



RECAP OF THE OCTOBER 4, 2013 STATE EMERGENCY RESPONSE COMMISSION MEETING

The October 4, 2013 SERC meeting was held at the Betty Easley Conference Center in Tallahassee. The Recap below was enhanced by discussions which ensued at the October 3, 2013 meetings of SERC's Training Task Force and the LEPC Staff & Chairs. The SERC meeting was initially chaired by FDEM Director Bryan Koon until his departure due to his need to participate in (then) pending Tropical Storm Karen updates. Chairmanship of the SERC was then assumed and concluded by FDEM Deputy Director Mike DeLorenzo. The meeting was called to order at 10:02 a.m. and proceeded with the Pledge of Allegiance and an introduction of all in attendance.

APPROVAL OF MINUTES:

- **Approval of July 12, 2013 SERC meeting Minutes.** No revisions or proposed edits were requested. The *Minutes* from the July 12, 2013 SERC meeting were approved unanimously.

NEW BUSINESS

- **Local Emergency Planning Committees Appointments.** Ms. Isabell Parker requested approval of membership modifications recognized for each LEPC. The membership changes for LEPC District 8 approved during the quarter were the redesignation of Alternates for Tampa Port Authority (to Ms. Jackie Julien) and Manatee County Emergency Management (to Mr. Rachel Ingle). SERC unanimously approved all changes requested by the other LEPC Districts.
- **Approval of LEPC Plans.** Mr. Henry Turner (FDEM staff) recognized that each of the 11 Local Emergency Planning Committee's updated their Hazardous Materials Emergency Response Plans in accordance with the respective FDEM/LEPC contracts. According to Mr. Turner, "*all of the Plans were found to be in compliance with the respective criterion.*" Acceptance of the Plans, including revisions, were approved unanimously by the SERC.
- **Thomas Yatabe-SERC Award Nominations and Certificates of Appreciation.** Mr. Tim Date (FDEM staff) recognized that the SERC Agenda materials contained a listing of nominations for the Thomas Yatabe Award winners and recipients of "Certificates of Appreciation" as proposed by each of the 11 LEPCs. The Awards signify "*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 SERC unanimously approved all recipients of the Award and *Certificates of Appreciation*. The recipients for LEPC District 8 will remain nameless at this time in order to maintain an element of surprise. The Awards will be presented their awards in conjunction with the January 22, 2014 SERC meeting or February 26, 2014 LEPC meeting.

REPORTS

- **Report from SERC's Training Task Force (TTF).** The following highlights of the October 3, 2013 TTF meeting were identified by Subcommittee Chair Don Sessions:

- Conference Call of September 18, 2013. It was recognized that the majority of conference call revolved around discussion regarding U.S. Coast Guard Memorandum of Understanding regarding integration with Hazmat teams, Project Tracking Chart updates, updates of Hazmat Protocols and a status report on the 2014 Hazmat Symposium. It is anticipated that the updated Hazmat Protocols will be brought before the January 2014 SERC meeting for consideration and potential action.
- DSOC Recommendation regarding Funding for Hazmat Teams. Chief Mike Murphy (SERC member & Florida Fire Chiefs Association) identified that the Domestic Security Oversight Council recently approved a recommendation to reduce the number of regional hazmat response teams that receive supplemental State Homeland Security Grant Program funds from 30 to 20, with a maximum of three per Regional Domestic Security Task Force region. The regional hazmat response teams only receive ~\$15,000 in subsidized federal funding annually. Within RDSTF Region 4, it was recommended that federal funding be eliminated from the Pinellas and Polk County Hazmat Teams.

Chief Murphy and John Koenke (SERC member & Florida State Fire College) iterated the following concerns:

- DSOC apparently did not heed any of the recommendations previously provided by the SERC, TTF and/or several of the LEPCs. Those recommendations included:
 - ☞ A need to conduct and evaluate a Comprehensive Threat and Vulnerability Assessment prior to any reduction in hazmat teams. This Assessment could/would include the location of such targets as radiological facilities, population concentrations, bulk chemical storage facilities, military bases, pipelines...;
 - ☞ Provide same or minimized federal funding levels to each Region and let the locals determine the particular funding levels of each team even if not split evenly;
 - ☞ Allow for a “rotation” of annual federal funding so that each team maintains their designation as a regional response hazmat team.
 - ☞ Once a local government funds the purchase of hazmat equipment/resources, requests for federal funding of similar equipment/resources in the future would likely not be approved since it would be considered “supplanting.”
- The DSOC recommendation was formulated by representatives from the Regional Domestic Security Task Forces with a disproportional number of law enforcement representatives; and
- The SERC’s former alternative recommendation to provide present (or reduced) level federal funds at the regional level for further disbursement upon local consensus was either not considered or ignored. That way all hazmat teams could be ensured, at least, some federal funding subsidy.

