



LEPC Agenda

TAMPA BAY LOCAL EMERGENCY PLANNING COMMITTEE (LEPC) DISTRICT VIII MEETING

Tampa Bay Regional Planning Council
4000 Gateway Centre Blvd, Suite 100, Pinellas Park, FL 33782
Wednesday, May 30, 2012 - 10:30 am

*****THIS MEETING IS OPEN TO THE PUBLIC*****

- | | | |
|-----------------|---|-------------------------------|
| Agenda Item #1 | CALL TO ORDER, WELCOME, PLEDGE OF ALLEGIANCE - Page 1 | Chair Scott Ehlers |
| Agenda Item #2 | APPROVAL OF <i>MINUTES</i> - February 29, 2012 LEPC MEETING - Page 1 | Chair Ehlers |
| Agenda Item #3 | DISTRICT 8 LEPC MEMBERSHIP CHANGES - Page 1 | John Meyer |
| Agenda Item #4 | RECAP OF QUARTERLY SERC MTGS & TTF'S "PROJECT BOARD" - Page 2 | Chair Ehlers |
| Agenda Item #5 | HMEP PROGRAM - PLANNING - Page 11 | Subcomm. Chair Alan Pratt |
| Agenda Item #6 | FACILITY DISASTER PLANNING SUBCOMMITTEE - Page 11 | John Meyer |
| Agenda Item #7 | HMEP PROGRAM - TRAINING - Page 20 | Subcomm. Chair James Johnston |
| Agenda Item #8 | REGIONAL DOMESTIC SECURITY TASK FORCE - Page 21 | Amanda Shaw |
| Agenda Item #9 | "HOT WORK: HIDDEN HAZARDS" VIDEO (Produced by CSB) - Page 21 | John Meyer |
| Agenda Item #10 | TRAINING, WORKSHOP AND CONFERENCE OPPORTUNITIES - Page 22 | Chair Ehlers |
| Agenda Item #11 | LEPC BUSINESS | Chair Ehlers |
| | A. <i>Tampa Bay LEPC HazMat Emergency Response Plan Update</i> - Page 28 | |
| | B. Florida Division of Emergency Management/Region 4 - Quarterly Meeting Summary - Page 28 | |
| | C. <i>Memorandum of Understanding</i> between SERC and USEPA regarding "Supplemental Environmental Projects" - Page 28 | |
| | D. LEPC Membership/Biennial Reappointments - Page 29 | |
| | E. Tier II Submittals for CY 2012 - Page 29 | |
| | F. "Call Before You Dig" Public Service Announcement/Campaign - Page 29 | |
| | G. Other Business (To be Determined and/or may be Applicable) - Page 29 | |
| Agenda Item #12 | TAMPA BAY LEPC LOGO SHIRTS - Page 37 | Chair Ehlers |
| Agenda Item #13 | PUBLIC COMMENTS - Page 37 | Chair Ehlers |
| Agenda Item #14 | NEXT MEETING - Wednesday, September 19, 2012 | Chair Ehlers |
| Agenda Item #15 | ADJOURNMENT | |

Asst Chief Scott Ehlers, Chairman - Jeff Tobergte, Vice Chairman - John Meyer, Coordinator
Tampa Bay Local Emergency Planning Committee (LEPC), District VIII
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The following LEPC membership change(s) was/were approved at the January 6, 2012 SERC meeting:

MEMBER	CATEGORY	MEMBER TYPE		STATUS OF CHANGE			DESCRIPTION (IF NECESSARY AND/OR APPROPRIATE)
		PRIMARY	ALTERNATE	NEW MEMBER	CATEGORY OR TYPE CHANGE	RESIGNED/ REMOVED	
Michael Guincho	First Aid	✓		✓			Hillsborough County Fire Rescue. Mr. Guincho was appointed the “Primary” LEPC representative from HCFR. In turn, Mr. Guincho designated Mr. Markart as his Alternate.
James Markart			✓	✓			
Robin Stokes	First Aid	✓				✓	Hillsborough County Fire Rescue. Mr. Stokes’ has been removed due to a recent reassignment of duties. Per SERC membership guidelines, if a “Primary” member resigns or is otherwise replaced, their designated Alternate is also removed.
E. Craig Lynn			✓			✓	
Richard Walker	Emergency Management	✓		✓			Pinellas County Emergency Management (PCEM). Mr. Walker was appointed the “Primary” LEPC representative from PCEM. In turn, Mr. Walker designated Mr. Keller as his Alternate.
Paul Keller			✓		✓		
Paul Keller	Emergency Management	✓			✓		Pinellas County Emergency Management (PCEM). Mr. Keller has been removed as the “Primary” member due to a recent reassignment of duties. Per SERC membership guidelines, if a “Primary” member resigns or is otherwise replaced, their designated Alternate is also removed.
Doug Meyer				✓		✓	

MEMBER	CATEGORY	MEMBER TYPE		STATUS OF CHANGE			DESCRIPTION (IF NECESSARY AND/OR APPROPRIATE)
		PRIMARY	ALTERNATE	NEW MEMBER	CATEGORY OR TYPE CHANGE	RESIGNED/ REMOVED	
Rick Vannan	Facility Operator	✓				✓	Clorox Manufacturing Company of Tampa. Mr. Vannan & Mr. Boykin have recently resigned from the LEPC due to the closure of their facility after more than 50 years in operation in Tampa.
Bill Boykin			✓			✓	
Doug Wenger	Interested Citizen	✓				✓	Mr. Wenger has recently resigned from the LEPC due to his pending relocation to Texas.

NOTE: The membership modification(s) highlighted in yellow above (if and where applicable) signifies addition(s) to the LEPC District 8 membership. Likewise, modification(s) highlighted in gray (if and where applicable) indicates a reduction(s) in overall LEPC membership.

