

STATEMENTS OF POLICY

Title 4—ADMINISTRATION

PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY

[4 PA. CODE CH. 114]

Volunteer Fire Company and Volunteer Ambulance Service Grant Program

The Pennsylvania Emergency Management Agency (Agency) has amended a statement of policy regarding the Volunteer Fire Company and Volunteer Ambulance Service Grant Program (Program) to read as set forth in Annex A. The Program provides grants to improve and enhance the capabilities of volunteer fire companies and ambulance services to provide firefighting, ambulance or rescue services to the citizens of this Commonwealth under the Volunteer Fire Company and Volunteer Ambulance Service Grant Act (act) (35 P. S. §§ 6942.101—6942.902).

In compliance with the act, the Agency is required to publish program guidelines, schedules and application procedures in the *Pennsylvania Bulletin* within 30 days of the effective date of the act. The guidelines are needed for the administration of the Program. For this reason, the Agency announces the availability of grant funds and the following guidelines, schedules and application procedures that eligible applicants shall follow to apply for those grant funds.

Fiscal Impact

Appropriation of \$25 million provided in the act.

Paperwork Requirements

The guidelines require applicants to complete the Volunteer Fire Company and Volunteer Ambulance Service Application, available on the Office of the State Fire Commissioner website (www.osfc.state.pa.us) or in paper form upon request, and a grant agreement.

Effective Date

The guidelines contained in this statement of policy take effect upon publication in the *Pennsylvania Bulletin*.

DAVID M. SANKO,
Director

(Editor's Note: The regulations of the Agency, 4 Pa. Code Chapter 114, are amended by amending §§ 114.1—114.8 to read as set forth in Annex A.)

Fiscal Note: 30-SOP-59. No fiscal impact; (8) recommends adoption. An appropriation of \$25 million for this program was provided in Act 1A of 2003.

Annex A

TITLE 4. ADMINISTRATION

PART V. EMERGENCY MANAGEMENT AGENCY

CHAPTER 114. VOLUNTEER FIRE COMPANY AND VOLUNTEER AMBULANCE SERVICE GRANT PROGRAM—STATEMENT OF POLICY

§ 114.1. Introduction.

(a) The Program provides one-time grants to improve and enhance the capabilities of volunteer fire companies and volunteer ambulance services throughout this Commonwealth to provide firefighting, ambulance and rescue services. Program funds may be used for projects that are

in accordance with the act. Eligible projects are defined in § 114.3(a)(2) and (b)(2) (relating to eligibility).

(b) Assistance from the Program is in the form of grants from the Commonwealth to eligible volunteer fire companies and volunteer ambulance services for projects which, in the judgment of the Agency, comply with the act and are in accordance with the program guidelines in this chapter and meet the application criteria found in the application.

(c) Grants will be not less than \$2,500 and not more than \$15,000 per applicant volunteer fire company nor more than \$10,000 per applicant volunteer ambulance service, except as noted in § 114.3(a)(3).

(d) Applicants should be aware that the Program expects to receive a large number of applications for the limited appropriation from the General Assembly. As such, it is possible that not every application can be fully funded, in which case grants will be awarded on a prorata basis.

(e) The Program expenditures will be charged to the State fiscal year July 1, 2003, to June 30, 2004.

§ 114.2. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

Act—The Volunteer Fire Company and Volunteer Ambulance Service Grant Act (35 P. S. §§ 6942.101—6942.902).

Advanced life support—The advanced prehospital and interhospital emergency medical care of serious illness or injury by appropriately trained health professionals and by certified EMT-paramedics.

Agency—The Pennsylvania Emergency Management Agency.

Application—The Volunteer Fire Company-Volunteer Ambulance Service Grant Program application.

Basic life support services—Prehospital or interhospital emergency medical care and management of illness or injury performed by specially trained and certified or licensed personnel.

Certification—Any class of instruction or test that will provide certification at any level that is currently offered in this Commonwealth through the Voluntary Fire Fighter Certification Program administered by the State Fire Academy.

Certified personnel—Any member of the fire or rescue company who is certified at a minimum level of Fire Fighter 1 on or before October 31, 2003, by the National Professional Qualifications Board or by the International Fire Service Accreditation Congress and verified by the Pennsylvania State Fire Academy.

Commissioner—The State Fire Commissioner.

Equipment, nonsafety related—Any apparatus, equipment or tools ordinarily used by a fire, rescue or ambulance service in the performance of its duties.