With the knowledge that the DSOC will next meet on October 15, 2013 in Ocala, motions were made and approved unanimously by the TTF to bring the items described below forward to the October 4th SERC meeting for consideration and/or action. However, prior to the introduction of the motions, Chief Murphy reminded SERC members that the SERC developed the standards and criteria for regional hazmat teams in the early 1990s and designated most of their numbers and locations in order to ensure ample protection of citizenry and industry. That way, hazmat equipment and capabilities would be in close proximity to any/all hazmat incidents. The vast majority of regional hazmat team funding is and will remain at the local level. The motions and resultant SERC actions were:

Motion #1 - Prepare/Transmit Letter to SERC Chair & Co-Chairs registering disappointment that the DSOC did not heed the former recommendations of the SERC and Training Task Force and to encourage their reconsideration.

SERC Chair Bryan Koon acknowledged that he serves as Chair to the SERC as well as Co-Chair of the DSOC. It would therefore not seem reasonable to transmit a letter that he would then have to consider in his additional capacity. After much discussion, it was concluded that the letter would alternatively be sent by Training Task Force Chair Don Sessions in advance of the October 15th DSOC meeting.

Motion #2 - Prepare a secondary letter to be transmitted to the DSOC Co-Chairs, the Governor, the heads of the Florida House and Senate, as well as the Chairs and Vice-Chairs of the Criminal Justice Committee, the Military Affairs Committee and the Appropriations Committee in the event the DSOC does not deviate from their current position at their October 15th meeting and proceeds with their recommendation to reduce the number of regional hazmat response teams that would receive State Homeland Security Grant Program funding during the next and future funding cycles.

SERC Chair Bryan Koon identified that it would be inappropriate to vote to send a letter based on an action that may or may not come to fruition. After much discussion, it was concluded that the future letter, if applicable, would alternatively be sent by Training Task Force Chair Don Sessions. The SERC did agree, however, to tentatively convene in November in the event SERC consideration or action on this item is needed. The date is currently being coordinated and it was acknowledged that such meeting must be face-to-face and could not be facilitated in the form of a Conference Call.

- Mr. Matt Marshall identified that the SERC Technician Hazmat Competency Checklist & SERC Public Safety Guidelines need to be updated. A RFP is to be developed in this regard. It was requested that this item be initiated and brought before the next meeting of the Training Task Force.
- January 2014 Hazmat Symposium. Mr. Jonathan Lamm identified that planning associated with the January 23-24, 2014 Hazmat Symposium is nearing completion. In summary, there are 14 scheduled presentations with 18 presenters, four of which are from Out of State. The “Out of State” presenters will be awarded an opportunity to serve as judges and evaluators of the hazmat competition.

HMEP Training funds can be utilized to send public-sector first responders to the Symposium although there are no provisions for backfill and/or overtime.

Mr. Jonathan Lamm identified that the Planning Subcommittee is in need for private sector sponsorship for purchasing such inexpensive things as lanyards and drinking water for the Hazmat competition.

The tentative Hazmat Symposium course offerings and schedule are as follows:

2 nd Annual HazMat Symposium at Fire-Rescue EAST January 23 - 24, 2014					
Time	Thursday Rm 1	Friday- Rm 1	Friday Rm 2	Friday Rm 3	Friday Rm 4
8:00 - 10:00 am	24 - Implementing a ToxMedic Program in Your Department Fred Hass	9.A - Masters of Gas Detection Christopher Wrenn	17 - Hazmat-Bomb Squad Integration Jeff Gold	26 - Mercury Spill Response for First Responders Jeffrey Waters / Chris Russell	14.A - HazMat Medical Response: A Common Sense Approach Rick Stilp / Toby Bevelacqua
10:00 -12:00 pm	4 - Grounding and Bonding – What Is It? Why Do It, and How Do We Do It? Glen Rudner	9.B - Masters of Gas Detection Christopher Wrenn	7 - Tampa, FL Ethanol Train Derailment July 2013 Emilio Salabarría	27 - Tavares, FL Blue Rhino Plant Explosion Eric Wages / Randy Jones / Tommy Carpenter	14.B - HazMat Medical Response: A Common Sense Approach Rick Stilp / Toby Bevelacqua
12:00 – 1:00 pm	LUNCH	LUNCH	LUNCH	LUNCH	LUNCH
1:00 – 3:00 pm	1 - Emergency Response to a Radiological Dispersal Device Tony Mussorfiti	9.C - Masters of Gas Detection Christopher Wrenn	5.A - Responding to Incidents Involving Ethanol Blended Fuels Glen Rudner	3 - Propane Emergency Response Carl Weeks	20.A - Meth Lab Awareness Mike Hopkins / Bob Coschignano
3:00 – 5:00 pm	2 - Haz Mat Tactics - Building a Play Book for Response to Haz Mat/WMD Emergencies Tony Mussorfiti	9.D - Masters of Gas Detection Christopher Wrenn	5.B - Responding to Incidents Involving Ethanol Blended Fuels Glen Rudner	18 The Handling of LP Emergencies at Fixed Storage and Transport Chris Lewis / Jason Kerr	20.B - Meth Lab Awareness Mike Hopkins / Bob Coschignano