Additional Material: None.
Action Recommended: Recognition of New Appointments

Agenda Item #4

RECAP OF QUARTERLY SERC MEETINGS & TRAINING TASK FORCE'S CURRENT "PROJECT BOARD"

Chair Ehlers

The State Emergency Response Commission and associated Subcommittee meetings were held in St. Pete Beach at the Tradewinds Resort on April 23-24, 2012. LEPC Chair Scott Ehlers and Staff Coordinator John Meyer attended the meetings. The following eight pages constitute a *Recap* of the SERC meeting, inclusive of discussion items associated with the SERC's Training Task Force (TTF) and the LEPC Staff & Chairs meetings, and the TTF's current Project Board.

Additional Material: SERC Meeting *Recap* (**Pages 3-10** of these Agenda materials)
Action Recommended: None. For Information Only.



RECAP OF APRIL 24, 2012 STATE EMERGENCY RESPONSE COMMISSION MEETING

The April 24, 2012 SERC meeting was held at the Tradewinds Resort in St. Pete Beach. Mr. Bryan Koon chaired the meeting and called it 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 January 6, 2012 SERC meeting Minutes.** The *Minutes* from the January 6, 2012 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:
 - Mr. Michael Guincho replaced Chief Robert Stokes as the “Primary” LEPC appointment for Hillsborough County Fire Rescue (HCFR). Mr. Richard Markart was designated as Mr. Guincho’s “Alternate.” As a result, Asst. Chief E. Craig Lynn has additionally been removed as the previously designated Alternate for HCFR.
 - Mr. Richard Walker replaced Paul Keller as the “Primary” LEPC appointment for Pinellas County Emergency Management (PCEM). Mr. Paul Keller was re-designated to the LEPC but as the “Alternate” to Mr. Walker. As a result, Mr. Doug Meyer has additionally been removed as the previously designated Alternate for PCEM.
 - Mr. Doug Wenger was removed from the LEPC membership due to his recent resignation and subsequent relocation to Texas.
 - Mr. Rick Vannan and Mr. Bill Boykin were removed from the LEPC membership due to their resignations since the Clorox Products Manufacturing Company (of Tampa) has recently closed operations at their Tampa facility after 50 years in operation.
- **Audit/Inspection Work Plan for the Risk Management Planning (RMP) Program for FY 2012-13.** The proposed RMP auditing schedule for FY 2012-13 was approved unanimously. The schedule includes 27 audits statewide of which three are located within LEPC District 8. The three Tampa Bay Region facilities will be audited/inspected in mid-February 2013 and consist of the Yuengling Brewery Company of Tampa, the Cosme Water Treatment Plant and the David L. Tippin Water Treatment Facility.

REPORTS

- **Report from SERC's Training Task Force (TTF).** Aside from some of the above recognized items, the following highlights of the April 23, 2012 TTF meeting were identified by Chief Mike Murphy, Acting TTF Chair:
 - Teleconferences. Teleconferences were held on February 22 and April 4, 2012, primarily to discuss: strategies associated with the potential integration of the Hazmat Teams with the Bomb Squads; status update of the SERC/EPA *Memorandum of Understanding*; and the proposed hazardous materials training symposium.
 - Discussion of Hazmat and Bomb/Forensic Team Integration. Perceive significant benefits of pre-establishing (or bolstering) relations or partnerships between Bomb Squads, Hazmat Teams, Forensics, SWAT Teams and other critical agencies in responding to incidents as may be appropriate. Motion was made and approved unanimously to forward the determined implementation strategies and recommendations to the State Working Group. **The SERC also unanimously agreed to accept and forward the proposed implementation strategies to the State Working Group for further comments and/or their consideration.**
 - Hazardous Materials Training Symposium. TTF members are contemplating the scheduling of a Hazardous Materials Training Symposium to be held in association with the 2013 Fire Rescue East Conference in Daytona Beach. Such offering would allow hazardous materials technicians to attend the Conference and participate in a training venue designed for their discipline. Hosting such an event would inevitably result in increased local participation by reducing the travel costs and time restraints that would otherwise be required for comparable, out-of-state, training. It would also provide a consolidated location to obtain such training. Matt Marshall is heading a Subcommittee to determine such issues as estimated instructor costs, who would pay for the instructors, and length of the hazmat training track (i.e. one-day, two-days...). Although LEPCs cannot commit to utilize any portion of their future HMEP budgets towards this endeavor since they do not presently exist, some type of cost-sharing of the LEPCs was discussed in order to offset the instructor costs. Mr. Doug Wolfe (Response Technologies) agreed to spearhead a survey designed to poll the various hazmat teams to determine the top five (or ten) training needs and attempt to meet these demands through the Symposium. Status updates regarding these initiatives will next be discussed during a May 23rd teleconference and again in association with the next TTF/SERC meeting.
 - Oil Spill Response Training. As an alternative to the requirement of a 40-hr. oil response training course necessary to potentially receive reimbursement for future oil spill response, the TTF requested consideration of significantly reducing the length of training necessary for the hazmat teams be granted considering the 160-hr. Hazardous Materials Technician certifications they already possess. It was identified that, with the exception of a "marine safety & awareness" component, most of the other topics are already covered under the 160-Hr. accreditation program. Discussion ensued about the availability of a web-based program to significantly reduce costs and travel demands. **The SERC unanimously agreed to craft another letter promoting the allowance of web-based program to supplement the Hazmat Tech certification in lieu of attendance at a 40-hr. course.** SERC member Richard Smith concluded the discussion by stating "*with 920 miles of coastline and over 1,000 hazmat trained individuals, that would/could be a tremendous loss of potential resources.*"

