



## RECAP OF JANUARY 7, 2011 STATE EMERGENCY RESPONSE COMMISSION MEETING

Meeting Chair George Danz called the meeting to order. Mr. Danz recognized that Governor Rick Scott recently appointed Bryan Koons as the new Director of the Florida Division of Emergency Management. It was understood that Mr. David Halstead will maintain the position until Mr. Koons' arrival in early to mid-February. Aside from Mr. Koons' military and government credentials, he has more recently been responsible for emergency management operations associated with the 8,500 Wal-Mart stores worldwide.

The items of business were:

- **Approval of October 8, 2010 SERC meeting Minutes.** Minutes were approved unanimously.

### NEW BUSINESS

- **Approval of new/revised Local Emergency Planning Committee Appointments (Statewide).** The SERC unanimously approved all new LEPC appointments requested by each of the 11 LEPCs. As a subset of this approval, the following changes were recognized for the District 8 LEPC membership: Ms. Amanda Shaw (Tampa Bay Regional Planning Council/Regional Domestic Security Task Force) as a *Primary* under the Category of "Non-Elected Local Official" as staff to TBRPC and RDSTF. No *Alternate* member was designated by Ms. Shaw. This vacancy was created by the prior departure of Ms. Erika Wiker. In addition, LT Michael Viles replaced LTJG William Sanders as the *Alternate* LEPC representative to LCDR Thomas Boyles of the U.S. Coast Guard/Sector St. Petersburg. All new appointments were approved unanimously.
- **Approval of updates to the Hazardous Materials section of the *Field Operation Guide*.** Proposed revisions necessary for the Hazardous Materials section of the *Field Operations Guide* (FOG) were discussed over the past several months, primarily through numerous teleconferences amongst the SERC's Training Task Force members. FOG approval would mean forwarding to the State Fire Marshals' Office, Florida Association of Hazardous Materials Responders (and other entities) for further review, revision and ratification. The extensive Guide is not only used by hazardous materials professionals but also EMS, Fire Departments, Law Enforcement, Bomb Squads... Upon receipt of the document in electronic format, it is anticipated that the revised Guide will have been stripped of secure information and be available for posting to the LEPC website. Approval of the FOG revisions was unanimous.
- **Hazardous Materials Awareness Week Proclamation/Resolution.** Florida Division of Emergency Management staff made mention of a October 8, 2010 Resolution from the State Emergency Response Commission signed by Alternate SERC Chair David Halstead designating February 13-19, 2011 as Hazardous Materials Awareness Week and, in particular, promoting the concept and awareness of Shelter in Place provisions. This Resolution was requested in conjunction with the October 8, 2010 SERC meeting.

- **Thomas Yatabe-SERC Award Presentations.** The SERC awarded 11 recipients (one from each Local Emergency Planning Committee District) the Thomas Yatabe Award signifying “outstanding contribution(s) made in the implementation and support of the Emergency Planning and Community Right-To-Know Act.” The recipient of the 2010 Thomas Yatabe Award winner for LEPC District 8 was Mr. Robert Tollise, formerly with the Manatee County Department of Public Safety. Mr. Tollise had served as the LEPC’s Hazardous Materials Emergency Planning Training Subcommittee Chair since 2007 and assisted in the coordination of 31 cost-effective training designed to educate hundreds of first responders throughout the Tampa Bay community during his tenure.

A “Certificate of Appreciation” was additionally provided for Mr. Larry Gispert. Aside from his numerous accomplishments and achievements over his 17 year career as Director of the Hillsborough County Emergency Management, Mr. Gispert had been a long-time proponent of hazardous materials planning.

## REPORTS

- **SERC’s Training Task Force (TTF).** Aside from work products and efforts discussed as part of the SERC Agenda (recognized above), the following highlights of the January 6, 2011 TTF meeting were also recognized by Mike Murphy, TTF Vice Chair, and/or FDEM staff:
  - Teleconferences. Interim TTF Chair Mike Murphy indicated that teleconferences were held on November 10 and December 8, 2010 primarily to discuss final revisions associated with the hazardous materials section of the Field Operations Guide (FOG).
  - E-Plan. Matt Marshall, Coral Springs Fire Department and TTF member, thanked all that attended the October 21-22, 2010 E-Plan Users Conference in Estero, FL. Numerous revisions to E-Plan resulted from this meeting and subsequent review of the mapping component and features. Mr. Marshall identified that 1,600+ now have access to E-Plan.
  - HMIS. Mr. Donald Kunish (FDEM staff) identified that it was previously determined that electronic filing would be the State’s preferred method for all companies to submit their chemical inventories and that would be through the Hazardous Materials Information System (HMIS) program rather than continued hard copy submittals of Tier 2 Reports. This information would then be transferred to E-plan which, by design, could be easily accessed by first responders. FDEM staff acknowledged spending a lot of time and resources into improving the data entry for the facilities including tutorials and “wizards” to assist with the filing, confirmation of completion, link to payment information, as well as promoting the option of electronic filing. It was additionally stated that the data associated with the most recent Tier 2 submissions of all Statewide facilities has been input into the database to ease the facility’s with their first venture into electronic filing of this information. It would only require verification and/or updates of chemical inventories and/or facility personnel. It has long been determined that E-plan is a desired resource for first responders when arriving at a hazardous materials incident by providing a listing of all reportable chemicals stored at facilities, not just the Extremely Hazardous Substances, as well as current facility contact information.
  - Tox Medic Training Guidelines. Mr. Doug Wolfe of Response Technologies is developing a training program that will consist of a blend between the Tox Medic and Hazmat Medic training programs and will be consistent with NFPA 473 standards and competencies. The resulting training, which will be DHS approved, will be 80 hours and involve three or four components (i.e. instructor-lead on-line component <16+ hours>, a classroom component <16± hours>, and a Lab/Drill component that could be locally lead without instructors <time component contingent upon