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- Supplemental Environmental Projects. Chief Mike Murphy inquired the status of the SEP Program to be placed on the SERC website considering that the SERC and EPA approved the initiation of the SEP Program in April 2012. FDEM staff Paul Wotherspoon advised that the FDEM website development team has been reduced to one and that this individual’s focus has been diverted to other initiatives. However, Mr. Wotherspoon did recognize that although the electronic database does not presently exist, FDEM staff Chris Stevens has recently and will continue to work with violating industry representatives, as well as staffs of respective LEPCs and fire departments to promote SEPs in lieu of full fine payment. In actuality, one SEP was recently implemented in the Daytona Beach area and another will be potentially looming in the Tampa Bay area.

At the SERC meeting, Chief Murphy did acknowledge that Chief Scott Ehlers (LEPC District 8 Chair & Tampa Fire Rescue Operations Chief) has expressed an interest in the possibility that development of the State’s electronic SEP database could serve as an optional Supplemental Environmental Project in lieu of full fine payment by the Tampa Bay facility recently found to be violation of the Emergency Planning & Community Right-to-Know Act.

- OSHA Hazwoper Training. Mr. Doug White did recognize that several FDEP Office of Emergency Response staff are now authorized to instruct the OSHA Hazwoper course.

- **Hazards Analysis Contract Workgroup Report.** FDEM staff Tim Date acknowledged facilitating several meetings of the Hazards Analysis (HA) workgroup, most recently on September 25th. Mr. Date emphasized that FDEM staff spends a lot of time each year facilitating and reviewing the work products associated with the HA program. LEPC District 2 staff (Chris Rietow) did mention that the Scope of Work should be the starting point for discussion. Mr. Ron Mills (SERC member/LEPC District 3 Chair/current FEPA President) indicated that he and FEPA staff Eve Rainey did personally meet with FDEM Director Bryan Koon regarding the HA Program. Mr. Mills did acknowledge requesting financials associated with the HA program on “several” occasions from FDEM staff which have yet to be provided. **Mr. Paul Wotherspoon did agree to provide any/all financial documentation requested in association with the HA program.**

While Mr. Mills expressed his optimism that the HA program will continue into the future, with or without changes, the program status remains uncertain at this point. Mr. Preston Cook of Hillsborough County Office of Emergency Management does currently serve on this workgroup.

- **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 and present year. The allocations are identical. Graphics were provided in the Agenda materials to quantify and illustrate:
 - Revenues received by Month for RMP & EPCRA programs since mid-FY 2011-12;
 - Breakdown of General Appropriations and Expenditures by Category for the Hazardous Materials Planning Program for FYs 2012-13 & 2013-14 (to date); and
 - Breakdown of General Appropriations and Expenditures by Category for the Risk Management Planning Program for FYs 2012-13 & 2013-14 (to date).

Ms. Jennifer Hobbs (SERC member/LEPC District 6 Chair/Chair of the LEPC Staff & Chairs) sought clarification regarding the line item entitled “RPC/LEPC Staffing” in the Hazardous Materials Planning Program table. In particular, the annual LEPC budget allocations (i.e. \$40,909) X the number of RPCs/LEPCs (i.e. 11) + additional amount requested by LEPC District 5 (i.e. \$1) = \$450,000, not the \$486,845 represented. **Mr. Paul Wotherspoon agreed to provide documentation to address this disparity.**