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- Radiological Emergency Response. Noting the commonality between the Training Task Force and the Radiological Emergency Response Program (REP) in terms of goals, objectives, personnel, equipment and training needs/requirements, there was a discussion about the possibility of seeking representation from the REP on the TTF and/or SERC. **SERC unanimously agreed to seek the membership of a REP representative.**
 - 2012 E-Plan Conference. It was identified that the 2012 E-Plan Conference will be held in Atlanta, GA at the Marriott NW on October 23-25, 2012. Registration fees will be somewhere between \$125-\$150. The registration fees associated with the first 100 Florida LEPC members registering will be complimentary.
 - Next Scheduled TTF Conference Call. The next quarterly TTF conference call has been scheduled for May 23rd at 1:30 p.m. and will primarily focus on updates to the proposed training symposium.
- **Report of Memorandum of Understanding with U.S. Environmental Protection Agency (EPA).** Mr. Paul Wotherspoon (FDEM staff) announced that EPA recently executed and transmitted a *Memorandum of Understanding* (MOU) to allow the potential utilization of up to 75% of all EPA levied fines to fund a Supplemental Environmental Project (SEP) local to the violating facility. **As SERC Chair, Mr. Bryan Koon proceeded to execute the MOU at the meeting on behalf of the SERC.** A similar MOU was in effect until it lapsed in 1999. Traditionally, violating industry had no alternative but to pay their fines to EPA. While 25% must remain as a fine, the remainder may now be spent to fund a SEP to be negotiated between personnel of the violating industry, EPA & FDEM that would benefit the local community. The Local Emergency Planning Committees shall develop a core of projects (or equipment) that could be funded in the event SEP funds were to be made available anywhere within their Districts.
 - **Report on Updated Executive Order.** Mr. Wotherspoon recognized that Governor Rick Scott recently established Executive Order No. 12-23. The Executive Order changed various components of the SERC guidelines and membership. Other changes included naming the SERC Chair to be the Director of Emergency Management (formerly DCA Secretary) and Alternate Chair to be the Assistant FDEM Director, and desire to promote the participation of the 27 SERC membership entities/agencies. Acknowledging “a lot of contacts”, Chair Bryan Koon indicated that he will personally solicit membership from many of the agencies/entities that have not recently participated as part of the SERC. The 27 membership categories are:

FL Dept. of Environmental Protection	FL League of Cities	LEPC Chairperson
FL Dept. of Transportation	FL Regional Councils Association	Environ./Consumer Organizations (2)
FL Dept. of Hwy. Safety & MVs	FL Emergency Preparedness Assoc.	Phosphate Industry
FL Dept. of Law Enforcement	FL Dept. of Financial Services	Petroleum Industry
FL Dept. of Ag. & Consumer Services	FL Minerals & Chemistry Council	Liquified Petroleum Gas Industry
FL Dept. of Health	Associated Industries of Florida	Agriculture Industry
Executive Office of the Governor	FL Chamber of Commerce	Utility Industry
FL Fire Chiefs Association	FL Professional Firefighters	Transportation Industry
FL Association of Counties	Dept. Of Economic Opportunity	Space Florida

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- **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.
- **Hazardous Materials Incidents Reports.** Mr. Sam Brackett (FDEM staff) advised that detailed listings of fixed facility and transportation-related hazardous materials incidents were prepared and included with the Agenda materials to describe incidents occurring between the period of December 1, 2011 and February 29, 2012. 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
Hills.	1/09/12	304	Sodium Hypochlorite	Unknown	Water Treatment Plant	N/A	N/A	N/A
	2/09/12	304	Denatured Ethanol	315,873	Warehousing	N/A	N/A	N/A
Manatee	1/05/12	TR	Diesel Fuel	Unknown	Traffic Accident	0	14	0
	1/23/12	TR	Diesel Fuel/Oil/Hydraulic Oil	49/50/50	Traffic Accident	0	1	0
Pasco	12/20/11	304	Malathion	1	Private Residence	N/A	N/A	N/A
	1/09/12	304	Anhydrous Ammonia	34.9	Frozen Fruit, Juice	N/A	N/A	N/A
	1/20/12	TR	Ethylbenzene	29	Transportation	0	1	0
Pinellas	12/14/11	FF	Carbon Monoxide	Unknown	Ice Rink	16	23	0
	1/06/12	TR	Natural Gas	Unknown	Transportation/Construction	6	0	0
	1/16/12	TR	Natural Gas	Unknown	Pipeline/Construction	3	0	0
	1/26/12	TR	Natural Gas	Unknown	Pipeline/Private	2	0	0
	2/13/12	FF	Natural Gas	Unknown	Private Residence	15	0	0
	2/22/12	304	Sulfuric Acid/Lead/Zinc	Unknown	Metal Recycling	N/A	N/A	N/A
	2/24/12	304	Unknown Solvent	Unknown	Unknown	N/A	N/A	N/A
	2/24/12	FF	Natural Gas	Unknown	Private Residence	6	0	0
	2/24/12	TR	Natural Gas	Unknown	Pipeline	9	0	0
TOTAL ➔						57	39	0

* - FF = Fixed Facility incident / TR - Transportation-related incident / 304 - Section 304 Investigation (Closed)

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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;
- comparison of hazardous materials incidents reports by District (from Dec. 1, 2011 - Feb. 29, 2012);
- annual comparison of the Statewide number of Hazardous Materials Incidents Reports since 2000;
- 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 Calls received by month since December 2010.

Mr. Brackett reminded SERC members that the March 1st Tier II reporting deadline has recently passed. Of the Florida facilities required to report, it appears that approximately 57% filed their inventories electronically through the State's FloridaHMIS.org website. In addition, the State will make the uploading of Tier II inventories from the *Tier II Submit* or *Tier II Manager* software programs an option for next year. FDEM staff has long realized that allowing such an alternative would be beneficial and preferred by many since 40 of the State's allow their annual reporting to be done using these programs. It is anticipated that future electronic reporting of inventories will be much greater as a result.

