



RECAP OF JANUARY 6, 2012 STATE EMERGENCY RESPONSE COMMISSION MEETING

The January 6, 2012 SERC meeting was held in Altamonte Springs at Embassy Suites. Mr. Bryan Koon chaired the meeting to order at 10:02 a.m. and proceeded with the Pledge of Allegiance and an introduction of all in attendance.

The items of business were:

- **Approval of October 7, 2011 SERC meeting Minutes.** The *Minutes* from the October 7, 2011 SERC meeting were approved unanimously on voice vote.

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 LEPC Districts. As a subset of this approval, the following change(s) was/were recognized for the District 8 LEPC membership:
 - Ms. Holley Wade replaced Mr. Ed Murphy as the “Primary” LEPC appointment for Hillsborough County Emergency Management. Mr. Martin Montalvo was designated as Ms. Wade’s “Alternate.”
- **Approval of Hazardous Materials Team Types II and III Operational Readiness Evaluation Tools.** SERC unanimously approved the Capabilities Assessment Tool for Type II Hazardous Materials Response Resources. As defined in the introductory paragraph *“this assessment is used to identify equipment and response capabilities for the Type II Materials Response Resource. Prior to completing this addendum, the Hazmat resource must possess all requirements defined in the Florida State Emergency Response Commission’s Hazardous Materials Assessment Tool for Type III Hazardous Materials Resources. This addendum is an optional tool that may be used to identify qualified specialized resources.”*
- **Approval of SERC/EPA Memorandum of Understanding (MOU) Correspondence.** The SERC unanimously agreed to send out another letter to appropriate EPA personnel regarding the continued pursuit of the SERC/EPA Memorandum of Understanding (MOU). If approved, the MOU would allow for the violating industry to fund a Supplemental Environmental Project (SEP) in lieu of paying a potentially lucrative fine. Chief Mike Murphy reminded SERC members that the State of Florida has operated under a similar MOU pretense through the 1990s but took no action when the MOU was up for renewal in 1999. In fact, only one SEP was approved since this time, in 1999 (GA Foods - Pinellas County). Chief Murphy also acknowledged that this MOU request is now two years in the works and has crossed the desks of many EPA personnel and attorneys. Mr. Chris Russell (EPA Region Staff 4) was in attendance and echoed the importance/value of such action and agreed to personally speak with EPA Administrative staff, if necessary.

- **Hazardous Materials Awareness Week Proclamation/Resolution.** FDEM staff distributed a copy of the Governor's January 4, 2012 Proclamation designating January 22-28, 2012 as Florida Hazardous Materials Week. Although not stated in the Proclamation, this year's emphasis will be placed on the educational awareness of Mercury.
- **Thomas Yatabe-SERC Award Presentations.** The SERC presented 11 Thomas Yatabe Awards, one for each Local Emergency Planning Committee (LEPC) District as designated by their respective LEPC. The Award signifies "*outstanding contribution made in the implementation and support of the Emergency Planning and Community Right-to-Know Act through achievement(s), accomplishment(s) or superior participation in hazardous material planning or response.*" The 2011 Thomas Yatabe Award winner for District 8 was Kinder Morgan-Central Florida Pipeline and the Nomination Form read as follows::

Kinder Morgan sustained a rupture of the Central Florida Pipeline which was detected on Friday, July 22, 2011 at approximately 8:45 p.m. The particular Pipeline transports Jet Fuel "A" from the Port of Tampa to Central Florida locations such as the Orlando International Airport. The rupture was caused by a third party apparently doing work in a creek leading to Tampa Bay.

With a "safety first" mentality, company officials immediately notified the State Watch Office and the National Response Center of the incident. Support arrived shortly thereafter from the U.S. EPA, the State Division of Emergency Management, the FDEP Bureau of Emergency Response, Hillsborough County Fire Rescue & Division of Emergency Management, the Environmental Protection Commission of Hillsborough County, Florida Department of Transportation and many others, and a unified command was established.