Ms. Hobbs also expressed a concern that the FDEM recently had to return ~\$100,000 in unspent federal funds associated with the HMEP program. Mr. Wotherspoon indicated that ~\$10,000 was from one of the LEPCs not spending all of their HMEP Training funds and that the remainder was earmarked for specific purposes within FDEM. Subsequently, the FDEM now gets a monthly accounting of all programs to reduce the likelihood of this happening again. **Mr. Wotherspoon did agree to provide the documentation to substantiate the unspent funds.** Mr. Ron Mills recognized that two LEPCs did specifically request additional training funds prior to the end of the last fiscal year and that with a little advance notification by FDEM staff in the future, perhaps no money would need to be returned. **Interim SERC Chair Mike DeLorenzo agreed that a presentation by a representative from the Department of Financial Services at a future LEPC Staff & Chairs, if conducted, may be beneficial to all in order to alleviate this & similar concerns.**

- **Hazardous Materials Incidents Reports.** Mr. Sam Brackett advised that detailed listings of Section 304 investigation, as well as fixed facility and transportation-related hazardous materials incidents were prepared and included with the Agenda materials to describe incidents occurring between the period of June 1 - August 30, 2013. Such Reports included documentation of 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
Hillsborough	6/14/13	TR	Diesel Fuel	Unknown	Traffic Accident	0	1	0
	6/24/13	TR	Sulfuric Acid	306	Traffic Accident	0	1	0
	7/01/13	FF	100% Eucalyptus Oil	Unknown	Post Office	0	25 (Deconned)	0
	7/02/13	304 (Closed)	Anhydrous Ammonia	99<	Ammonia Storage	N/A	N/A	N/A
	7/19/13	304 (Closed)	Phosphoric Acid	8,197	Mining	N/A	N/A	N/A
	7/25/13	TR	Ethanol	26,652	Railroad (Train Derailment)	0	0	0
	8/08/13	304 (Closed)	Sulfur Dioxide	Unknown	Sulfur Sales	N/A	N/A	N/A
	8/13/13	304 (Closed)	Sulfur Dioxide	Unknown	Sulfur Sales	N/A	N/A	N/A
Manatee	NONE							
Pasco	NONE							
Pinellas	6/22/13	304 (Closed)	Chlorine Gas/ Calcium Hypochlorite	Unknown	Private Residence	N/A	N/A	N/A
	6/26/13	FF	Natural Gas	Unknown	Apartment Complex	30	1	0
	7/25/13	TR	Freon	200	Private Business	75	0	0
	8/22/13	TR	Natural Gas	Unknown	MHP / Pipeline	8	0	0
TOTAL →						113	28	0

KEY: FF = Fixed Facility incident / TR - Transportation-related incident / 304 - Section 304 Investigation Launched (Status)

- **Update on Staff Activities and Reports by Section.** Mr. Tim Date identified that various graphics were provided within the SERC Agenda materials to depict various staff functions and initiatives. These included:
 - Monthly enumeration of Hazardous Materials Incident Reports since 2003;
 - *Total Facility Count* of E-Plan Filings by LEPC (as of 9/30/13);
 - Monthly quantification of Technical Assistance calls received from Sept. 2012 - August 2013; and
 - Enumeration of Tier 2 Data by Year since 2010 in terms of the # of facilities and the # of chemicals.

- **Update on LEPC Activities.** Subcommittee Chair Jennifer Hobbs provided a briefing of the items discussed at yesterday's LEPC Staff & Chairs meeting. The items included:
 - Announcement that LEPC District 6 staff Eric Anderson and his wife celebrated the birth of their first child last week and that the former LEPC staffs for District 6 (April Raulerson) and District 4 (Jason Taylor) are now expecting their first child in February 2014.
 - Recognition that this may be the final SERC meeting for LEPC District 8 Chair Scott Ehlers due to his pending retirement and thanked him for his numerous contributions through the years. Chief Mike Murphy added we may see Chief Ehlers at the next SERC meeting.
 - A request was made for a copy of the *Memorandum of Understanding* (MOU) that was allegedly approved which would pre-empt facilities from the requirement of providing hard copies of all Tier II reporting to their respective LEPC and local fire department. Mr. Wotherspoon acknowledged that such an MOU does not presently exist due to discrepancies in viewpoints between FDEM's Legal Counsel and the Florida Fire Marshal but that the FDEM is currently working towards this goal.
 - Indication that the LEPCs unanimously voted to have reporting deadline reminder notifications transmitted to the Tier II facilities both electronically and via regular mail in order to ensure that all parties are amply notified. Mailing notices on something as simple as a postcard would suffice. **Mr. Paul Wotherspoon agreed that this will occur.**
 - Acknowledgment that the LEPCs are looking forward to working with FDEM staff to update the How-to-Comply Handbook that will be available on-line on the SERC's website, noting that this is an extremely valuable resource utilized by both the LEPC staffs and facilities alike.
 - Recognized that the amount of training & activities going on across the State is incredible and identified that a summary of these activities is documented each quarter in the *Hazmatters* section of the SERC Agenda materials.