- **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 December 2011 - February 2012:

- District 8 was involved in a number of HMEP and LEPC co-sponsored activities during the quarter. Staff attended the SERC quarterly meetings held in Altamonte Springs at Embassy Suites on January 5-6 and conducted the District 8 LEPC quarterly meeting on February 29th. In addition, staff and/or LEPC members attended the FDEM Region 4 quarterly meeting on December 2nd at the Hillsborough County Emergency Operations Center under the leadership of FDEM Region 4 Coordinator Paul Siddall.
- The LEPC's Facility Disaster Planning Subcommittee (FDPS) met on January 19, 2012. Invigorated with new membership garnered from the recent forums and/or workshops, discussion items included: highlights of last Subcommittee meeting (i.e. October 20th); request for previously generated recommendations regarding incorporation of relevant hazardous materials information into the *Florida Business Disaster Survival Kit* prior to posting Kit to FDEM's www.floridadisaster.org website; measures taken to promote Hazardous Materials Awareness Week and, in particular, the current theme of "Mercury Awareness & Dangers"; overview of the Tier 2 reporting requirements and identification of recent refinements to the State's www.floridahmis.org electronic filing program; status update on the potential of a *Memorandum of Understanding* between the SERC and EPA which, if approved, would allow the funding of Supplemental Environmental Project(s) in lieu of payment of potentially lucrative fines by violating industries; status update on the potential for "universal credentialing"; preparation and transmittal of a *Press Release* to the local media to serve as a reminder to facilities of the March 1st EPCRA reporting deadline, recognition of some of the more prevalent mistakes made in reporting as detected during the recently completed Tier 2 quality control assessment, and to advertise the (then) upcoming EPCRA How-to-Comply workshops scheduled by LEPC staff; Scarabeo 9 and consequence of potential oil spill; mutual benefit from soliciting better participation of fire departments; and appointment of Ms. Thea Dunmire as Subcommittee Chair through remaining 2012 meetings.
- The LEPC's HMEP Training Subcommittee met on February 29th to strategize opportunities and details associated with LEPC District 8's FY 2011-12 HMEP Contract in which the funds must be expended on or before June 30, 2012. Staff emphasized the pre-requisites that such training must be designated for First Responders, must be "cost effective," and must include a transportation component or nexus.

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- LEPC staff and/or member(s) participated in a December 14th teleconference administered by FDEM staff regarding Training Task Force initiatives.
- Three 8-hour “*Hazardous Material Leak/Spill Refresher*” courses were conducted for the Pinellas County Hazmat Team with funding from the HMEP/Training Program (February 21-23, 2012). An additional 24-hour training event, entitled “*Confined Space Rescue for Industrial, Municipal and Transportation Confined Spaces*”, was coordinated for the North River Fire District (Manatee County) and will be conducted next quarter in addition to other course(s) currently being contemplated.
- Staff and/or LEPC member(s) represented the Tampa Bay LEPC at the January 10th meeting of the Tampa Bay Spill Committee, as well as the December 6th, January 24th and February 21st meetings of the Ammonia Handlers/Operators of Tampa.
- In terms of miscellany, LEPC staff additionally: attended a December 13th U.S. Coast Guard Area Committee meeting involving a presentation related to oil drilling off the coast of Cuba and potential oil spill trajectories; conducted two EPCRA How-to-Comply workshops (February 15th & 16th); assisted with the December 14th and January 11th meetings of the Pinellas Police Standards Council (PPSC); provided updates regarding the LEPC program activities to the Tampa Bay Regional Planning Council in conjunction with their December 14th and February 13th meetings; and transmitted a variety of Mercury awareness and characteristics information and resources through various channels in association with Hazardous Materials Awareness Week (January 23rd).

OTHER BUSINESS

- **U.S. DOT-funded Statewide Commodity Flow Study.** Mr. Wotherspoon advised SERC members that the Department of Transportation has recently contracted the conduct of a Statewide Commodity Flow Study for the State of Florida. The Study will entail: identification of all chemicals coming in and leaving ports; their storage location(s); the major highway and railways utilized for their transport; the various pipelines and chemicals they are transporting... The Study will start with a detailed analysis of Florida’s four seaports (i.e. Port Everglades, Miami, Tampa, Jacksonville). Following completion of the Study, the LEPCs will be encouraged to assist the Contractor in performing a Needs Assessment for their respective Districts in order to determine capabilities of hazmat teams, in terms of location, personnel and equipment to respond to a large hazardous materials incident. It is understood that any such Study would have highly sensitive data that will need to be protected. Noting that information contained in the Study could become outdated, the LEPCs may be given an opportunity to maintain/update data for their area as part of their HMEP projects in the future.
- **Transportation Community Awareness and Emergency Response (Transcaer).** Mr. Wotherspoon mentioned that Florida has not had a Transcaer representative “in quite some time.” Having recently received this designation personally, Mr. Wotherspoon indicated that he will be coordinating free training opportunities with industry and the LEPCs.

COMMENTS & ADJOURNMENT.

- **Next Meeting.** It was announced that the next SERC meeting will be held in Jacksonville on July 12, 2012 although the particular venue has not been determined and/or finalized at this point. The following SERC meeting will return to Tallahassee on October 4, 2012.
- **Adjournment.** Following a motion and a second, the SERC meeting was adjourned at 11:22 a.m.

SERC's CURRENT TRAINING TASK FORCE "PROJECT BOARD"

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Florida SERC Training Task Force – Project Board								
Updated: April 24, 2012								
	RESOURCES (RES)	PUBLICATIONS (PUB)	TRAINING (TRN)	UPDATES (UP)	NEEDS ANALYSIS (NDS)	FUNDING (FUN)	STANDARDS & CERTIFICATIONS (STD)	SYSTEMS & RELATIONSHIPS (SYS)
Active Projects	TTF Web Page and Project Summaries DEM Staff	Sampling Protocol Sessions, DOH, DEM staff	First Responder Best Practices for RAD event Marshall/TJ Smith	Mass Technical Decon Assessment FLAHR/FSFC	Hazmat Team ICS Curriculum Sessions/Nelson	Capability Assessments Marshall/USFM/DEM	Oil Spill Response for Hazmat Technicians Murphy	Secure Portal for Access to TTF Products Kohnke/Nelson
	Awareness Level Training for White Powder SOP DOH	Offshore Hazmat Response Murphy	Hazmat Training Guidelines (revised) Lamm/Colson/Marshall/Chappell	MOORE Procedure for Hazmat Team NIMS Compliance District 7	Marine Firefighting Requirements (33CFR 155) Ehlers/Dist 4 and 6			Hazmat Team Marketing Murphy
	Hazmat/EOD Integration Murphy/DEM		Hazmat Training Symposium Lamm/Murphy/Ehlers/Hobbs/Kohnke/Mundy	Hazmat Florida FOG ICS Crosswalk DEM Staff				
Monitoring Projects	RES – Reprinting Template for Responders Model Report System DeFrancesco		TRN – E-Plan Training Materials Marshall	UP – HMIS Upgrade Provide additional detail DEM Staff/Murphy				
	RES – Maintain FFCA/FLAHR website for TTF Products DeFrancesco							
	RES – IR Spec & RAMAN Long Term Costs & Maintenance Dan Smith/Bevelacqua							
	RES – RID Model SOPs Long-term Cost and Maintenance FLAHR							
2012 Completed Projects								

