Section 180(c): The Midwestern Perspective

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Midwestern Involvement

• 1995-1998: Comments on five *Federal Register* notices pertaining to Section 180(c)

• 1999-2002: First receipt of financial and technical assistance from DOE in connection with shipments; DOE’s consolidated funding initiative

• 2004: Section 180(c) identified as a “key issue” for the Midwest
  
  – Indiana, Iowa, Kansas, and Michigan lead the 180(c) development effort for the Midwest.
Midwestern Philosophy on 180(c)

- Keep it simple.
- DOE should follow a formula-based approach.
- The states should have the flexibility to decide how best to prepare for shipments.
Midwestern Proposal to DOE

- DOE should adopt an approach similar to DOT’s Hazardous Materials Emergency Preparedness (HMEP) grants.
  - Awards are based on a formula that uses measurable factors tied to risk.
  - Funding is available for both planning and training.
  - The application and reporting processes are simple.
  - States have considerable latitude in deciding how best to use the funding.
HMEP Formula

- **Planning Grants:**
  - $2 million is divided equally among recipients as a base amount.
  - The remaining total is allocated on the basis of surrogate measures of risk:
    - Total population (20%).
    - Total hazmat truck miles (40%).
    - Percentage of SARA 302 chemical facilities (40%).

- **Training Grants:**
  - $30,000 is provided to each recipient as a base amount.
  - The remaining total is allocated on the basis of surrogate measures of risk:
    - Total population (50%).
    - Total highway miles (30%).
    - Percentage of total number of U.S. Census Bureau chemical facilities (20%).
Modified HMEP Approach

- $200,000 planning grant (one time)
- $100,000 base grant (each year)
- Variable grant derived according to a simple formula:
  - 30% based on % of affected population
  - 30% based on % of route miles
  - 30% based on % of shipment numbers
  - 10% based on % of shipping sites
Modified HMEP Approach

- The four state regional groups will review the modified approach at their fall meetings.
- If the four groups reach consensus, they will expect DOE to modify its proposed policy and procedures to reflect this consensus.
Unresolved Issues

- Treatment of state fees
- Hospital and EMT training
- Regulations versus policy
- Contingency planning
- Equipment
- Technical assistance
- Funding levels
- Funding for state needs related to shipment operations
For More Information

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