

**Hazardous Material Response Fund  
Subrecipient Guidance and Instructions  
SFY 2019-2020**

**I. PURPOSE**

The Hazardous Material Emergency Planning and Response Act of 1990 authorized the Hazardous Material Response Fund (HMRF) to provide financial assistance to counties to develop an integrated emergency response capability to the health hazards, dangers, and risks posed to the public by the release of hazardous materials.

**II. AUTHORITY**

- A. The Emergency Management Services Code (35 Pa. C.S. §§ 7101-7707) as amended.
- B. The Hazardous Material Emergency Planning and Response Act (Act 1990-165) (35 P.S. §§ 6022.101-6022.307).

**III. GENERAL**

- A. The HMRF Grant Program was created to enhance, not replace, ongoing county efforts to develop and maintain a hazardous material safety program.
- B. All counties may be eligible for an HMRF grant per state fiscal year (SFY) July 1 through June 30.
- C. The amount of grant funds to be awarded under this program is dependent upon the availability of funds for each fiscal year.
- D. All county grant expenditures must contribute to all or a combination of the following:
  - 1. The development of improved county emergency planning and training;
  - 2. Response capabilities to respond to and recover from hazardous material spills and releases;
  - 3. Exercises to measure these capabilities;
  - 4. Emergency Planning and Community Right-to-Know Act of 1986 (SARA Title III) (42 U.S.C 11001 et. seq.) activities, and;
  - 5. The reimbursement of certain response costs.
- E. To be eligible for funding, counties must be in compliance with the Emergency Planning and Community Right to Know Act of 1986 (SARA Title III) (42 U.S.C 11001 et. seq.) and the Commonwealth's Hazardous Material Safety Program. Compliance will be determined by the Pennsylvania Emergency Management Agency (PEMA) to include:
  - 1. Completion and submission by the established deadline of the Hazardous Materials Emergency Response Program (HMERP) Report for the prior calendar year, on behalf of their hazardous materials program and Local Emergency Planning Committees (LEPCs).

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2. A fully executed agreement between the county and a certified hazardous material response team regarding dispatch and response in accordance with current directives.
  3. Development and annual review/update of the required off-site Emergency Response plans by the LEPC.
  4. Submission and approval of final performance reports.
  5. Eligible program activities and performance reporting.
  6. NIMS Compliance.
- F. Funding allocations are based upon a multi-factor formula utilizing information submitted on the HMERP Report.
- G. Counties must submit a Project Budget and Narrative describing planned expenditures for the HMRF allocation, as well as copies of all funding requests from the county's state-certified hazardous material response team. This information must be submitted via email to PEMA Bureau of Grants Management, [RA-DGMHMgrants@pa.gov](mailto:RA-DGMHMgrants@pa.gov), within 30 days of the date funds are allocated to the county.
- H. PEMA will review these submissions and will work with each county to address any programmatic questions. Each county's approved Project Budget and Narrative will be included as Attachment B of the grant agreement.
- I. HMRF grant funds may be used only for the following eligible costs:
1. Developing a periodic report on the status and capabilities of a county's hazardous material safety program.
  2. Developing, updating, and exercising emergency response plans required under Section 303 of SARA Title III.
  3. Performing public information functions as required under Section 324 of SARA Title III.
  4. Collecting, documenting, and processing chemical inventory forms and other documents required by SARA Title III.
  5. 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, materials, and other supplies needed to respond to a release.
  6. Supporting the operation and administration of LEPCs.
  7. Reimbursing certain response costs of supporting volunteer emergency service organizations in accordance with the Hazardous Material Emergency Planning and Response Act, as amended.
- J. Counties approved for funding will receive their allocation in one advanced payment upon execution of the grant agreement.
- K. All HMRF funds must be expended or obligated by the subrecipient within the period of performance. Obligation means existence of a fully executed contract for activity

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that begins within the performance period of the grant. Any funds not expended or legally obligated in accordance with the county's normal contracting procedures by June 30, 2019 shall be returned through PEMA to the HMRF.

- L. Only items listed on the approved Project Budget and Narrative are allowable. Any changes to the budget will need prior approval from PEMA Bureau of Grants Management and the Bureau of Technological Hazards, Hazardous Materials Division. See Item O. for submission information.
  
- M. A county must submit a final performance report to the PEMA Bureau of Grants Management by July 30. The report should be emailed to [RA-dgmhmgrants@pa.gov](mailto:RA-dgmhmgrants@pa.gov). The report must include the final Project Budget and Narrative and must be accompanied by invoices and proof of payment. Acceptable proof of payment includes copies of checks, check registers, government account ledgers, etc. Final reports which do not clearly show expenditures against the items for which the grant was awarded, as shown in the original project budget and narrative, may be rejected and the county will be required to return the grant funds to PEMA. The county must keep strict accountability of the expenditures of the grant funds throughout the year in order to complete a satisfactory final report.
  
- N. Authorization may be given to accumulate grant funds over several years to acquire sufficient funds for an anticipated expensive purchase. An example would be the purchase of an expensive hazardous material response vehicle which will reach the end of its anticipated life cycle at a designated future date. Funds for this purpose must be requested in the project budget and narrative. If approved, the funds must be placed into the county HMER Account and designated as part of a Reserve Fund. The accumulated amount is to be reported annually in the HMERP Report and in any future HMRF grant project budget and narrative, until expended. These funds, as all funds, are subject to audit.
  
- O. All amendments/ changes to a county approved Project Budget and Narrative must be approved by PEMA before funds may be utilized for alternative purchases. Funds may not be used for alternate items, even if they are within the parameters of the HMRF Grant, without prior approval from PEMA. All amendments/ changes to a county's approved HMRF Budget and Narrative must be submitted via email to PEMA, Bureau of Grants Management, [RA-DGMHMgrants@pa.gov](mailto:RA-DGMHMgrants@pa.gov), with the Subject Title: County Name SFY 2019-2020 HMRF Grant Amendment Request.

**IV. ESA APPLICATION**

- A. The HMRF Grant Application is to be submitted via the Electronic Single Application (ESA) system. To be eligible for the HMRF Grant, all counties must submit their HMERP Report as a part of the HMRF grant application process. The submission of the HMERP Report is required by The Hazardous Material Emergency Planning and Response Act (Act 1990-165) (35 P.S. §§ 6022.101-6022.307) and is

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mandatory requirement for all counties in the Commonwealth of Pennsylvania even if a county is not applying for the HMRF Grant.

- B. The HMERP Report is contained in two (2) sections of the HMRF Grant Application, the Narrative section and the Addenda section. Required data in the report includes:
1. All county Chemical Safety Threat and Hazard Data, HAZMAT Training, and Exercises.
  2. LEPC Membership and recommended new members (see attached LEPC and Certification Workbook). Upload and Submit this Excel Attachment to the Addenda upload section after completion.
  3. Chemical Safety Program Budget and Finances Report.
  4. Certification. Certification is a document which can be printed and scanned from the attached LEPC and Certification Workbook which requires County Executive/ County Commissioner/ Treasurer/ Coordinator Signatures. Once this document is signed, upload it in the Addenda section of the HMRF Grant Application.
- C. For detailed instructions on the requirements of the Narrative and Addenda sections of the HMRF Grant, please see the attached HMERP/ HMRF Narrative and Addenda Template.
- D. All applications must be submitted by deadline. The link to apply for the HMRF Grant via ESA is <https://www.esa.dced.state.pa.us>.

Attachments: LEPC and Certification Workbook  
HMERP/HMRF Narrative and Addenda Template/