

**OREGON MILITARY DEPARTMENT,  
OFFICE OF EMERGENCY MANAGEMENT**

**DIVISION 55**

**FUEL STORAGE FACILITY COMPATIBILITY FUND GRANT PROGRAM**

**104-055-0000**

**Purpose**

- (1) The Oregon Office of Emergency Management, pursuant to Oregon Revised Statutes ORS 85, shall develop a grant program for the disbursement of moneys from the Fuel Storage Facility Compatibility Fund for the purpose of installing generator connectors on fuel sources at cardlock facilities in this state.

**104-055-0010**

**Definitions**

- (1) “Cardlock facility” means a fuel dispensing facility that is licensed by the Office of the Oregon State Fire Marshal under ORS 480.350 and that permits nonretail customers to dispense fuel using a card activated or key activated device in accordance with ORS 480.345.
- (2) “Emergency” has the meaning given that terms in ORS 401.025
- (3) “Generator” means a portable device capable of converting fuel into electricity.
- (4) “Generator connector” means a connector on a fuel source that allows a generator to connect to the fuel source for the purpose of fueling the generator.
- (5) “Authority” means the Operations and Preparedness Section within the Oregon Office of Emergency Management.
- (6) “Grant Program” means The Fuel Storage Facility Compatibility Fund Grant Program.
- (7) “Applicant” means an Oregon licensed owner/operator of a public or private cardlock fuel facility.
- (8) “Grant Selection Committee” means the committee that is charged with evaluating grant applications for the purpose of determining which projects will receive funding. The Grant Selection Committee membership may include representatives of Oregon Department of Transportation, Office of the State Fire Marshal, Oregon Military Department, Oregon Emergency Management Association, Oregon Department of

Energy, Oregon Office of Emergency Management and others who possess expertise in the industry.

(9) “Grantee” means applicant awarded grant funds for fuel storage facility compatibility.

(10) “Project” means activity at the eligible cardlock facility which enables the connector to be installed for the purpose of dispensing fuel with a generator.

(11) Stat. Auth: ORS 85

Stats Implemented: ORS 85

## **104-055-0020**

### **Eligible Applicants**

The following are eligible to apply for the Fuel Storage Facility Compatibility Fund Grant, except those determined to be ineligible by the Authority because of nonperformance under prior Fuel Storage Facility Compatibility Fund Grant agreement:

(1) All public or private cardlock facility owner/operators currently licensed by the Office of the Oregon State Fire Marshal under ORS 480.310 through 480.385 for commercial fuel dispensing in the State of Oregon.

Stat. Auth: ORS 85, 480.310 through 480.385

Stats Implemented: ORS 85

## **104-055-0030**

### **Program Information**

(1) The Authority shall prepare a Grant Application Package. The application package may contain a guidance document, application forms and other supplementary information that may help eligible applicants prepare grant applications.

(2) The guidance document will include a description of eligibility criteria and ranking factors used to evaluate and select applications for funding.

(3) The Grant Application Package on file with the Authority is incorporated as part of these rules by reference.

(4) The Authority shall provide to Fuel Storage Facility Compatibility Fund grantee a Grant Agreement which specifies legal requirements for grant management, reporting and record keeping as well as the Authority’s monitoring and grant closeout procedures.

(5) The Authority shall administer Fuel Storage Facility Compatibility Fund Grants in compliance with the requirements of applicable statutes, rules and the Grant Guidance Document.

Stat. Auth: ORS 85  
Stats Implemented: ORS 85

## **104-055-0040**

### **Program Sanctions**

The grantee shall be responsible for taking all actions necessary to enforce the terms of the grant agreement against any private or public participant who fails to comply with applicable provisions of the grant agreement and to recover on behalf of the state any liabilities that may arise as the result of the breach of the grant agreement by any participant. Nothing in this paragraph shall restrict the state's right to enforce independently the terms of any grant agreement or to recover any sums that may become due as the result of a breach of such [ana](#) agreement.