SERC's CURRENT TRAINING TASK FORCE "PROJECT BOARD"
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SERC TTF Projects								
	RESOURCES (RES)	PUBLICATIONS (PUB)	TRAINING (TRN)	UPDATES (UP)	NEEDS ANALYSIS (NDS)	FUNDING (FUN)	STANDARDS & CERTIFICATIONS (STD)	SYSTEMS & RELATIONSHIPS (SYS)
Completed Projects	Chemistry in Schools Program	Medical Treatment Protocols April 2010	TRN - Ops Level Training Program DEM Staff June 2010		Review ORE Deficiencies Dan Smith/Mundy Feb 2011	Support SHSGP Grant Assessment Process SFM	Define Tox-Medic Murphy	Health & DEP Detection Support Capabilities Jacobs
		Radiological Screening Response Procedure Charlie Boyd April 2010	Hazmat Training Guidelines		NDS - LEPC Top 5 Needs Weiss/Leto/Barone Initial Listing-Jan 2008		Pro Board Certification FSFC - Bosley Feb 2011	
		PUB - Hazmat FOG FLAHR	TRN - 3 Non-Routine Hazards FSFC-Schell Ongoing Monitoring					

Committee Chair Pratt will provide an update of the HMEP/Planning Program activities.

Additional Material: None.
Action Recommended: None. For Information Only.

The LEPC's Facility Disaster Planning Subcommittee (FDPS) met on April 19, 2012, a *Recap* of which is attached. A variety of topics were discussed, including: recognition of forwarding specific FDPS recommendations to better integrate essential and appropriate hazardous materials information into the *Facility Business Disaster Survival Kit* prior to transfer to the Florida Division of Emergency Management for posting to their website; FEMA's "*Private Sector Preparedness Certification*"; updates on 2011 Tier II reporting and possible reassessment of LEPC District 8's reporting records; update on the Memorandum of Understanding between SERC & USEPA regarding potential funding of "Supplemental Environmental Projects" (which at that point was unknown) in lieu of EPCRA violation fines; benefits derived from soliciting and integrating representation from fire departments on the Subcommittee in order to more effectively and efficiently accomplish objectives and initiatives; and re-scheduled remaining 2012 Subcommittee meeting dates to coincide with the third Wednesdays of July & October in order to capitalize on the availability of the larger Conference Room (i.e. July 18th & October 17th).

Additional Materials: FDPS Meeting Recap (**Pages 12-19** of these Agenda materials)
Action Recommended: None. For Information Only.



FACILITY DISASTER PLANNING SUBCOMMITTEE

RECAP

April 19, 2012 Meeting

LEPC District VIII, 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782 - 727/570-5151, Staff Contact: John Meyer

Attendees (Present) - Thea Dunmire (ENLAR/Meeting Chair), Chet Klinger, Gary Dunmeyer (Harcros Chemicals), Jennifer Garwood (Progress Energy), Patricia Williams (HRP Associates), Erinn Skiba (Hillsborough County Emergency Mgmt.), Stacie Cooper (SWS Environmental), Betti Johnson (TBRPC) & John Meyer (LEPC 8 Staff/TBRPC)

Please note that text appearing as **red** symbolizes an action item.

1. INTRODUCTIONS

2. ANNOUNCEMENTS AND/OR RECAP OF 1/19/12 MEETING

Mr. John Meyer characterized the highlights of the January Subcommittee meeting to be:

- Prior Subcommittee initiatives included specific recommendations to bolster the Florida Business Disaster Survival Kit with important hazardous material data, resources and capabilities. This set of recommendations was provided to Betti Johnson of TBRPC staff. It is envisioned that many of these recommendations will be incorporated into the program prior to posting of the Kit by the Florida Division of Emergency Management to their website. Betti will address this issue in greater detail later in the Agenda.
- Hazardous Materials Awareness Week ran from Sunday, January 22 - Saturday, January 28. The theme was "Mercury Awareness & Education." LEPC staff e-mailed links to the informational resources (2 Videos/2 Printed Materials) to the all the LEPC e-mail contacts on Monday, January 23rd. The resources were additionally posted to the LEPC website.
- LEPC staff advised the Subcommittee membership of the refinements to the FloridaHMIS.org electronic filing program in preparation for the 2011 reporting. These improvements included better integration with electronic payment site (i.e. Bank of America), alleviation of some conflicts with "Pop-Up Blocker(s)"; and addition of more "Wizards" and instructions for users. Facilities were once again required to provide hard copies of all reporting to their local LEPCs and fire departments.
- LEPC staff sent out notification of the scheduled February 15 & 16 EPCRA How-to-Comply Workshops through e-mail to all LEPC facility contacts. In addition and as requested by Subcommittee Chair Dunmire, a Press Release, designed to advise local facilities of the March 1st reporting deadline, identifying some of the discrepancies previously detected, and informing them of the scheduled How-to-Comply workshops being held locally, was prepared and distributed to the local print media.

Subcommittee Chair Thea Dunmire handed out a written statement prepared when the Subcommittee was setup outlining the Subcommittee's origin and purpose for the benefit of newer attendees (see **Exhibit 1** of this Recap). As contained in this document, the three key Subcommittee functions are: outreach; education and training; and facility recognition. The target audience for Subcommittee initiatives are businesses within the LEPC purview (i.e. large quantity hazardous material users).