Equipment, safety related—Protective clothing commonly referred to as bunker pants and coats, flashhoods, gloves, helmets, boots, PASS or PAL devices, self con-

tained breathing apparatus (including upgrades to existing equipment), Thermal Imaging cameras and lighted search ropes.

Facility—

(i) A structure or portion thereof intended for the purpose of storage or protection of firefighting apparatus, ambulances or rescue vehicles and related equipment and gear.

(ii) The term does not include meeting halls, social halls, social rooms, lounges or any other facility not directly related to firefighting or the furnishing of ambulance or rescue services.

*Final report—*The report to be filed as provided in § 114.6 (relating to grant award and reporting procedures) by the volunteer fire company or volunteer ambulance services detailing the expenditure of the funds granted.

*Invalid coach—*A vehicle which is primarily maintained, operated and intended to be used for routine transport of persons who are convalescent or otherwise nonambulatory and do not ordinarily require emergency medical treatment while in transit. These vehicles will not be considered ambulance or emergency medical service vehicles.

*OSFC—*Office of the State Fire Commissioner.

*Program—*The Volunteer Fire Company Grant Program established in section 301 of the act (35 P. S. § 6942.301) and the Volunteer Ambulance Service Grant Program established in section 501 of the act (35 P. S. § 6942.501).

*Regional project—*A cooperative agreement wherein any combination of three or more separately chartered fire or rescue companies agree to use all, or any portion of their respective grant request to jointly complete any project that qualifies under the act.

Volunteer ambulance service—

(i) A nonprofit chartered corporation, association or organization located and licensed in this Commonwealth, and which is regularly engaged in the provision of emergency medical services, including basic life support or advanced life support services and the transportation of patients.

(ii) The term does not include a corporation, association or organization that is primarily engaged in the operation of invalid coaches which are intended for the routine transport of persons who are convalescent or otherwise nonambulatory and do not ordinarily require emergency medical treatment while in transit.

*Volunteer fire company—*A nonprofit chartered corporation, association or organization located in this Commonwealth which provides fire protection services and which may offer other voluntary emergency services within this Commonwealth. Voluntary emergency services provided by a volunteer fire company may include voluntary ambulance and voluntary rescue services.

*Volunteer rescue company—*A nonprofit chartered corporation, association or organization located in this Commonwealth which provides rescue services and which may offer other voluntary emergency services within this Commonwealth. Voluntary emergency services provided by a volunteer fire company may include voluntary ambulance and voluntary rescue services.

§ 114.3. Eligibility.

(a) *Volunteer Fire Company Grant.*

(1) *Eligible applicants.* A volunteer fire company as defined in § 114.2 (relating to definitions) is eligible to apply. To receive grant funds under the act, a volunteer fire company shall have actively responded to one or more fire emergencies since July 1, 2002. The volunteer fire company shall also sign a written agreement to participate in and report information using the Pennsylvania Fire Information Reporting System.

(2) *Eligible projects.* Program funds may be used for projects that are consistent with the act. Eligible projects must improve and enhance the capabilities of the volunteer fire company to provide firefighting, ambulance or rescue services. Eligible projects include:

(i) Construction or renovation, or both, of the fire company's primary structure facility and purchase or repair of fixtures and furnishings necessary to maintain or improve the capability of the company to provide fire, ambulance and rescue services.

(ii) Purchase of firefighting, ambulance or rescue equipment or repair thereof.

(iii) Debt reduction associated with already completed projects eligible under subparagraphs (i) and (ii).

(iv) Training and certification of members.

(v) Projects initiated after July 31, 2003, and completed prior to disbursement of grant Program funds may be considered as eligible projects for the current grant year.

(3) *Consolidation of entities.* When two or more fire companies have consolidated their use of equipment, firefighters and services between July 1, 1998, and October 31, 2003, the consolidated entity may be deemed eligible to receive a one-time grant not to exceed the amount of the combined total for which the individual companies would have been eligible had they not consolidated.

(b) *Volunteer Ambulance Service Grant.*

(1) *Eligible applicants.* A volunteer ambulance service as defined in § 114.2 is eligible to apply.

(2) *Eligible projects.* Program funds may be used for projects that are consistent with the act. Eligible projects must improve and enhance the capability of the ambulance service to provide ambulance, emergency medical, basic life support or advanced life support services. Eligible projects include:

(i) Construction or renovation, or both, of the volunteer ambulance service's primary structure facility and purchase or repair of fixtures and furnishings necessary to maintain or improve the capability of the company to provide ambulance, emergency medical, basic life support and advanced life support services.

(ii) Purchase of ambulance or rescue equipment or repair thereof.

