



LEPC MEETING RECAP

TAMPA BAY LOCAL EMERGENCY PLANNING COMMITTEE (LEPC) DISTRICT VIII, MEETING May 25, 2011

APPROVAL OF MINUTES - The Chair inquired whether there were any suggested modification(s) to the *Minutes* of the February 23, 2011 LEPC meeting. Hearing none, the Chair asked for motion to approve the *Minutes*. Steve Simpson moved and Doug Wenger seconded the motion. *Minutes* were approved unanimously on voice vote.

LEPC DISTRICT 8 MEMBERSHIP CHANGES - Mr. Meyer indicated that SERC approved the following new members: Capt. Chris Atherton (Civil Support Team/Florida National Guard); and 2Lt. Elliot Smith (Civil Air Patrol) as the Alternate to Lt. Col. Larry Fernald. In addition, Mr. Meyer recognized that this is the final “official” meeting for Mr. John Ballaron of the Manatee County Port Authority (MCPA) due to his pending retirement. Mr. Ballaron indicated that his current Alternate (Scott Davies) has expressed an interest in seeking continued membership on behalf of the MCPA. Mr. Meyer and Chair Ehlers welcomed these new members and extended their appreciation of the past dedication and involvement of Mr. Ballaron.

RECAP OF QUARTERLY STATE EMERGENCY RESPONSE COMMISSION (SERC) MEETINGS - Mr. Meyer stated a recap of the discussion and/or action items associated with the April 7-8, 2011 SERC Quarterly meetings held at the Betty Easley Conference Center in Tallahassee was included in the LEPC Member Agendas and available through the LEPC website.

Mr. Meyer recognized several components of the Recap:

- **“Single-Reporting Point for Tier 2 Annual Report,”** which will be discussed in further detail in association with LEPC Agenda Item #11.B. of this mornings meeting.
- **“Report on MOU between FDEM & EPA.”** There are two courses of action that can be levied against non-compliant industry(ies), the first is the payment of a fine to the EPA and the second is the required funding of a Supplemental Environmental Project (SEP) consisting of local training of first responders. A SEP was administered less than two years ago when GA Foods in Pinellas Park was determined to be in violation of release notification requirements. Three days of training were provided to the Pinellas Park Fire Department as well as other Pinellas County fire and Hazmat Team members at the GA Foods facility. The MOU will be designed to indicate the SERC’s preference of funding SEPs in lieu of levying fines.
- Mr. Tracy Pool, FDEM’s Radiological Emergency Response Manager provided a presentation comparing the vulnerability of Florida’s nuclear facilities with those aboard, primarily Japan. In conclusion:
 - Florida is not too susceptible to earth-quakes and/or tsunamis and would perhaps only yield wave heights of one foot in Florida.

- Florida uses “pressurized water reactor” technology rather than Japan’s “boiling water technology.”
- The average age of the nuclear plants in Florida is 34 years, relatively close to the 35.6 years of the facilities in Japan.
- The 1954 Atomic Energy Act established 40 year licenses for the nuclear facilities in the U.S. In March 2000, the Nuclear Regulatory Commission authorized potential renewal of licenses on a case-by-case basis.

Mr. Lofgren furthered the discussion of the potential FDEM/EPA *Memorandum of Understanding* (MOU) by recognizing that EPA may also be supportive of SEPs since all fines associated with violations were previously placed into the General Fund and not earmarked for EPA.

HMEP PROGRAM - PLANNING - Mr. Meyer recognized that Subcommittee Chair Alan Pratt was not in attendance at today’s meeting but did acknowledge that there were no updates to provide since presentation(s) have not been recently requested.

