

3750-50-10 **Grant application for emergency planning and community right-to-know funds.**

[Comment: For dates of non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see ~~the paragraph (YY) of rule 3750-1-01 of the Administrative Code titled "Incorporation by Reference~~Referenced materials section at the end of rule 3750-1-01.]

- (A) From the moneys collected under paragraph (A) rule 3750-50-03 of the Administrative Code, the commission, shall make annual grants from the fund to the commission, state agencies represented on the commission, committees and fire departments within the percentage ranges specified in paragraph (D) of rule 3750-50-03 of the Administrative Code for the implementation, administration and enforcement of Chapter 3750. of the Revised Code
- (B) Each application for a grant shall be submitted on forms adopted by the commission as prescribed in this rule. Each application for a grant shall be completed and submitted in triplicate to the commission in compliance with the following schedule;
- (1) Committee grant applications shall be postmarked no later than the first day of February.
  - (2) Fire department grant applications shall be submitted with the committee's grant application within whose jurisdiction(s) they lie on the same dates as listed in paragraph (B)(1) of this rule. Fire department applications shall be submitted in compliance with paragraph (F) of this rule.
  - (3) Applications for each state agency represented on the commission, the commission and the environmental review appeals commission shall be prepared and submitted to the commission, date stamped no later than ~~the first day of~~ April first for the upcoming fiscal year:
- (C) In making grants to the committees and fire departments under this rule, the commission shall consider the timeliness of the application and the needs of the emergency planning district or fire departments in determining the minimum amount of money necessary for a committee to implement, administer, and enforce Chapter 3750. of the Revised Code including expenses of the committees to prepare or revise, exercise, and review the chemical emergency response and preparedness plan in terms of:
- (1) Minimum requirements for personnel;

- (2) Essential office equipment;
  - (3) The number of facilities in the district or under jurisdiction of the fire department that are subject to section 3750.05 of the Revised Code.
  - (4) The amounts of extremely hazardous substances produced, used, or stored in the district or territory under the jurisdiction of the fire department;
  - (5) The population within the district or under jurisdiction of the fire department that resides in close proximity to the facilities that are subject to that section; and
  - (6) Principal routes for the transportation of hazardous materials identified or listed by regulations adopted under the Hazardous Materials Transportation Act contained in ~~49 U.S.C.~~ USC 5112, as amended and the amounts of those materials.
- (D) Each application for a grant under this rule shall demonstrate that the grant will enhance the ability of the recipient or, in case of the state agency represented on the commission or the commission's application, the state as a whole, to prepare for and respond to releases of hazardous substances and extremely hazardous substances.
- (E) Grant applications received postmarked later than February first, shall be reduced by one per cent per day of ~~their~~ the calculated award. Applications postmarked more than thirty calendar days after February first will not be considered for funding for the upcoming state fiscal year.
- (F) A fire department which is wholly within one emergency planning district shall apply for and receive a grant under this rule only through that committee of that emergency planning district. A fire department which is within more than one emergency planning district, shall apply for and receive a grant under this rule only through one committee of an emergency planning district for any state fiscal year.
- (1) In making a grant under this rule to the fire department of a municipal corporation that is collecting a fee pursuant to an ordinance, rule, or requirement for reporting or providing the names and amounts of extremely hazardous substances or hazardous chemicals stored at the facilities in the municipal corporation that was in effect on or before December 14, 1988, the commission shall:

- (a) Determine the amount of the grant for which the fire department would otherwise be eligible under paragraph (D)(3) of rule 3750-50-03 of the Administrative Code.
  - (b) Subtract from that amount the total amount of moneys collected by the municipal corporation during the preceding year pursuant to reporting requirements, as certified to the commission in the grant application;
  - (c) If the calculation as set forth in paragraphs (F)(1)(a) and (F)(1)(b) of this rule yields a positive remainder, the commission may make a grant to the fire department in that amount, otherwise the fire department is not eligible for a grant under this rule for that state fiscal year.
- (2) After a committee determines that the initial training needs for emergency response personnel within ~~its~~ the emergency planning district set forth in the committee's plan or most recent review of ~~its~~ the plan under section 3750.04 of the Revised Code have been met, a committee may make grants from the moneys ~~it~~ received in the special fund to the fire departments located within the district for the purchase of first response equipment in accordance with procedures approved by the commission.

Effective: 10/29/2011

R.C. 119.032 review dates: 08/10/2011 and 10/29/2016

CERTIFIED ELECTRONICALLY

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Certification

10/19/2011

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Date

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