Chet Klinger added that when former LEPC Chair Ernie Hiers returned from recovery assistance efforts associated with Hurricane Katrina, there appeared to be an unmet need to educate companies to better manager hazmat inventories in preparation for disasters locally. In addition, the Subcommittee was asked to promote better integration between facility's Business Continuity and Disaster Recovery Plans.

3. FEMA'S PRIVATE SECTOR PREPAREDNESS CERTIFICATION

Chair Dunmire discussed that FEMA's Private Sector Preparedness Certification program is designed to encourage/promote nationwide preparedness, resilience and recovery among private sector entities in an emergency.

As summarized by Chair Dunmire, *"the program encourages organizations to utilize recognized third-party standards for developing business continuity management systems. Department of Homeland Security (DHS) has recognized three standards (i.e. ASISSPC.1 & BS25999 & NFPA1600) and established a third-party accreditation scheme, administered by ANSI-ASQ National Accreditation Board (ANAB). Under the PS-Prep certification scheme, organizations can either get third-party certification from a registrar accredited by ANAB. A self-declaration of conformity program is being considered by DHS that would be available to small businesses."* Many smaller facilities have been reluctant to have their plans accredited due to the expense involved so the option to have the facilities potentially self-certifying their plans may be more appealing.

Consistent with the mission of the Facility Disaster Planning Subcommittee, the PS Prep program encourages businesses with reportable hazardous material inventories to develop comprehensive Business Continuity and Disaster Recovery Plans in order to address the risk of hazardous material releases to the environment resulting from a disaster.

Subcommittee members agreed that a future workshop would be beneficial but getting the information out first about the PS-Prep Program would be critical to the success of the workshop.

Ms. Stacy Cooper asked whether the PS-Prep certification, if obtained, could result in a reduced insurance rate. Chair Dunmire affirmed that this may be possible.

Mr. Chet Klinger inquired as to what kind of feedback can we provide to DHS once a workshop is completed? How can they make it better? Chair Dunmire mentioned that any feedback to FEMA and/or DHS (e.g. good, bad or indifferent) would likely be viewed as beneficial for making the program better.

Those attending discussed that the workshop should be:

- at a “minimal” cost to promote participation;
- one-half day in length, adjourning by 1:00 p.m.;
- promoted through Press Release(s) and notifications through FDEM’s e-mail database when received;
- targeted at facilities that submit Tier II reports;
- limited to the number of registrants that can be accommodated in the TBRPC Conference Room; and
- scheduled dependent on the availability of speakers and the TBRPC Conference Room.

Chair Dum mire mentioned that it may be appropriate to hold another Subcommittee meeting in the interim (prior to the next quarterly meeting) to coordinate the specifics of the workshop depending on the workshop timing. **Chair Dum mire agreed to provide further coordination with Mr. Meyer as to Conference Room availability, the availability of FEMA staff (and Mr. Moore in particular), and the possible availability of other pertinent/ appropriate speaker(s).**

4. UPDATE ON 2011 TIER II REPORTING & DISCUSSION REGARDING POSSIBLE REVIEW INITIATIVE

Mr. Meyer identified that the March 1st Tier II reporting deadline has come and gone and the LEPC has received hundreds of Tier II reports for facilities across the Region, as typical. Mr. Meyer demonstrated varying formats of reports received including “Screen Shots” of hazardous material inventories and facility contact generated through the FloridaHMIS.org program. Mr. Meyer reminded the attendees that facilities remained obligated to provide copies of all reporting to their local LEPCs and fire departments, in addition to the SERC.

Chair Dum mire inquired whether it would be advantageous to conduct another quality control assessment of Tier II reports to notify facilities of reporting errors and to bolster the Subcommittee’s e-mail database of facility contacts.

Mr. Meyer identified that he and Mr. Klinger had undertaken the extremely time-consuming initiative last year and detected many errors in reporting and that a few facilities were contacted to notify them of their reporting mistakes. A few revised reports were generated in this regard. Mr. Meyer and Mr. Klinger proceeded to document all major reporting mistakes and to document trends to the extent they could be determined. The LEPC did not have records for numerous facilities on the SERC’s database and there were even records for facilities that the LEPC possessed which did not appear on the SERC’s database listing. A cumbersome listing of all findings and observations were submitted to FDEM staff to evaluate but, although acknowledging appreciation, no formal response was ever received. However, it was observed that several of the facilities that were not initially part of the SERC’s database have subsequently been added. Mr. Meyer concluded with his recommendation that the Subcommittee wait another year (or so) to make the determination of whether or not to conduct this analysis again. First, it is very time consuming and second, if the State is successful in receiving grant funds they applied for, allowance for the use “Tier II Submit” software would be a realistic option in which facilities could submit their inventories. If such program was provided as an option to submit inventories, the State anticipates a 85-90%+ electronic

submittal rate. In that case, it would be much easier to evaluate and manipulate an electronic database as opposed to evaluating hard copy records.

Finally, Mr. Meyer added that the State has a record (and e-mail address) of all people submitting their reporting electronically, at minimum. **Mr. Meyer agreed to contact the appropriate FDEM personnel to obtain the e-mail address database for District 8 for future contacting purposes including notification of future Workshops and/or Seminars.** If e-mail addresses of the *appropriate* facility contacts are not available as part of this database, we hope that future notifications of workshops would be forwarded to the appropriate parties.

Ms. Patricia Williams inquired whether there is a way to determine facilities that have never reported. Mr. Meyer responded that there is no easy way to find these facilities but each year the SERC's database of facilities continues to grow and they presumably utilize all known resources to detect these facilities and bring them into compliance with the EPCRA. Ms. Dumire added that all facilities could be reminded of their reporting obligations through press releases.

Ms. Williams agreed to evaluate the merits of re-evaluating the Tier II Reports at this time.