FACILITY DISASTER PLANNING PROJECT - Subcommittee Chair Chet Klinger identified that the Facilities Disaster Planning Subcommittee did not meet on April 21st as tentatively scheduled due to multiple scheduling conflicts. However, Subcommittee Chair Klinger proceeded to meet with Mr. John Meyer to discuss strategies designed to renew or invigorate Subcommittee participation, bolster new membership, potentially redefine Subcommittee purpose, and brainstorm future training opportunities. It is envisioned that a “Facility Disaster Preparedness Forum” can and will be scheduled in late June or early July of this year. Mr. Klinger additionally reported that the Subcommittee has a new database of e-mail addresses of potential Subcommittee members that was collected while performing a comparison of hard copy records of facility hazardous material inventories possessed by the LEPC with those of the State’s electronic database.

Mr. Meyer thanked Subcommittee Chair Klinger for his assistance in compiling the data comparison. In fact, numerous discrepancies of the data were detected and documented in a listing transmitted to the Florida Division of Emergency Management for their review and response. Mr. Meyer mentioned that FDEM staff was very appreciative of the initiative and expects to address the discrepancies “shortly.” In fact, FDEM staff did recognize and commend the efforts undertaken by the Subcommittee during the April 7th meeting of the LEPC Staff & Chairs. Mr. Meyer indicated that FDEM’s response will be shared with the LEPC members upon receipt.

Chair Ehlers thanked the Subcommittee members for their insight and commitment.

HMEP PROGRAM/TRAINING - Mr. Meyer identified that Subcommittee Chair James “JJ” Johnston was also not in attendance at today’s meeting and conflicts lead to the cancellation of this morning’s tentatively-scheduled HMEP Training Subcommittee meeting. Mr. Meyer mentioned that a significant portion of the annual allotment of \$41,969 to be for training purposes under the HMEP Training Contract. These funds need to be utilized prior to September 30th. Subcommittee Chair and/or Mr. Meyer will be contacting the various Emergency Management departments as well as first responders to solicit training needs in the very near future. Mr. Meyer added that one of his LEPC colleagues compiled a listing of the HMEP Training courses that were conducted at three of the LEPC for the past couple of years. This listing was intended to generate ideas of future training venues and was sent to the HMEP Training Subcommittee membership but could easily be sent to others.

Mr. Ed Murphy, Hillsborough County Emergency Management, reminded LEPC members that the training courses need to include a transportation-related component or somehow relate to the transport of hazardous materials, as advised at the National Association of State Title II Public Officials (NASTTPO) Conference on April 26-29, 2011 in Tempe, AZ. It was clearly understood that stricter guidelines and more oversight will be associated with all future HMEP Contracts and training events.

Mr. Lofgren indicated that previously conducted HMEP courses have always had the pre-approval of the Florida Division of Emergency Management, a pre-requisite of the FDEM/LEPC HMEP Contracts.

Chair Ehlers indicated that he is aware there may be changes to future HMEP Contract requirements are pending and are being discussed and/or coordinated. Several potential modifications were discussed in conjunction with the April SERC meetings but nothing has been finalized. LEPC members will be apprised of the changes once determined and finalized.

CONSOLIDATION OF HILLSBOROUGH COUNTY EMERGENCY MANAGEMENT AND HILLSBOROUGH COUNTY FIRE RESCUE - Although not a scheduled LEPC item, Asst. Chief E. Craig Lynn informed the membership that, as a result of reorganization within Hillsborough County, the Hillsborough County Emergency Management is in the process of being consolidated under Hillsborough County Fire Rescue. The future head of the organization is yet to be “officially” named.

REGIONAL DOMESTIC SECURITY TASK FORCE (RDSTF) - Mr. Meyer recognized that Ms. Amanda Shaw was also not able to make today’s meeting but stated that the RDSTF recent activities and initiatives are/were amply stated in the LEPC Agenda materials.

The Region 4 RDSTF serves Hillsborough, Pinellas, Pasco, Hardee, Polk, Hernando, Citrus and Sumter Counties.

Mr. Steve Simpson advised the LEPC membership that Jim Madden, Special Agent in Charge (SAC) of the Florida Department of Law Enforcement Tampa Regional Operations Center [RDSTF Region 4], has been additionally named the acting SAC of the Ft. Myers Regional Operations Center [RDSTF Region 6] due to the recent departure of the former SAC. The length of his additional assignment is unknown at this time.