Although not responsible for the incident and with no hesitation, Kinder Morgan decided to immediately dedicate personnel and resources to respond to the incident as efficiently and effectively as possible. With potential costs not a deterrent, response plans were immediately set into action including: coordinating with Spill Response entities; expeditiously isolating the affected pipeline by closing valves upstream and downstream of the incident; and traveling door-to-door to notify/inform residents of the incident and precautions. Having been very cooperative throughout the incident, Kinder Morgan staff ran the cleanup themselves, essentially relegating governmental agencies roles to that of oversight with no need to expend their funds for personnel and/or resources during the ordeal. Crews tirelessly remediated nearly two miles of the creek, including a wetland area, from an estimated release of 34,400 gallons of Jet Fuel for more than a month, mostly on a 24-hour basis. Kinder Morgan will continue the long-term remediation of the project, especially in the wetland areas.

While it was a blessing that not a lot of nearby businesses were open on that Friday evening and most of the residents were already indoors, the company did an exemplary job of responding to the incident in an extremely timely and responsible manner and is worthy of recognition... of this Award.

- **Support of Fusion Center functions.** Noting that the hazmat Fusion Centers are slated for big cuts, the SERC unanimously agreed to send a letter supporting the usefulness of resources and information garnered from the Fusion Centers to the International Association of Fire Chiefs/Firefighters but not include a mention of funding. This initiative was proposed by the SERC's TTF and the LEPC Staff & Chairs.

REPORTS

- **Report from SERC's Training Task Force (TTF).** Aside from some of the above recognized items, the following highlights of the January 5, 2012 TTF meeting were identified by Don Sessions, TTF Chair:
 - Teleconferences. TTF Chair Don Sessions indicated that teleconferences were held on November 17 and December 14, 2011, primarily to discuss: the status of the progress of the SERC/EPA *Memorandum of Understanding* regarding the allowance for funding "Supplemental Environmental Projects" in lieu of payment of fines by violating industries; benefits of pre-establishing/expanding relations with various entities when responding to particular hazmat incidents; the Hazardous Materials Training Symposium proposed within the State of Florida, to be patterned after the successful venue brought each year to Baltimore, MD; and periodic update of various elements of the TTF's Project Tracking Chart.
 - Discussion of Hazmat and Bomb/Forensic Team Integration. Perceive significant benefits of pre-establishing (or bolstering) relations or partnerships with Bomb Squads, Hazmat Teams, Forensics, SWAT Teams and other critical agencies in responding to incidents as may be appropriate.
 - Hazardous Materials Training Symposium. TTF members have proposed the establishment of Hazardous Materials Training Symposium to commence as early as 2013. The Symposium could be held in conjunction with the annual Fire Rescue East Conference. Noting the talents and expertise that already exists within the State, it has been determined that hosting such an event within the State of Florida, similar to the one conducted annually in Baltimore, MD, would be advantageous and available to a multitude of first responders throughout the State that can not otherwise attend this valuable training considering the limited budgets and significant travel restrictions imposed on their agencies. Mr. Doug Wolfe (Response Technologies) and Mr. Lee Newsome (EREC), among others, have tentatively agreed to provide instructors if the Symposium comes to fruition. The major concern that remains to be resolved is cost - who would pay for the instructors, travel costs and accommodations of the attendees? There was also discussion of proposing four courses (or so) and determine their priority based on future e-mail survey results of those desiring to attend.
 - Ammonium Nitrate Security Program. It was acknowledged that EPA regulations governing Ammonium Nitrate are about to become more stringent. Purchasers and sellers will now be more heavily regulated and can file the newly-required "paperwork" electronically. Mr. Dwayne Mundy (LEPC District 3) indicated a concern that "lower concentrations would still be regulated although they could not be used in explosives." Mr. Mike Murphy asked whether LEPC District 3's comments can be sent out electronically to industries to inform them of new regulations and initial concerns.
 - Future Oil Spill Credentialing. Credentialing of responders to oil spill incidents remains an issue in order to obtain reimbursement for future oil spill response(s). If the private-sector training will continue to be requirement for responding to a future oil spill incident in lieu of the Hazmat 160-Hr. Course, could the training be made available within the State or on-line?
 - SERC's Training Task Force (TTF) "Project Board." FDEM staff updated to remove some outdated tasks which have subsequently been completed and/or are no longer relevant. In addition, two new tasks (described below) were added. The Board is accessible from FDEM's website (www.floridadisaster.org/hazmat/serc/training.htm).