The following serve as the documented tasks identified by LEPC District 8 staff for the period of June - August 2013:

- District 8 LEPC staff was involved in a number of activities during the quarter. Staff attended the SERC quarterly meetings held at the Guy Harvey Outpost in St. Pete Beach on July 11-12, 2013. The quarterly LEPC District 8 meeting was held on August 28th. Staff and/or members of the LEPC attended the FDEM Region 4 quarterly meeting on June 14th at the Pasco County Emergency Operations Center under the leadership of FDEM Region 4 Coordinator Paul Siddall.
- The LEPC's Facility Disaster Planning Subcommittee (FDPS) met on July 17th. The primary discussion items included: an update on the SERC/EPA Supplemental Environmental Projects program; discussion of the DSOC initiative to reduce the number of regional hazmat teams; and an overview of the very successful June 27th Workshop entitled "*Keeping Your Head Above Water: Storm Surge Preparedness for Businesses with Hazardous Materials*" held in conjunction with the Tampa Port Authority at Tampa Cruise Terminal #3. The Workshop was broken down into the following topics: "Storm Surge 101" and Meteorological Trends; Identification of Vulnerabilities & Chemical Storage; Business Continuity Planning; Contingency Planning; and

Lessons Learned from SuperStorm Sandy. The Workshop included presentations from representatives of C.F. Industries, the U.S. Coast Guard, Hills. County Fire Rescue/Office of Emergency Management, the Tampa Port Authority, FDEP/Office of Emergency Response, National Weather Service, Pinellas County Communications Department, the Insurance Information Institute and others. Each of the ten presentations were subsequently posted to the LEPC website for use as a future resource (http://www.tbrpc.org/lepc/lepc_surgeworkshop.shtml).

- The LEPC's HMEP Training Subcommittee met on August 28th. As would be/is appropriate, discussion revolved around determining a course(s) to be funded and conducted prior to the September 30, 2013 deadline. Such requirement was imposed within the FY 2013-14 HMEP Contract whereby 25% of the entire annual HMEP Training funds be spent during the first quarter (i.e. July 1 - Sept. 30). To conclude the FY 2012-13 HMEP Contract, a 8-hr. Hazmat IQ course was held on three consecutive days (June 25-27, 2013) in order for the course to be shift-friendly to the 90+ Pinellas County Hazmat Team members. As is appropriate, the pre-requisites for HMEP Training is that the course: must be designed for public-sector First Responders; must be pre-approved and deemed "cost effective" by FDEM staff; and, at minimum, must include a transportation component or nexus.
- In terms of miscellany, LEPC staff additionally: facilitated the monthly meetings of the Pinellas Police Standards Council (June 12th, July 10th & August 14th); attended the monthly meetings of the Ammonia Handlers/Operators (June 18th, July 23rd & August 20th); submitted the Tampa Bay Hazardous Materials Emergency Response Plan update (June 28th); attended the bi-monthly of the Tampa Bay Spill Committee meeting (July 9th); attended the U.S. Coast Guard's Area Contingency Plan meeting (July 9th); hosted FDEM's Hazards Analyses Training Workshop (July 10th); hosted meetings of the Preventative Radiological Nuclear Detection Committee (July 23-25); prepared and submitted LEPC & HMEP Quarterly Reports (July 29th); facilitated the Pinellas County Sheriff's Office law enforcement workshop (July 31st); transmitted a correspondence to Director Bryan Koon and FDEM staff to signify support of maintaining the present structure and number of Florida's Regional Hazmat Response Teams until a comprehensive threats & vulnerabilities assessment has been conducted and evaluated (August 28th); and submitted the proposed LEPC Membership changes and Hazmatters report (August 28th), as well as the LEPC District 8 Thomas Yatabe Award Nominations (August 30th), each associated with the October 4th SERC meeting.

OTHER BUSINESS

- Chemical Facility Anti-Terrorism Standards Presentation. Ms. David Hart was supposed to be present to provide the named presentation. However, due to the temporary shutdown of the federal government, he was unable to attend the meeting in order to make the presentation.

COMMENTS & ADJOURNMENT.

- **Next Meeting.** It was announced that the next SERC meeting will be held in Daytona Beach on Wednesday, January 22, 2014 in association with the Fire Rescue East Conference and the Hazardous Materials Symposium. It was further identified that the April 2014 SERC meetings are tentatively being scheduled in Singer Island, near Ft. Lauderdale.
- **Adjournment.** The SERC meeting was adjourned at 12:05 p.m.