

# Local Emergency Planning Committee Grant Program Application Guidelines

---

Texas Commission on Environmental Quality  
**2016-2017**



In order to be eligible for the TCEQ LEPC Grant funds every LEPC must submit an application in accordance with the following guidelines. Applications can be found on the TCEQ web site at the link below. All applications must be submitted to [LEPCGrants@tceq.texas.gov](mailto:LEPCGrants@tceq.texas.gov) or by mail no later than August 31, 2016. The application web site is <http://www.tceq.texas.gov/goto/LEPCGrants>.

## **I. Grant Period**

September 1, 2016 to August 31, 2018

## **II. Grant Amount**

\$4,420,000.00

## **III. Description**

- a. In the 84<sup>th</sup> Texas Legislative Session the Texas Legislature transferred the Tier II Chemical Reporting Program to the Texas Commission on Environmental Quality (TCEQ). Health and Safety Code 505.016(d), 506.017(d), and 507.013(d) authorizes up to 20% of chemical reporting fees to be awarded to the Local Emergency Planning Committees (LEPCs) to fulfill their responsibilities under Emergency Planning and Community Right-to-Know Act (EPCRA). The total amount to be awarded under this grant program will depend upon the amount of revenue received from chemical reporting fees in the Tier II Chemical Reporting General Revenue Workplace Chemicals List account.

The funds for this grant program are appropriated to the TCEQ by the Legislature and are subject to change annually. This **\$4,420,000** grant amount includes an additional \$4,000,000 appropriated for the 2016/2017 biennium. Future grants will be approximately **\$210,000** annually based on fee revenue received. Because of this, the TCEQ encourages LEPCs to use this one-time grant amount to establish large projects or plans that can be used in multiple years or shared with other LEPCs.

- b. This grant will allow LEPCs to establish, maintain, and/or improve their implementation of EPCRA. The EPCRA requires each state to create a State Emergency Response Commission (SERC), designate emergency planning districts, and to establish LEPCs for each district. LEPCs are to work with facilities to develop response procedures, evacuation plans, and training programs for people who will be the first to respond in the event of an emergency. Only LEPCs that are officially recognized by the SERC are eligible for this grant.

**No match** will be required during this grant period, but future match requirements may be established.

## **IV. Administrative Conditions**

- a. A completed Texas LEPC Grant Program **Application and Budget Information Sheet** must be submitted to be considered for this grant.
- b. A completed **Texas Division of Emergency Management (TDEM) 151 Form** must be submitted with this application. Forms can be accessed from the TDEM website under Forms or at <https://www.txdps.state.tx.us/internetforms/Forms/TDEM-151.pdf>.
- c. If the LEPC is awarded grant funding they will be required to enter into a contract agreement with the TCEQ which will specify terms and conditions that will need to be adhered to. LEPCs selected for this grant program are

- expected to complete all grant activities within a timely manner and comply with all deadlines as specified in their grant award contract. Funding will be awarded upfront to the LEPCs selected for this grant after all required application documentation is received, reviewed, and approved by the TCEQ. All funds must be expended and all travel and services must take place during the grant award contract period.
- d. **Budget Control and Transfers:**
- i. **Cumulative transfers less than 10% of the Total Budget.** LEPCs may transfer amounts between the approved direct cost budget categories so long as cumulative transfers between the direct cost categories during the Contract do not exceed ten percent (10%) of the Total Budget amount. The LEPC must timely submit a Budget Revision Request Form reflecting the revised budget. The LEPC may not transfer amounts to budget categories containing zero dollars without TCEQ pre-approval.
  - ii. **Cumulative transfers greater than 10% of the Total Budget.** TCEQ must pre-approve all budget revisions that result in the cumulative transfer of funds greater than 10% of the Total Budget during a Contract. A Contract Amendment is required before the LEPC incurs these costs.
- e. All grants will follow the **timeline** outlined below:  
First Reporting Period: September 1, 2016 to September 30, 2016  
Second Reporting Period: October 1, 2016 to October 31, 2016  
Third Reporting Period: November 1, 2016 to November 30, 2016  
Fourth Reporting Period: December 1, 2016 to February 28, 2017  
Fifth Reporting Period: March 1, 2017 to May 31, 2017  
Sixth Reporting Period: June 1, 2017 to August 31, 2017
- f. An **invoice** or Financial Status Report (FSR) must be submitted, in writing, to the TCEQ Grant Coordinator no later than 15 calendar days after the end of each reporting period with all supporting documentation (i.e. receipts, training certificates, invoices, etc.). Request for reimbursement must be submitted within 15 days after the close of each quarter with the exception of the final invoice which is due within 45 days after the close of the Contract.
- g. This award may be reduced or terminated at such time the recipient fails to comply with the program objectives, grant award conditions, or state reporting requirements.