FIRE AT ELECTRICAL ENGINEERING ENTERPRISES

A brief WFLA news video describing the Saturday, April 2nd fire at Electrical Engineering Enterprises was shown. The video was followed by photos and presentations provided by Division Chief Robin Stokes and Asst. Chief E. Craig Lynn (Hillsborough County Fire Rescue), as well as Mr. Jeff Tobergte (FDEP/Bureau of Emergency Response), all of which responded to the incident. Some of the highlights of the presentations included:

- early indications are that the facility contained 6,000 gallons of Mineral Oil, 2,500 gallons of Silicone, other solvents, propane, etc.
- there was no significant injury to fire personnel and/or civilians;
- Electrical Engineering Enterprises, which has been in business for about 10 years, was the operator of the facility while Hartford, LLC was the owner;
- a fire engine was destroyed in the blaze, replacement cost is nearly \$575,000 fully equipped;
- Hillsborough County has a “Cost Recovery” Ordinance that may allow Hillsborough County Fire Rescue to pursue legal action to recover expenditures from “unforeseen” incidents. The total cost borne by Hillsborough County Fire Rescue in response to this incident is currently estimated to be about \$650,000, exclusive of the “overtime personnel costs”;
- approximately \$6,000 of City water was used to combat the fire; and
- FDEP hired a contractor to determine exactly what chemicals were present, the results of which have not yet been concluded.



TRAINING/WORKSHOP/CONFERENCE OPPORTUNITIES - Chair Ehlers recognized that numerous training opportunities were identified within the Agenda materials. Information concerning the following events was provided.

- FDEM’s Training and Events Schedule/**Region 4**, Various Locations/Times (May ‘11 - Aug. ‘11)
- FDEM’s Training and Events Schedule/**Region 6**, Various Locations/Times (May ‘11 - Aug. ‘11)
- Emergency Management Institute (EMI) Training Webinars, Various Dates
- 8-Hr. Hazardous Waste/Materials Refresher Course, Naples, FL, August 19, 2011
- EMI’s Emergency Operations & Management “Professional Series” Courses (presumably various dates and times)

The following additional courses were identified by Mr. Steve Simpson (Manatee County Emergency Management and Mr. Greg Lindgren (Pasco County Emergency Management):

- Planning Section Chief course (L-962), Manatee County Public Safety Center, June 6-9, 2011
- ICS-300: Intermediate ICS for Expanding Incidents, July 18-20, 2011, Pasco County EOC
- Communications Unit Leader Course (L-969), July 26-29, 2011, Pasco County EOC
- Logistics Section Chief Course (L-967), September 26-30, 2011, Pasco County EOC

TAMPA BAY LEPC HAZARDOUS MATERIALS EMERGENCY RESPONSE PLAN UPDATE -

Mr. Meyer advised members that the 18th annual update of the LEPC's *Hazardous Materials Emergency Response Plan* is nearing completion. Most of the revisions were associated with population figures and updates to the Section 302 facilities. Upon completion, transmittal to and acceptance of the Florida Division of Emergency Management/State Emergency Response Commission, entities will be provided a copy of the modified Plan and the Plan will be posted to the LEPC website. **A motion was made by Jonathan Kemp and a second by Steve Simpson to authorize LEPC Chair Ehlers to transmit the revised Plan prior to the June 30, 2011 deadline.**

MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN SERC AND LEPCs REGARDING FUTURE ELECTRONIC REPORTING -

Mr. Meyer identified that SERC is contemplating proposing a MOU with all 11 LEPCs and all 400+ fire departments statewide independently. If the terms of the MOU are accepted, facilities filing their annual Tier II information electronically through "www.FloridaHMIS.org" would no longer be obligated to mail additional hard copies of their inventories to the respective LEPC and local fire department. Each of the LEPCs and fire departments will be provided an opportunity to "opt out" of the MOU. FDEM staff has indicated that the MOU process was recommended by the Environmental Protection Agency (EPA) following numerous conversations regarding this matter. **While it was initially intended that the Tampa Bay LEPC would take a vote on acceptance of the draft MOU in concept, it was decided that such consideration be postponed until the MOU is no longer in draft form and responses are provided to the following identified issues and/or incorporated into the MOU, as may be appropriate:**

- Mr. Ed Murphy mentioned that facilities that currently file their hazardous materials inventory electronically are through the "FloridaHMIS" database. The information is ultimately downloaded and converted to the E-Plan. The E-plan program is utilized by first responders when responding to hazardous materials incidents. Mr. Murphy did acknowledge that the E-Plan data "has been cleaned up a lot." If the MOU were to be approved, this would be a significant convenience for the facilities.
- Mr. Chet Klinger indicated that the LEPCs should be reluctant to *advise* facilities not to file hard copies with the LEPCs and local fire department when federal law currently requires it.
- Ms. Jennifer Garwood, Progress Energy, inquired when the comment period for the "Draft MOU" ends. Ms. Garwood is responsible for compliance requirements for numerous Progress Energy facilities throughout the State and perhaps nationally. She indicated that

different reporting requirements between States and the different software program to conduct the data entry leads to much confusion., including the user-friendly “Tier II submit” software program allowed in some States. Mr. Meyer responded that a deadline has not been established but that this item is moving forward at the SERC. Mr. Meyer agreed to document all of the concerns and feedback raised at today’s LEPC meeting and immediately forward to FDEM/SERC for their consideration, as appropriate.

- Chief David Burnett, Plant City Fire Rescue, encouraged the conduct of a presentation to the Florida Fire Chiefs Association to elaborate on the concept of the MOU. Chair Ehlers indicated that the Florida Fire Chiefs Association has representation on the SERC and such concept is assuredly being considered.
- Mr. Doug Wenger emphasized that it is his understanding that the SERC would need to enter into a MOU with EPA of these intentions in order to pre-empt federal law prior to potentially entering into MOUs with the LEPCs and fire departments. Mr. Wenger subsequently added that if these facilities have headquarters (or other facilities) outside of the Southeast, the MOU would have to be with the EPA in Washington rather than Atlanta.

FLORIDA DIVISION OF EMERGENCY MANAGEMENT (FDEM)/REGION 4 QUARTERLY MEETING - Mr. Meyer indicated that a recap of the February 25, 2011 FDEM Quarterly meeting held at the Hernando County Emergency Operations Center was included with the backup Agenda materials. The next scheduled FDEM quarterly meeting is scheduled for this Friday [February 25, 2011] at the Hernando County Emergency Operations Center. A recap of the February meeting will be included in the May 2011 LEPC Agenda materials.

PUBLIC COMMENT/OTHER LEPC BUSINESS

Mr. Lofgren apprised the LEPC membership that former RDSTF Region 4 Planner (and LEPC Member) Ms. Erika Wiker and her husband, Major Andy Wiker, U.S. Army will be moving this summer from Ft. Leavenworth, KS to Heidelberg Germany as a result of a transfer. Andy will be serving on the staff of 7th US Army Hq there for the next three years.

Chair Ehlers thanked the LEPC members that have been participating and assisting with the planning efforts associated with the Republican National Convention scheduled for late August 2012 in the City of Tampa.

TAMPA BAY LEPC LOGO SHIRTS - Chair Ehlers reminded members that LEPC Logo Shirts are still available. If interested, please contact Mr. John Meyer.

NEXT MEETING - Chair Ehlers announced that the next LEPC meeting is scheduled for August 31, 2011.

ADJOURNMENT - Without objection and upon a motion for adjournment by Mr. Doug Wenger, Chair Ehlers adjourned the meeting at 11:39 a.m.