

## **PUBLIC NOTICE**

**State of New Jersey**

**Department of Law & Public Safety**

**Division of State Police**

**Notice of Anticipated Funding**

**Federal Fiscal Year 2023 (YEAR 2) United States Department of Transportation,  
Hazardous Materials Emergency Preparedness (HMEP) Sub-Award Grant Program**

**Take notice** that the Division of State Police (DSP) announces the anticipated availability of the following grant program funds:

- I. **Name of Program:** FFY23 United States Department of Transportation, Hazardous Materials Emergency Preparedness (HMEP) Sub-Award Grant Program.
- II. **Program Background and Purpose:** Under 49 U.S.C. § 5116, the United States Department of Transportation/Pipeline and Hazardous Materials Safety Administration provides grant funding for the HMEP program. The New Jersey State Police Emergency Management Section (NJSP/EMS), Hazardous Materials Response Unit (HMRU) is the HMEP Program Grant Coordinator for hazardous materials emergency planning and training related activities. The HMEP Program is governed by the regulations at 49 C.F.R. Part 110 and 2 C.F.R. Part 200.

On December 4, 2015, The Fixing America's Surface Transportation (FAST) Act was signed into law (Public Law No. 114-94). The FAST Act reauthorized the HMEP Grant Program and combined the planning and training grants. Therefore, HMEP applicants are no longer required to separately apply and account for planning and training funds. Under 49 U.S.C. § 5116, HMEP Grants are available to:

- a. Develop, improve, and carry out emergency plans under the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. § 11001 et seq.), including ascertaining flow patterns of hazardous material on lands under the jurisdiction of a State or Native American tribe, and between lands under the jurisdiction of a State or tribe and lands of another State or tribe.
- b. Train public sector employees to respond to accidents and incidents involving hazardous material incidents. To the extent that a grant is used to train emergency responders, the applicant must ensure that the emergency responders who receive training under the grant will have the ability to protect nearby persons, property, and the environment from the effects of accidents or incidents involving the transportation of hazardous material in accordance with existing regulations.

Applicants are encouraged to budget funding towards developing or revising emergency plans and training activities to address the bulk transportation of energy products by rail and over the road. Applicants are also encouraged to conduct commodity flow studies to determine the frequency and quantity of HAZMAT shipments being transported through local communities, and train emergency responders to respond appropriately to incidents involving bulk shipments of energy projects as well as other HAZMAT.

Funding will be made on a reimbursement basis only and is contingent upon receipt of a Federal HMEP continuation award from the Pipeline and Hazardous Materials Safety Administration to the NJSP/EMS.

**III. Anticipated Available Funding and Subaward Period:** If available, **\$225,373.10** in funding will be utilized to support this program. Funds will be awarded on a competitive

basis. The anticipated funding period for each subaward is September 30, 2023 to September 30, 2024.

Applicants should be aware that the NJSP/EMS has not yet submitted a continuation application to the Pipeline and Hazardous Materials Safety Administration for this HMEP Grant. NJSP/EMS will complete and submit the application when it becomes available from the Pipeline and Hazardous Materials Safety Administration.

Please note that funding allocations and individual subaward amounts are subject to change. Subrecipients shall recognize and agree that both the initial provision of funding and the continuation of such funding under a grant agreement is expressly dependent upon the availability to DSP of funds appropriated by the State or Federal legislature from State and/or Federal revenue or such other funding sources as may be applicable. A failure of DSP to make any payment under a grant agreement or to observe and perform any condition on its part to be performed under a grant agreement as a result of the failure of the State or Federal legislature to appropriate funds shall not in any manner constitute a breach of a grant agreement by DSP or an event of default under a grant agreement and DSP shall not be held liable for any breach of a grant agreement because of the absence of available funding appropriations. In addition, future funding shall not be anticipated from DSP beyond the duration of the award period set forth in a grant agreement and in no event shall a grant agreement be construed as a commitment by DSP to expend funds beyond the termination date set in a grant agreement.

- IV. **Eligibility and Application Requirements:** The subaward program is open only to the 21 county and 566 Local Emergency Planning Committees (LEPCs) in New Jersey. Guidelines and Application Kits will be provided upon request. Applicants must submit

a complete application that includes: application forms, required certifications, program narrative, budget, and budget narrative, an identification of project staff, a description of how the project will be evaluated, and an application authorization. LEPCs must have a State approved Emergency Operations Plan (EOP).

V. **Selection Criteria:** For subaward consideration, applications will be initially reviewed to ensure the proposals meet the minimum standards. Proposals meeting the minimum standards will be substantively reviewed based on the following criteria:

- a. *Problem Statement/Needs Assessment/Adaptability - 20 percent:* Clearly state the problem/need that will be addressed with grant funds. Include statistics and factual information to substantiate the need and selection of the proposed program. Describe the impact of the problem on the community and any steps that have been taken to address the problem. Identify gaps in services and additional resources that are needed to resolve the problem.
- b. *Goals, Objectives, Action Strategy - 25 percent:* State the goal(s) of the program. List clear and measurable objectives to achieve the goal, describing specific approaches that will be taken to resolve the problem and expected outcomes. Fully describe the implementation process. Include the following points in the action strategy: major activities that will be implemented; personnel and resources needed for program; and time frame for project implementation.
- c. *Planning, Management Structure and Background - 20 percent:* Provide information regarding the implementation process for your project. Outline the management structure; identify the Project Director and other key individuals who will be directly involved in the operation of the project.

- d. *Performance Measures/Evaluation - 20 percent:* Describe the methods that will be used to measure the progress and assess the impact of the project.
- e. *Program Budget - 15 percent:* Using the budget form, list funds requested for program implementation. Provide a detailed narrative for use of Federal funds requested in each budget category and/or line item.

All data and accomplishments derived from this subaward program will be made available to the New Jersey Office of Emergency Management (NJOEM) for distribution to any LEPC interested in acquiring or utilizing them. Therefore, projects that involve work that will benefit numerous LEPCs will rate highest for consideration.

Projects that solely involve the purchase of equipment are prohibited. This is a planning/training subaward program and, as such, equipment that would be used for planning/training or response is contrary to the intent of this program. While it is possible that minor equipment purchases may be necessary to effectively carry out an intended project, this type of expenditure should be kept to a minimum, must be approved by HMRU, and may directly affect an applicant's rating of eligibility.

- VI. **Notification of Award:** Applicants will be notified approximately 45 days after the application deadline whether their application is approved. Awards are solely contingent upon the availability of Federal funds. NJSP/EMS reserves the right to decline any and all applications for funding and to award grants in amounts different than requested. Applicants previously funded are not guaranteed continued funding or funding at previous levels. Final awards will not be announced until after September 30, 2023.
- VII. **Deadline & Contact Information:** For further information on the HMEP Subaward program, or to request HMEP Subaward Guidelines and an Application Kit, contact

Shaun Del Collo, at the address below. **All applications must be postmarked no later than 1:00pm, February 28th, 2023.**

**Shaun Del Collo**

**Division of State Police**

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