5. **UPDATE ON SERC/EPA "MEMORANDUM OF UNDERSTANDING" REGARDING SUPPLEMENTAL ENVIRONMENTAL PROJECT(S)**

Mr. Meyer indicated that there is no update to provide at this point but that the SERC is actively pursuing this *Memorandum of Understanding* with EPA which, if executed, would allow the establishment of a Supplemental Environmental Projects (SEPs) with monies that would have otherwise been paid in fines by violating industries. SEPs are typically localized training provided to first responders. Mr. Meyer emphasized that such projects are NOT administered and/or affiliated with the LEPCs. In fact, a similar MOU between these agencies was in effect through 1999. Ms. Dumire remarked that it is too bad that the funds could not alternatively be utilized to provide localized facility training. **Mr. Meyer agreed to provide future updates of this issue at future Subcommittee meetings as may be relevant.**

6. **UPDATE ON POTENTIAL FOR "UNIVERSAL CREDENTIALING".**

Mr. Meyer advised that Ms. Stephanie McDannold passed along her apologies for being unable to attend today's meeting.

For the benefit of newer attendees, Mr. Meyer identified that the issue surfaced from one of the *Facility Disaster Preparedness Forums* conducted by the Subcommittee last year. In summary, there is a concern that appropriate facility personnel may not be able to easily return to their impacted facility due to the multiple levels of law enforcement and anticipated roadblocks which could be implemented following a disaster. "Universal Credentialing" would be viewed as a type of universal badging system that could be recognized by all levels of law enforcement and would enable appropriate facility representative(s) to gain quicker access to their affected parcels.

Ms. McDannold previously acknowledged being asked to serve as a member of a recently-conceived Subcommittee to discuss this and other issues by Mr. John Cherry of FDEM. **John Meyer agreed**

to contact Ms. McDannold to confirm that she remains an appropriate contact for future updates regarding this issue. [Update: Ms. McDannold identified that Mr. Cherry has not officially formed the Subcommittee yet, to her knowledge, but continues to expect to serve on this Subcommittee due to her position as “FEPA Business and Industry Committee Chair” and would provide updates accordingly]

7. **UPDATE ON “FLORIDA BUSINESS DISASTER SURVIVAL KIT” & POTENTIAL FUTURE TRANSFER TO FDEM WEBSITE**

Ms. Betti Johnson discussed that the *Florida Business Disaster Survival Kit* - a web-based program designed to assist facilities with business continuity planning. As recognized in Mr. Meyer’s earlier remarks, the Facility Disaster Planning Subcommittee (FDPS) had recognized a disconnect with planning for hazardous materials incidents. The FDPS prepared a host of recommendations to “make the Kit better.” The current intent is for the Tampa Bay Regional Planning Council to turn the Kit over to the Florida Division of Emergency Management for incorporating the recommendations and ultimate posting to their website. The recommendations were provided to the FDEM in December with the understanding that the FDEM would, in turn, solicit proposals through the RFP process to incorporate the recommendations. The Kit is already available on-line and/or viewable at www.fldisasterkit.com. **Ms. Johnson has agreed to provide an update on this topic in conjunction with the next Subcommittee meeting.**

Finally, and as informational, Ms. Johnson identified that the “Public Sector-Private Sector Disaster Preparedness Summit” has been scheduled for April 30 - May 2 in Daytona Beach. **Ms. Johnson agreed to provide more information and the specifics about the Summit to John Meyer for further transmittal to Subcommittee members. [Update: The Summit information was promptly provided by Ms. Johnson. Mr. Meyer promptly forwarded this informational link to all Subcommittee members via e-mail on the afternoon of April 19th]**

8. **UPDATE ON “COMMUNICATION AMONGST AGENCIES.”**

Mr. Chet Klinger discussed the conversation he previously had with Chief Bill McElligott (Dunedin Fire Department), following one of last year’s Facility Disaster Preparedness Forums, regarding the mutually-beneficial relationship which could be established between the Subcommittee and the local fire departments. The fire departments could serve as a conduit for additionally alerting facilities of hazardous material reporting requirements and notifying facilities about future workshops that may be conducted by the Subcommittee and/or the LEPC. **Mr. Meyer agreed to immediately add Chief McElligott to the Subcommittee member e-mail list. [Update: Chief McElligott has subsequently been added to e-mail listing]**

Mr. Chet Klinger proposed that the Facility Disaster Planning Subcommittee should consider hosting a How-to-Comply workshop for fire department personnel including elaboration on the Tier II reporting process with specific emphasis placed on:

- What the Tier II information means
- What is fire hazard and risk?
- How important is Tier II report in terms of submittal and accuracy?
- What is the timeline for reporting?
- What are the reporting timelines for new facilities or facilities which close?

FACILITY DISASTER PLANNING SUBCOMMITTEE MEETING SUMMARY - 4/19/12
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Mr. Meyer agreed to obtain the e-mail addresses for appropriate local fire department personnel for the purpose of inviting to the future workshop.

Mr. Klinger agreed to assist in the facilitation of this Workshop.

9. OTHER ISSUES/COMMENTS

Mr. Meyer identified that the remaining 2012 meeting schedule for the Facility Disaster Planning Subcommittee are pre-scheduled for Thursday, July 19th and Thursday, October 18th to coincide with the pre-determined meeting schedule of the third Thursdays of January, April, July and October. Noting that Subcommittee membership and participation appears to be growing and the fact the we may have “outgrown” TBRPC’s Conference Room C, would there be any opposition in meeting one day earlier for all future meetings (i.e. third Wednesdays of respective months). Chair Dunmire polled the attendees and no opposition was provided. Therefore, the future Subcommittee meeting schedule for remaining 2012 meetings will be **July 18th & October 17th**.