activity>). Mr. Wolfe anticipates that a pilot program will be ready by June 1<sup>st</sup> and that the program will be fully available in August or September 2011. It was indicated that Mr. Scott Chappelle may need to perform “crosswalk” to ensure that all NFPA 473 standards are being met prior to actually receiving endorsement.

- **EPA Enforcement Acts.** Mr. Murphy identified that there were two U.S. Environmental Protection Agency (EPA) enforcement acts associated with EPCRA violations, the 1998 and the 1999 Acts. Each have their own pros and cons. For the most part, the Florida Division of Emergency Management has been operating by “Memorandum of Understanding” (MOU) under provisions of the 1998 Act which appears to be more flexible and allows the funding of supplemental projects by the industry in violation in lieu of the payment of fines. This option is viewed as more preferable to the State and Industry than simply imposing fines with payment to the EPA. The MOU addressed coordination and compliance issues between the State FDEM and EPA. This is an issue that will be further evaluated by the TTF, with the assistance of SERC members Taylor Abel and Ray Butts from any industry perspective, and will be brought back to the SERC at their April 8, 2011 meeting for possible action.
- **SERC Endorsement of Training Programs.** It has been brought to TTF members’ attention that some firm(s) is claiming that their training program(s) are endorsed by the State Emergency Response Commission when, in fact, such endorsement is rarely granted. SERC member Nancy Stephens inquired whether the SERC logo can be trademarked. SERC member Richard Smith identified that the trademark process may take a couple of years. While DCA Counsel Leslie Anderson-Adams agreed to look into this matter and requirement(s) to potentially seek a trademark for the logo, members were asked to notify Mr. Tim Date and/or Mr. Donald Kunish of potential violation(s).
- **Project Chart.** The status of each task was addressed individually and several changed locations from “active” to monitoring, for example. The current Project Tracking Chart is included following this Recap.

- **Financial Status Report Update.** Mr. Tim Date advised that a comparison of the Emergency Planning and Community Right-to-Know Act (EPCRA) and Risk Management Planning (RMP) revenues collected were slightly behind those received at this time last year but are consistent with those recognized for FY 2008-09. A detailed breakdown of program costs for the Hazardous Materials Planning Program and the RMP Program for FY 2009-10 and expenditures of each program for FY 2010-11 (through November 2010) were also provided.
- **Hazardous Materials Incidents Reports.** Mr. Lou Ritter advised that detailed listings of fixed facility and transportation-related hazardous materials incident were prepared and included the Agenda materials to describe incidents occurring between the period of September 1 and November 30, 2010. Such Reports documented these incidents and portrayed the number of persons evacuated, injured or deceased down to the LEPC Districts and corresponding level. SERC Member Richard Smith requested that the transportation-related incidents be identified separately in the future.

The following constitute the hazardous material incidents recorded for District 8 during this period involving evacuation, injury(ies) and/or death(s):

County	Date of Release	Type*	Chemical	Amount Released (Lbs.)	Business Type	Evacuations	# Injured	# Fatalities
Hills	10/20/10	TR	Carbon Dioxide	Unknown	Residence/Auto	4	0	0
	11/15/10	FF	Cyanide	Unknown	Hotel	10	0	1**
Manatee	NONE IDENTIFIED							
Pasco	11/24/10	FF	Oil	Unknown	Retail Sales Products	3	0	0

County	Date of Release	Type*	Chemical	Amount Released (Lbs.)	Business Type	Evacuations	# Injured	# Fatalities
Pinellas	9/11/10	FF	Anhydrous Ammonia	99	Canned Fruits, etc.	1	0	0
	9/22/10	FF	Anhydrous Ammonia	Unknown	Food Service	1	33	0
	9/27/10	FF	Natural Gas	Unknown	Private Residence	0	23	0
	10/28/10	FF	Anhydrous Ammonia	10	Fish and Seafoods	0	3	0
<b>TOTAL →</b>						<b>19</b>	<b>59</b>	<b>1</b>

\* - FF = Fixed Facility incident / TR - Transportation-related incident.

\*\* - Death was ruled a suicide.

