

106 KAR 1:121. Kentucky Emergency Response Commission fee account grant distribution formula.

RELATES TO: KRS 39.800-39.990

STATUTORY AUTHORITY: KRS 39.817

NECESSITY, FUNCTION, AND CONFORMITY: This administrative regulation establishes administrative support and the grant distribution formula to be used in awarding grants for funds generated by KRS 39.817.

Section 1. Local Emergency Planning Committee Grant Distribution Formula. (1) At least fifty (50) percent of funds collected annually by KRS 39.817 shall be awarded to eligible local emergency planning committees which submit grant requests for administration, development and implementation of the Kentucky Emergency Planning and Community Right-to- Know Program, known as SARA Title III, within the guidelines mandated by PL 99-499, Title III, KRS 39.800 to 39.990 and subsequent administrative regulations.

(2) The grant distribution formula to determine how much money will be available to each local emergency planning committee is:

(a) Ten (10) percent of the total amount (A) collected by April 1 divided by 120 local emergency planning committees.

$$\frac{.1(A)}{120 \text{ Local Emergency Planning Committees}}$$

Hypothetical example: $\frac{.1(200000)}{120} = \167

(b) Plus twenty (20) percent of the total amount (A) collected statewide times the ratio of Kentucky Emergency Response Commission - required and approved Tab Q-7s or commission-approved equivalent (Qc) in the county to the total Kentucky Emergency Response Commission - approved Tab Q-7s or commission-approved equivalent (Qs) in the state.

$$.2(A) \frac{Qc}{Qs}$$

Hypothetical example: $.2(200000) \frac{15}{1000} = \520

(c) Plus twenty (20) percent of the total amount (A) collected statewide times the ratio of fee-generating Tiers (Tc) in the county to the total number of fee generating Tiers (Ts) in the state.

$$.2(A) \frac{Tc}{Ts}$$

Hypothetical example: $.2(200000) \frac{90}{1000} = \1200

(d) Therefore the formula for local emergency planning committee grant (Ga) distribution to determine how much money will be available to each eligible local emergency planning committee is:

$$Ga = \frac{.1(A)}{120 \text{ LEPCs}} + .2(A) \frac{Qc}{Qs} + .2(A) \frac{Tc}{Ts}$$

(3) The grant (Gr) distribution formula to determine how much money an eligible local emergency planning committee which submits a grant request form may receive is:

$$Gr = \frac{.1(A)}{\text{Total eligible LEPCs}} + .2(A) \frac{Qc}{Qs} + .2(A) \frac{Tc}{Ts}$$

(4) All grant awards shall be based upon the amount of money requested by the eligible local emergency planning committee and the formula shown in this section.

Section 2. Notice of Amount of Availability of Funds to Each Local Emergency Planning Committee. (1) No later than April 1 each year the Kentucky Emergency Response Commission shall notify the local emergency planning committees how much money will be available to each eligible local emergency planning committee which submits a grant request form. This amount shall be based upon the total amount of funds available in the Kentucky Emergency Response Commission fee account divided pursuant to Section 1 of this administrative regulation.

(2) Notification of money available shall not be construed as an automatic grant award to a local emergency planning committee. Each local emergency planning committee who wants an award shall submit a grant request form in accordance with 106 KAR 1:091.

Section 3. State Agency Grant Distribution. No more than fifty (50) percent of funds collected annually by KRS 39.817 shall be allocated by the Kentucky Emergency Response Commission to state agencies other than local emergency planning committees which submit grant requests for administration, development and implementation of the Kentucky Emergency Planning and Community Right-to-Know program, known as SARA Title III, within the guidelines mandated by PL 99-499, Title III, KRS 39.800 to 39.990 and subsequent administrative regulations.

Section 4. Availability of Additional Funds. The Kentucky Emergency Response Commission may set a date and notify all local emergency planning committees and state agencies of the availability of additional funds collected after April 1 or which were returned to the commission during the year. Any additional funds shall be distributed in accordance with Sections 1(1) and 3 of this administrative regulation.

Section 5. Administrative support required by KRS 39.817 shall be provided by the Division of Disaster and Emergency Services. (18 Ky.R. 1720; Am. 2329; eff. 1-27-92.)