- New Initiative #1 (for Project Board): “Oil Spill Response Credentialing” (or comparably titled). Chief Murphy suggested that TTF should consider promoting the fact that the Hazmat 160-Hr. Certification is at least equivalent to, if not surpasses, the educational forum conducted by the private sector regarding oil spill training and therefore should be considered sufficient to make claim(s) for reimbursement for future oil spill response. Mr. Frank DeFrancesco added that (qualified) “inland crews should be able to go to the coast to assist.”
- New Initiative #2 (for Project Board): “Agreement to accompany United States Coast Guard staff when conducting inspection of specific vessels” (or comparably titled). Chief Murphy suggested entering into agreement with the United States Coast Guard which would allow a limited number of hazmat team members to accompany Coast Guard personnel when conducting specific vessel searches.
- Meth Lab Byproduct and Equipment Disposal. Mr. Dominic Barrone (FDEP) asked whether there was any update to provide on the prospect of Meth Lab byproduct disposal? While no formal update exists, Mr. John Koenke (State Fire Marshal’s office) indicated that they are currently coordinating with their incinerator locally for disposal of byproducts and equipment. John Gibbons (LEPC District 9) indicated that there are private mobile contractors for disposition of chemicals. Mr. Doug Wolfe indicated that there is currently an MOU between Sheriffs Office and Household Waste Disposal for disposal of such products in his area.
- Collective Appreciation. Chief Scott Ehlers (LEPC District 8 Chair) thanked the members of the Training Task Force for the collective wisdom “learned through the years” and ensured that it will “be put good use” in planning and preparing for the Republican National Convention to be hosted in the City of Tampa during the week of August 27th.
- Next Scheduled TTF Conference Calls. The next quarterly TTF conference call has been scheduled for February 15th at 1:30 p.m. with the expected topic(s) to include furthering the initiative of Hazmat and Bomb/Forensic Team Integration.
- **International Offshore Drilling Response Plan.** Mr. Paul Wotherspoon (FDEM staff) advised that all coastal Counties along the State have been actively updating their Contingency Plans with the assistance of the U.S. Coast Guard. Drilling is expected to commence within the waters off Cuba, perhaps as early as the end of January. The oil rig is currently located off Trinidad but will travel en route to the drill site shortly. The U.S. Coast Guard has recently conducted an inspection of the oil rig but was not authorized to view any portion of the vessel below the water line. Drilling is anticipated to occur as early as the end of January.
- **Clean Gulf Conference.** Mr. Wotherspoon acknowledged attending the 21st Annual Clean Gulf Conference in San Antonio, TX. It was there where Mr. Wotherspoon established relations with Texas Engineering Extension Service (TEEX) about the availability of free training courses that could be brought to the State of Florida, including the one the LEPCs were apprised on January 4th, entitled “Senior Officials Workshop for All-Hazards Preparedness.” Regarding the Conference curriculum, Mr. Wotherspoon mentioned that Deepwater Horizons incident emphasized the importance and timing associated with shutting off well heads, the new well head hardware that is now available as well as the potential use of new dispersants.

- **Financial Status Report.** Mr. Wotherspoon reported that the SERC Agenda materials contained numerous tables and graphs depicting a comparison of the various revenues and expenditures associated with FDEM’s Hazardous Materials Planning and Risk Management Planning Programs over the past two years. Mr. Wotherspoon reflected that the revenues are slightly lower than the past, in part, due to the fact that FDEM is, in many instances, implementing an amnesty program in lieu of levying significant fines against violating industries. In addition, it was recognized that “the most important factor is to bring these facilities into compliance and allow the first responders and public to actually know what chemicals are located in their communities.”
- **Hazardous Materials Incidents Reports.** Mr. Tim Date (FDEM staff) advised that detailed listings of fixed facility and transportation-related hazardous materials incidents were prepared and included the Agenda materials to describe incidents occurring between the period of September 1, 2011 and November 30, 2011. Such Reports included documentation these incidents and portrayed the number of persons evacuated, injured or deceased down to LEPC District and ultimately County level.