(iii) Debt reduction associated with already completed projects eligible under subparagraphs (i) and (ii).

(iv) Training and certification of members.

(v) Projects initiated after July 31, 2003, and completed prior to disbursement of Program funds may be considered as eligible projects for the current grant year.

§ 114.4. Program requirements and instructions.

(a) The following requirements apply to the program:

(1) Project applications for the grants shall be submitted using either the online web based application process or the paper forms provided by the Agency. The Agency

will provide information about the application process for grants under the act to every volunteer fire company and every volunteer ambulance service in this Commonwealth. Applications will also be available from the OFSC and on the OSFC's website. Addresses and phone numbers are listed in § 114.5 (relating to application submission and approval procedure).

(2) The Agency reserves the right to:

(i) Request additional information regarding an organization's eligibility.

(ii) Request additional information regarding proposed use of funds.

(iii) Require explanation or revision of the applicant's project budget.

(iv) Require clarification of the applicant's project narrative.

(3) Incomplete applications will be rejected. An applicant shall carefully follow the instructions for completing either the online or the paper form of the application. Specific information is required as indicated on both the online application and the paper form. Applications not containing required information will be considered incomplete.

(4) The project narrative must provide a detailed and comprehensive description of the project and include:

(i) Problems to be addressed.

(ii) Description of the project.

(iii) Benefits to be realized from the project.

(iv) Grant funds to be expended on the project.

§ 114.5. Application submission and approval procedure.

(a) The Agency will mail information detailing the grant application process to volunteer fire companies and volunteer ambulance services throughout this Commonwealth on or before August 31, 2003. The application will also be available by calling the OFSC at (800) 670-3473, or on the OSFC's website at www.osfc.state.pa.us. Applications shall be submitted to the OSFC, either online at www.osfc.state.pa.us or in the case of paper forms, at 2605 Interstate Drive, Harrisburg, PA 17110-9364, by 4 p.m., December 31, 2003.

(1) To receive grant funds, volunteer fire companies and ambulance services applying for grants must have a vendor account as part of Imagine PA. The Agency will provide to every volunteer fire company and volunteer ambulance service the necessary forms to either confirm or to apply for their required Imagine PA vendor number by September 30, 2003, as the first step in the grant application process.

(2) The second step in the application process involves gathering additional applicant information and verifying that applicant projects are eligible for grant funding. The Agency will provide an online Web based process to gather the additional applicant information and verify project eligibility. The online application process will be available by October 31, 2003. The Agency will provide written information to every volunteer fire company and ambulance service regarding the grant program guidelines and the availability of the online applicant information/project eligibility verification process.

(3) Paper submissions will be accepted. At the time the availability of the online grant application process is announced, the OSFC will provide information about how

to obtain a paper form to submit the required applicant and project eligibility information. Information will also be available from the OSFC and on the OSFC's website.

(b) A volunteer fire company or a volunteer ambulance service seeking a grant under this Program shall submit a completed online or paper form of the grant application to the OSFC before 4 p.m. on December 31, 2003.

(c) Applications received after 4 p.m. on December 31, 2003, will be rejected.

(d) The Agency will act to approve or disapprove the applications by May 31, 2004. Applications received by the Agency on or before December 31, 2003, which have not been approved or disapproved by the Agency by May 31, 2004, shall be deemed approved, subject to the provisions of sections 303(b)(2) and 503(b)(2) of the act (35 P. S. §§ 6942.303(b)(2) and 6942.503(b)(2)).

(e) Grant award determinations will be as follows:

(1) *Volunteer Fire Company Grants.*

(i) A volunteer fire company as defined in § 114.2 (relating to definitions), that actively responded to one or more fire emergencies since July 1, 2002, and agrees to actively participate in the Pennsylvania Fire Information Reporting System will be eligible for a base award of the first \$7,000 of the applicants grant request.

(ii) Additional grant funds not exceeding \$8,000 will be awarded to eligible applicants by applying an award factor to that portion of the applicant's grant request which exceeds \$7,000. The award factor is determined by dividing the applicant's total project and bonus points by 25, the highest possible number of points. Award factor points are as follows:

(A) Ten project points will be awarded to an eligible fire company if all or any portion of its grant project includes the purchase or upgrade of safety related equipment as defined in § 114.2 (relating to definitions).

(B) Nine project points will be awarded to an eligible fire company if all or any portion of its grant project includes the purchase or repair of nonsafety related equipment as defined in § 114.2.

