HAZMAT Division SharePoint site will be provided via email with the opening announcement. All budget submissions will be itemized and provide an appropriate level of detail. Budgets with generalized expenditures over \$1000 will be returned for additional detail.

The following is an example of an acceptable project line item.

- Sample of acceptable project items
 - o 4 Level A suits - \$8,000
 - o Safety glasses, leather gloves, hard hats - \$1,800
 - o 4 gas meter calibration (3 X's) - \$1,500.
- Sample of unacceptable project items
 - o PPE - \$3,000
 - o Equipment replacement - \$4,000
 - o Exercise - \$2,000

10. PROJECT REVIEW AND EVALUATION

- All DGM-28 Budget and Expenditure sheets will be submitted into the appropriate county's folder in the HMRF section of the [Hazardous Materials Division Sharepoint](#).
- All DGM-28's received prior to the specified closure date and time will be screened and evaluated by a team of reviewers representing the PEMA Bureau of Grants Management, Bureau of Technological Hazards, and the appropriate Area Office.
- Each application will be reviewed in detail in accordance with PEMA Directive **D2022-01 Act 165 Revenue Expenditure Requirements**.
- Projects that do not meet the stated requirements will be deemed unacceptable and will not be funded. The appropriate PEMA Area Office will communicate this information to the county.

11. GRANT AWARD

- PEMA's Bureau of Grants Management will provide official notice of grant awards to the applicant.
- A grant agreement for the 12-month period of performance (POP) will be made available via the electronic single application (ESA) eSignature portal to authorized signers, generally County Commissioners or authorized signatories, as specified by the county.
- Changes to an approved project, including the reallocation of approved funds between projects, must be submitted to PEMA via the online [Grant Activity Request Form](#). Associated supporting documentation, such as vendor estimate/quote for equipment or services and draft agendas for courses must be included.

12. REPORTING REQUIREMENTS

- A Final Reconciliation Report detailing all project activities completed during the POP must be uploaded to the HAZMAT Division SharePoint no later than July 30th of the contract year. Failure to file the report prior to this deadline may impact future grant applications.
- Each report is to include the following:
 - All supporting documentation for the expenses incurred
 - Copies of paid invoices with descriptions of expenses
 - Proof of payment for each expenditure (generalized entries will not be accepted (i.e. \$13,000 reimbursement to the County for HAZMAT program))
 - Any other documentation supporting the expense (i.e. final quote, executed contract, purchase order, agenda, sign-in sheet, etc.)
- Acceptable documents providing proof of payment are:
 - Cancelled check
 - Bank statement showing paid funds
- Acceptable supporting documentation varies depending on the item. Such documentation may include:
 - Payroll report from county-generated accounting system identifying hours worked and paid to each applicable employee by pay period, with costs annotated and highlighted.
 - Receipts for travel-related expenses
- For courses held by the county
 - Syllabus (if applicable)
 - Sign-in Sheets
- For training and conferences
 - Sign-in sheet and syllabus if training or meeting is hosted by the county
- For exercises (must meet HSEEP guidelines)
 - Copy of EXPLAN or Scenario
 - Copy of After-Action Report/Improvement Plan from the Corrective Action Plan
- For training supplies or equipment
 - Copy of contract or purchase order showing deliverable
 - Purpose of the supplies

13. GRANT ACTIVITY REQUESTS

The [Grant Activity Request](#) form is the required channel for making requests associated with HMER and HMRF monies.

The request form can be used for: (must be submitted within 30 days of grant period of performance end date)

- Extensions
- Reallocations
- Project Additions/Deletions
- Multi-Year Projects
- Multiple County Projects
- Special Activity Requests

14. HMRF PROGRAM ASSISTANCE

For programmatic questions relating to the HMRF grant please email HAZMAT@pa.gov or the respective PEMA Area Office contact.

For administrative questions relating directly to the HMRF grant, please contact PEMA Grants Division at RA-dgmhmgrants@pa.gov.

For ESA technical or access issues please contact the ESA Help desk at 800-379-7448, 8:30 AM - 5:00 PM EST Monday through Friday or via email at ra-dcedcs@pa.gov.