The following constitute the hazardous material incidents recorded for District 8 during this period, including an enumeration of those evacuated, injured or deceased:

County	Date of Release	Type*	Chemical	Amount Released (Lbs.)	Business Type	# Evacuated	# Injured	# Fatalities
Hills.	9/01/11	TR	Natural Gas	0	Pipeline/Traffic	7	0	0
	9/15/11	FF	Sodium Hypochlorite	393	Fertilizer Manu.	-	-	-
	10/01/11	FF	Anhydrous Ammonia	.08	Chem Wholesale	-	-	-
	10/06/11	TR	Natural Gas	Unknown	Pipeline	6	0	0
	10/06/11	FF	Anhydrous Ammonia	1	Chem Wholesale	-	-	-
	11/08/11	TR	DA Phosphate/ Hydraulic Oil	0	Maritime Accident	0	1	0
	11/13/11	FF	Lead Oxide (Litharge)	Unknown	Battery Plant	-	-	-
Manatee	None Identified							
Pasco	None Identified							
Pinellas	9/11/11	FF	Oxygen	Unknown	Private Residence	0	2	1 (Blunt Trauma)
	11/17/11	TR	Natural Gas	Unknown	Pipeline	8	0	0
TOTAL →						21	3	1

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

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

- annual revenues received monthly by the EPCRA & RMP programs from 2009-10 to current;
- detailed breakdown of appropriations for the Hazardous Materials Planning & Risk Management Planning Programs from FY 2010-11 to current;
- potential Section 304 Investigations for each District and County by date;

- annual comparison of the Statewide number of Hazardous Materials Incidents Reports since 2001;
- comparison of hazardous materials incidents reports by District (from Sept. 1, 2010 - Aug. 31, 2011);
- monthly enumeration of Hazardous Materials Incident Reports since 2001;
- *Total Chemical Inventory* by District;
- quarterly quantification of statewide *Notices of Violation/Second Notices* (since Sept. 2008);
- quantification of *EPCRA Outreach Activities*; and
- quantification of the number of Technical Assistance Call received by month since December 2010.

When queried, Mr. Wotherspoon recognized that there were no “significant enhancements” incorporated into the “FloridaHMIS.org” electronic Tier II filing program over the past year nor are there anticipated prior to the March 1, 2012 reporting deadline. The few noted improvements include better integration with electronic payments (i.e. Bank of America website), alleviation of some conflicts with the “pop-up blocker,” and the addition of more “wizards” and instructions to assist the user. FDEM staff remains cautiously optimistic that a recently-submitted grant application will be selected for funding which could/would be used to, among other objectives, allow industry to upload their Tier II Reports prepared in the Tier II Submit software program directly into the State’s Florida HMIS program. It was speculated that such an endeavor could yield as many as 85% of all facilities filing electronically. In regard to the MOU between SERC and the fire departments/LEPCs, it does not appear that this will be effective in time for the March reporting cycle, meaning that facilities will continue to be obligated to send copies of their reporting records to these agencies. Mr. Wotherspoon acknowledged the difficulty with, if not impossibility of, obtaining and maintaining contact information associated with all the fire departments statewide, many of which are voluntary.

- **Update on LEPC Activities.** Subcommittee Chair George Danz indicated that the majority of accomplishments achieved by each LEPC is captured in the *Hazmatters* section of the backup SERC Agenda materials.