(C) Eight project points will be awarded to an eligible fire company if all or any portion of its grant project includes debt reduction.

(D) Seven project points will be awarded to an eligible fire company if all or any portion of its grant project includes construction/renovation of facility or purchase/repair of furnishings.

(E) Six project points will be awarded to an eligible fire company if all or any portion of its grant project includes training or certification of their members.

(F) Five bonus points will be awarded to an eligible fire or rescue service who uses the grant funding to perform a regional/joint project as found in the definitions.

(G) One bonus point will be awarded for each person currently certified in accordance with § 114.2, to a maximum of 10 points.

(iii) In the case of multiple projects, project points will be awarded based on a point/cost factor by multiplying the project cost by the project points for each project and dividing the resulting point/cost total by the total cost of the projects, for example:

(A) Project 1—Purchase protective hoods (10 points) at a cost of \$1,000—Point/cost factor, 10,000.

(B) Project 2—Repair station roof (7 points) at a cost of \$14,000—Point/cost factor, 98,000.

(C) Total point/cost factor (108,000) divided by total project cost (15,000)—Award factor, 7.2.

(iv) If necessary, the resultant additional award will be pro rated by a factor determined by dividing the total program funds remaining after the base awards have been determined by the total amount of funds requested in excess of the base awards so that all grant awards do not exceed the total grant funds available.

(v) If funding is not fully distributed after this award factor calculation, the Agency reserves the right to adjust the award factor formula so that all grant funds available are distributed, subject to the provisions of section 303(b)(2) of the act.

(vi) Volunteer fire company grants to individual volunteer fire companies will not exceed \$15,000.

(2) *Volunteer Ambulance Service Grant.* A volunteer ambulance service as defined in § 114.2 will be eligible for a grant, not to exceed \$10,000, and pro rated by a factor determined by dividing the total funds available by the total amount of funds requested so that all grant awards do not exceed the total grant funds available.

§ 114.6. Grant award and reporting procedures.

(a) Grant award notifications will be made as follows:

(1) Applicants applying for the grant using the online application process will be notified by e-mail.

(2) Applicants applying for the grant using the paper form will be notified by letter.

(b) At the time grant recipients are notified of their award, and in the same manner, they will be presented with a grant agreement. This grant agreement will contain the details of the grant, including the recipient, the amount of the award, a project description and terms of the agreement. In the case of Volunteer Fire Company Grant recipients it will also include an agreement that they participate in PennFIRS. The grant agreement must be signed by an officer of the organization authorized to commit the recipient organization to the terms of the agreement and returned to the OSFC for execution by the Commonwealth before grant funds can be released.

(c) The applicant will maintain full and accurate records with respect to the project. The Agency will have free access to these records, including invoices of material and services, and other relative data and records, as well as the right to inspect all project work. The applicant shall furnish upon request of the Agency all data, reports, contracts, documents and other information relevant to the project.

(d) The applicant shall, upon completion of the project, but no later than December 1, 2004, file a final report with the Agency. The final report must provide a detailed description and accounting of all expenditures made using grant award funds including receipts or proof of expenditure payment. Final reports detailing debt reduction must include evidence from the lender that the funds were applied to the debt reduction. Grant funds not expended by the applicant for the project shall be returned to the Agency prior to or with the filing of the final report. Failure to file a final report will be grounds for the Agency to seek the return of all grant funds awarded.

§ 114.7. Program limitations.

(a) This section identifies Program limitations that may result from the misuse of the grant funds.

(b) An applicant may not make or authorize changes exceeding 10% of the total project cost to an approved project without first obtaining consent of the Agency in writing.

(c) The applicant agrees that noncompliance with the conditions of this grant shall be grounds for the recapture of funds provided to the applicant. If the applicant fails to refund the moneys, the Commonwealth, in addition to any rights or remedies it may have at law or in equity, reserves the right to offset the amount due against any existing or future sums of money owed the applicant by any Commonwealth agency or department, including the Agency.

(d) The Agency, or its authorized representative, will have access to the records of the applicant for the purpose of auditing financial transactions, determination of compliance with grant terms, and an evaluation of project performance. The applicant shall maintain a separate and segregated project account for all funds received under this grant.

(e) The applicant agrees to retain all cost supporting records and documentation for 3 years from the date that it receives its final grant payment from the Agency.

§ 114.8. Contact information.

Applicant inquires should be directed to:

Office of the State Fire Commissioner
2605 Interstate Drive
Harrisburg, PA 17110-9364
Toll free—(800) 670-3473
E-mail—ra-vfcvasgp@state.pa.us

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