## **V. Purchasing Guidelines**

- a. All purchases must be justified in the application and follow all terms and conditions outlined in the grant award contract. LEPCs may apply for contractor services or salaries, but must show confirmation of the contract or salaried position only being filled during the contract period. The TCEQ will not approve on-going salaries due to uncertainty of funding. LEPCs will need to provide supporting documentation for each line item on Form 6 (i.e. quotes, pricing sheet, web link to items with the model number and price, etc.).

- b. This grant round will allow infrastructure items that could be used during multiple years and larger items such as printers, training programs, certifications, contractors (to create or update an Emergency Plan), Emergency Operations Center (EOC) upgrades, or training facility remodels. Since this grant round has a larger amount of funds, the TCEQ encourages LEPCs to include all needed projects on their applications and use Form 4 to rank the projects based on importance
- c. Purchases using grant funds must be made by the LEPC.
- d. Grant funds **cannot** be used to purchase food, drinks, alcohol and grant preparation services.

## **VI. Performance Evaluation**

The TCEQ will prepare evaluations of the performance of the grant recipient upon completion of all reimbursements or more frequently, as deemed necessary by the TCEQ. The performance rating on evaluations for a past grant may be considered by the TCEQ in evaluating an application from the grant recipient for additional funding under this program. A rating of marginal or unsatisfactory performance may be used as a basis to lower or otherwise change the priority and ranking of a future application.

Specific items that may be used in a performance evaluation include:

- Tangible resources that could be used in multiple years or across LEPCs (training programs, emergency plans, handbooks, guides, outreach activities, preparedness activities, etc.)
- Cost effectiveness
- Budget requirements
- Meeting frequency

## **VII. Funding**

The total amount to be awarded under this grant program will depend upon the amount of revenue received by the Tier II Chemical Reporting General Revenue Workplace Chemicals List account in accordance with Health and Safety Code 505.016(d), 506.017(d), and 507.013(d).

The TCEQ will not be obligated to select project proposals to cover the full amount of expected or available funding. The TCEQ may select parts of a proposal for funding and may offer to fund less than the dollar amount requested in a proposal.

## **VIII. Deadline for Submission**

Grant applications must be received by the TCEQ by **no later than 5:00 p.m. Central Time, August 31, 2016**. Applications can be submitted by mail or electronically. Applications received after this deadline will be awarded on a case-by-case basis as funds are available. Applicants are encouraged to submit an application as early as possible.

## **IX. Priority List**

Funds will be distributed on an as needed basis to the projects that best suit the needs and goals of the program. If projects exceed available funding, funding may be decided by the following:

1. Amount of Tier II facilities or materials in the LEPC's area

This category looks specifically at the number of facilities or amount of Tier II chemicals reported to the TCEQ in the LEPC's area.

2. Population of the LEPC's area

This category will use the most recent population data from the Office of Management and Budget census data. The census data will be pulled on July 31, 2016 to ensure the most recent information is used.

3. Past Performance of the LEPC

This category will not be used during the initial grant round because no historical data will be available. The performance of the LEPC during this grant round will affect future application reviews. LEPCs that do not fully expend their budget or do not properly document purchases will be subject to lower funding amounts and/or extra oversight during future grant rounds.

4. Outside Funding for LEPCs

All funding from outside of this grant must be included in this grant application. LEPCs who receive significant funding from local governments, facility owners, HMEP Grants, or any other source may be considered lower on the selection list than LEPCs who do not receive any funding, depending on the projects being applied for.

5. Transferability of Application Projects

Projects that can transfer and be used by other LEPCs or continue to be used past this grant round (such as training programs, infrastructure, equipment, or emergency plan writing) will be given a higher score based on the level of transferability.

6. Risk Assessment

The TCEQ may assess the risks associated with a project and may classify or otherwise categorize projects according to the assessed risks separate from the general scoring and ranking. Grantees with a higher risk may have additional responsibilities assigned.

7. LEPC Minutes (optional)

LEPCs may submit meeting minutes and attendance records from the three most recent meetings as optional criteria. LEPCs that have held meetings may be given a higher score if necessary in a tie or close scoring situation.

**X. Submission Information**

**Mail:**

Texas Commission on Environmental Quality  
Attention Deanna Sivek, MC 177  
PO Box 13087  
Austin, TX 78711-3087

**Electronic:**

[LEPCGRANTS@tceq.texas.gov](mailto:LEPCGRANTS@tceq.texas.gov)

**XI. Contact Information**

Deanna Sivek  
[Deanna.Sivek@tceq.texas.gov](mailto:Deanna.Sivek@tceq.texas.gov)  
512-239-5074 office  
512-239-0404 fax