The following serve as accomplishments documented by LEPC District 8 staff, primarily for the period of September - November 2011:

- District 8 was involved in a number of HMEP and LEPC co-sponsored activities during the quarter. Staff attended the Quarterly SERC meetings held in Tallahassee at the Betty Easley Conference Center on October 6-7 and conducted the District 8 LEPC meeting on November 30th. Staff additionally attended FDEM’s Hazards Analyses Workshop conducted by Mr. Lou Ritter on November 3rd at the Hillsborough County Emergency Operations Center (HCEOC) and the FDEM Region 4 quarterly meeting, also held at the HCEOC, on December 2, 2011 under the leadership of Mr. Paul Siddall. District 8’s next LEPC meeting is scheduled for February 29, 2012.
- The LEPC’s Facility Disaster Planning Subcommittee (FDPS) met on October 20th. Invigorated with new membership garnered from the prior Forums, Subcommittee members discussed: the highlights of the past meeting (i.e. August 18th); provided an overview of the second (of two) Facility Disaster Preparedness Forum conducted on September 7th; nominations for the Subcommittee Chair position; and future Subcommittee initiatives including potential 2010 Tier II quality control assessment, expansion of e-mail contact list, efforts to promote "Mercury Awareness & Dangers" theme during Hazardous Materials Awareness Week (i.e. January 22-28, 2012), documentation of appropriate improvements to the hazardous materials component of the Florida Business Disaster Survival Kit, and topics for future Subcommittee workshops and/or forums. The meeting concluded with an agreement of the 2012 Subcommittee quarterly meeting schedule.
- LEPC staff and/or member(s) participated in a series of teleconferences administered by the Florida Division of Emergency Management regarding Training Task Force initiatives (September 14th and two on November 17th).
- Several Hazardous Materials Emergency Planning (HMEP) program courses were conducted during the specified time period. HMEP Program funding was utilized for: a 40 Hr. Hazmat Technicians/IC course (Manatee County/August 29–Sept. 2); three 24 Hr. Life Safety & Command courses (Manatee County/dates ranged from August 31–Sept. 16);

three 8 Hr. OSHA Hazwoper Refresher course (Hillsborough County/Sept. 13-15); three 8-Hr. Anhydrous Ammonia Refresher courses (Pinellas County/October 25-27); and attendance of one (i.e. Mr. Greg Lindgren/Pasco County Emergency Management) at the E-Plan Users Conference in Charlotte, NC (October 26-27).

- Staff and/or LEPC member(s) represented the Tampa Bay LEPC at: the September 13th & November 8th meetings of the Tampa Bay Spill Committee; the September 27th (@ Hillsborough County EOC) & October 27th (@ Mosaic) meetings of the Ammonia Handlers/Operators (the November Ammonia Handlers/Operators meeting, initially scheduled at Kinder Morgan, was re-scheduled for December 6th at the Tampa Port Authority); and November 8th C.F. Industries full-scale exercise, acting in the capacity of an observer.
- In terms of miscellany, LEPC staff additionally: attended an "After Action" meeting regarding the July 2011 Central Florida Pipeline jet fuel release (September 8th); assisted with the September 14th, October 12th and November 9th meetings of the Pinellas Police Standards Council (PPSC); provided updates regarding the LEPC program to the TBRPC in conjunction with their September 12th, October 10th and November 14th meetings; facilitated the Preventative Radiological Nuclear Detection Committee's quarterly meeting (October 5th); and attended a "voluntary" site inspection of the Americold facility in the City of Plant City (October 19th).
- The LEPC website (i.e. www.tbrpc.org/lepc) is routinely and frequently updated to ensure all activities and initiatives of the LEPC are current.

Mr. Danz closed by acknowledging that the Northeast Florida Regional Planning Council has proposed Jacksonville as the venue for the July 2012 SERC meeting. Specific meeting location and accommodations are yet to be determined. The meeting location was tentatively approved by SERC members.

OTHER BUSINESS

- Mr. Wotherspoon, FDEM staff, advised SERC members that EPA regulations now clarify/specify that Mineral Oil must be reported through the Tier II process. It appears that such prior reporting of this chemical was subject to interpretation, which lead to confusion regarding the possible requirement.

COMMENTS & ADJOURNMENT.

- **Next Meeting.** It was announced that the next SERC meeting will be held in St. Pete Beach at the Trade Winds Resort on April 24, 2012, in conjunction with the NASTTPO Conference scheduled for April 25-27. In addition, as recently acknowledged, the following SERC meeting (i.e. July 13th) has been tentatively slated for Jacksonville.
- **Adjournment.** Following a motion and a second, the SERC meeting was adjourned at 11:33 a.m.