Supplemental information also contained in the SERC Agenda materials, including annual comparisons of:

- Potential Section 304 Investigations identified by County and date;
- annual comparison of the overall Statewide number of Hazardous Materials Incidents Reports;
- *Petroleum vs. Non-Petroleum Hazardous Material Incidents by LEPC District;*
- *Fixed Facility vs. Transportation Related Incidents by LEPC District;*
- Statewide monthly and annual hazardous materials incidents tabulations;
- annual comparisons of Statewide number of Section 302 & 312 chemicals;
- *Section 313 Toxic Release Inventory Forms;* and
- annual quantification of the *Notice of Violations/Second Notices* issued.

- **Update on LEPC Activities.** SERC Member George Danz summarized the following highlights of the LEPC Staff & Chairs meeting:

- *Hazmatters.* Mr. Danz recognized that the various tasks and accomplishment of each LEPC District is identified in the *Hazmatters* section of the backup SERC materials.

The following accomplishments were identified for District 8, primarily for the period of September - November 2010:

- attended the Quarterly SERC meeting held at the Betty Easley Conference Center in Tallahassee on October 7-8, 2010 and conducted the District 8 LEPC meeting on November 17, 2010;
- attended the E-Plan Users Conference on October 21-22, 2010 in Estero, FL;
- the LEPC's Facility Disaster Planning Subcommittee (FDPS) met on October 28, 2010. The Subcommittee's prior initiative of bolstering the *Florida Business Disaster Survival Kit* ([www.fldisasterkit.com](http://www.fldisasterkit.com)) with interactive hazardous materials information has been placed on hold until a funding source has been determined to assist with this venture. Current initiatives consist of perpetual updates to the LEPC website (i.e. [www.tbrpc.org/lepc](http://www.tbrpc.org/lepc)); solicitation of local hazardous materials industries' input of training needs through a brief on-line survey; and to meet the identified training needs to the maximum extent possible and feasible. The next meeting of the FDPS has been scheduled for January 20<sup>th</sup>. However, several Subcommittee members will be meeting in the interim to ascertain a database of Section 302 & 312 contacts to request participation in the on-line survey described above.
- LEPC staff and/or member(s) participated in a series of teleconferences administered by the Florida Division of Emergency Management regarding the *Hazmat Field Operations Guide* and updates to TTF's "Project Board." (September 9, September 29 & November 10, 2010).
- submitted the revised *Tampa Bay Hazardous Materials Emergency Plan* prior to the June 30<sup>th</sup> deadline. FDEM subsequently approved the revised Plan on October 1, 2010 and the Plan was accepted by SERC as part of their October 8, 2010 SERC meeting.
- conducted/attended the following courses under the respective District 8 HMEP Contract - a *Hazardous Materials Life Safety and Command* course (September 8-10, 2010/Manatee County) and attendance at the E-Plan Users Conference in Estero, FL on October 21-22, 2010.

- The LEPC's Training Subcommittee met on November 17, 2010 to elect a new Subcommittee Chair (James Johnston) and strategize training opportunities for the 2010-11 HMEP funding cycle. A *Decon Zones & Scene Management* course was pre-approved for Pasco County for January 6, 2011.
- represented the Tampa Bay LEPC at the September 14 and November 9, 2010 meetings of the Tampa Bay Spill Committee and the U.S. Coast Guard Area Committee which immediately followed. The November 9<sup>th</sup> meeting of the U.S. Coast Guard included a discussion of lessons learned from Deepwater Horizons and how such lessons resulted in improvements to the local Area Contingency Plan.
- facilitated the September 8, October 13 and November 10, 2010 meetings of the Pinellas Police Standards Council.
- attended the Ammonia Handlers/Operators meetings held on September 28 (@ CF Industries), October 26 (@ Tampa Port Authority) & November 30, 2010 (@ Mosaic). The meetings are rotationally located and are focused on discussing initiatives and activities of the ammonia operations facilities located within or adjacent to the Port of Tampa.
- attended the Quarterly Region 4 FDEM quarterly meeting on September 3 at the recently-opened Polk County Emergency Operations Center. Mr. Paul Siddall (FDEM staff) chaired the meeting.

## OTHER BUSINESS

- **Mr. William Wright, Chemical Safety Board Presentation.** Mr. William Wright, Board member of the Chemical Safety Board (CSB), provided an overview of the agency. The following serve as highlights of the CSB:
  - It is an independent federal agency created in 1990 to investigate incidents at the request of OSHA, EPA, Congress, States, industry and trade organizations.
  - It was modeled after the National Transportation Safety Board.
  - It currently consists of five board members and 42± investigative staff from many disciplines.
  - With the goal of incident prevention and with no enforcement authority, CSB findings are only in the form of recommendations.
  - The CSB website is frequently updated to include: Investigative Reports, Safety Bulletins, Videos (some including animation), and the newly-added component of transcripts.
  - Mr. Wright closed his presentation with the following quote "*if you think safety is expensive, try an accident.*"

## COMMENTS & ADJOURNMENT.

- **Next Meeting.** It was announced that the next SERC meeting will be held in Tallahassee on April 8, 2011. SERC members were reminded that the July 8, 2011 meeting has been scheduled in Pensacola.
- **Adjournment.** Following a motion and a second, the SERC meeting was adjourned at 12:01 p.m.