Stat. Auth: ORS 85  
Stats Implemented: ORS 85

## **104-055-0050**

### **Project Eligible Activities**

Project must meet the following to be eligible for this program:

- (1) Installation of Generator Connector as defined in the Grant Guidance at a currently licensed commercial public or private cardlock facility within the State of Oregon.

Stat. Auth: ORS 85  
Stats Implemented: ORS 85

### **Project Ineligible Activities**

Project ineligible activities include, but are not limited to:

- (1) Installation of a generator or power generation/backup power capability.

Stat. Auth: ORS 85  
Stats Implemented: ORS 85

## **104-055-0060**

### **Application Submittal, Review and Approval**

- (1) The Authority shall announce how to obtain an application form, and the deadline for submitting the application.

- (2) An eligible commercial cardlock facility owner/operator may submit an application which includes more than one facility location. All submissions must be in the form provided by the Authority and must contain all required information.
- (3) All applications must be received prior to the application deadline announced by the Authority.
- (4) The Authority will evaluate the application using ranking factors and point values and will provide recommendations to the Grant Selection Committee to determine the project's prioritization ranking during a public meeting.
- (5) Once a completed application is evaluated for a grant award, the applicant will be notified within 90 days of the status of their grant application.

Stat. Auth.: ORS 85  
Stat. Implemented: ORS 85

#### **104-055-0070**

##### **Project Administration**

- (1) The Authority and the Applicant must execute a grant agreement prior to any funds being expended for eligible expenses for which the Applicant will request reimbursement.
- (2) Documentation of project costs incurred by Grantee must be submitted to the Authority prior to reimbursement of funds.
- (3) Reimbursement of funds to Grantee will be made on the schedule determined by the Authority.
- (4) Authority will require a letter from the Office of the Oregon State Fire Marshal following annual inspection, certifying that the generator connector installed pursuant to the grant program meets safety requirements and is otherwise properly installed.

Stat. Auth: ORS 85  
Stat. Implemented: ORS 85

#### **104-055-0080**

##### **Grant Awards and Match**

- (1) Grants will be awarded only when there are sufficient funds available in the Fuel Storage Facility Compatibility Fund.

- (2) Grant funds shall be distributed on a reimbursement basis to licensed commercial public or private cardlock facility owner/operators as allocated by the Legislative Assembly.
- (3) The maximum grant award is \$4,000.

Stat. Auth: ORS 85

Stat. Implemented: ORS 85

### **104-055-0090**

#### **Grant Agreements and Conditions**

- (1) The Authority will only enter into new agreements or amendments to existing agreements with prior grantees, if all reporting obligations under the earlier agreement have been met.
- (2) If the grant agreement has not been fully executed by all the parties within 60 days of the grantee receiving agreement document, funding shall be terminated. The money allocated to the grant shall be available for reallocation by the grant selection committee.
- (3) The Authority or designee shall establish grant agreement conditions. Grantees shall comply with all grant agreement conditions.
- (4) The Grantee shall comply with all applicable federal, state and local laws and ordinances.
- (5) Upon notice to the Grantee in writing, the Authority may terminate funding for projects not completed in the prescribed time and manner. The money allocated to the project but not used will be available for reallocation by the grant selection committee.
- (6) The Grantee will obtain the necessary permits and licenses from local, state or federal agencies or governing bodies.

Stat. Auth.: ORS 85

Stat. Implemented: ORS 85

### **104-055-0100**

#### **Waivers, Exceptions and Appeals**

- (1) The Authority may waive non-statutory requirements of the grant program if it is demonstrated such a waiver would serve to further the goals or objectives of the program.
- (2) The Authority may consider appeals of the grant selection committee's funding decisions. Only the applicant may appeal. Appeals must be submitted in writing to the Authority within 30 days of the event or action that is being appealed. The Authority's decision is final.

Stat. Auth: ORS 85  
Stat. Implemented: ORS 85

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