10. SUMMARY OF ACTION ITEMS FOR NEXT MEETING

PARTY	TASK(S)
Thea	Coordinate with John as to TBRPC Conference Room availability and with suggested presenter(s) of the PS Prep Workshop about their availability
John	Contact FDEM to obtain e-mail addresses associated with facilities electronically filing within LEPC District 8
	Provide future updates regarding the SERC/EPA <i>Memorandum of Understanding</i> as may be relevant.
	Contact Ms. McDannold to confirm that she remains an appropriate contact for providing future “Universal Credentialing” updates. [✓]
	Forward information regarding the upcoming Private/Public Sector Disaster Preparedness Summit upon receipt from Betti Johnson to Subcommittee members. [✓]
	Add Chief Bill McElligott to Subcommittee e-mail addresses. [✓]
	Obtain e-mail addresses for all local fire departments for purpose of notification of future meeting.
Patricia	Evaluate the merits of re-analysis of the Tier II Reports at this time
Stephanic	Provide future updates regarding “Universal Credentialing” as may be relevant.
	Discuss the FDEM Private/Public Sector Disaster Preparedness Summit at next Subcommittee meeting.
Betti	Provide status update regarding the <i>Florida Business Disaster Survival Kit</i> at next Subcommittee meeting
	Provide information regarding the upcoming Private/Public Sector Disaster Preparedness Summit to John Meyer for further dissemination to Subcommittee members. [✓]

FACILITY DISASTER PLANNING SUBCOMMITTEE MEETING SUMMARY - 4/19/12
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PARTY	TASK(S)
Chet	Develop proposal for How-to-Comply workshop for fire department personnel for consideration by Subcommittee.

11. ADJOURNMENT.

Following a reminder of the next scheduled meeting of Wednesday, July 18th, Subcommittee Chair Dumire adjourned the meeting at 12:45 p.m.

FACILITY DISASTER PLANNING SUBCOMMITTEE MEETING SUMMARY - 4/19/12
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EXHIBIT 1

Facilities Disaster Preparedness Planning - Tampa Bay LEPC - District VIII

The Facilities Disaster Preparedness Planning project originated as a challenge from LEPC Chairman Ernie Hiers, who upon returning from Louisiana after Katrina, was overwhelmed by the amount of hazardous materials/hazardous waste which had been allowed to pollute the Louisiana landscape and waterways due to failure to properly safeguard these materials. As a result, the Tampa Bay LEPC began in 2006, primarily as an outreach effort to commemorate Hazardous Materials Awareness Week in January, a project which has grown with the enthusiasm of the members who volunteered to become a part of the planning subcommittee and are now simply referred to as the "Disaster Planning Team."

The major push is to have businesses and government facilities having reportable inventories of hazardous materials to go beyond simply having Spill Prevention Control and Countermeasures (SPCC) plans to having well-developed Business Continuation and Disaster Recovery (BCDR) plans that takes the SPCC plan to a higher level. Such a BCDR plan besides addressing communications with employees, stockholders, the public and customers, protecting and preserving electronic and paper data and records, and cleaning up and restoring structure and utilities, would have added emphasis on shutting down chemical processes, preserving, securing and protecting hazardous materials from flood, wind, rain and looting, and protecting the environment. Chemical Security is a hallmark of new DOT regulations that affect shippers of hazardous materials.

The Facilities Disaster Planning Preparedness Team, led by Chet Klinger of Essilor of America, now has 10 members, half of whom are functional experts who provide expertise for the workshops which have been held and who help teach. The work of the Group boils down to a three-prong approach toward improving the quality of preparedness among facilities having hazardous materials in the Tampa Bay Area:

Outreach - to assess and rate the disaster potential for Tier II and other facilities having hazardous materials with in the region which face possible disasters such as a major hurricane or other possible disasters; to Utilize Tier II reports and inputs from county and local emergency managers to identify high risk facilities in the face of possible disasters; and to seek voluntary inputs from such businesses, private and public, regarding their preparedness and planning. This effort entails examining available data and interviewing personnel in both the private and public sector about the possible risks and readiness.

Education and Training - this team task is to develop a series of workshops to help large facilities improve on disaster preparedness and planning; to educate all facilities having hazardous materials; and to arrange speakers to help support these workshops.

Recognition - finally, this team task is to organize an incentive program for recognizing great planning, readiness, and response among our various facilities within the region. This effort will evaluate the progress this group could be making after one year.

LEPC District 8 was allotted a \$35,304 Federal Department of Transportation Hazardous Materials Emergency Preparedness (HMEP) subgrant through the Florida Division of Emergency Management for the period of October 1, 2011 - June 30, 2012. The funding level was slightly different than prior allocations due to the fact that it was essentially a proration of a nine-month Contract period while the FDEM initiated the synchronization of all FDEM-administered Contracts to coincide with the State Fiscal Year (i.e. ending on June 30, 2012). With the final scheduled course identified in the Table below, all FY 2011-12 HMEP Training dollars have now been allocated. These funds are designed to increase the hazardous materials response training that is being made available to first responders within each LEPC District. One important and noteworthy pre-requisite for these funds are that the courses must include a transportation component.

The following Table identifies the FY 2011-12 HMEP training schedule by quarter for District 8 along with the associated expenditures. Those course(s) appearing in *italics*, if applicable, have been approved by FDEM but yet to be conducted:

Quarter	Date	Name	Expenses	Cumulative	Remaining
	BASE FUNDING UNDER 2011-12 HMEP CONTRACT				\$35,304.00
1	10/25-27/11	Anhydrous Ammonia Refresher (8-Hr.), Pinellas Co.	\$3,200.00	\$ 3,200.00	\$32,104.00
	10/26-27/11	E-Plan Users Conference (G.Lindgren)@Charlotte, NC	\$ 628.18	\$ 3,828.18	\$31,475.82
	12/31/11	1 st Qtr Admin. Expenses/Oct.-Dec., 2011 ¹ <Actual>	\$1,377.00	\$ 5,205.18	\$30,098.82
2	2/21-23/12	Hazmat Leak/Spill Refresher (8-Hr.), Pinellas Co.	\$8,175.00	\$13,380.18	\$21,923.82
	3/31/12	2 nd Qtr Admin. Expenses/Jan.-March, 2012 ¹ <Actual>	\$1,362.00	\$14,742.18	\$20,561.82
3	4/24-26/12	Hazcat Kit Training (4-Hr.), Pinellas County	\$ 10.00 ³	\$14,752.18	\$20,551.82
	5/08-10/12	Confined Space Rescue Ops. (8-Hr.), Manatee County	\$6,675.00	\$21,427.18	\$13,876.82
	7/09-13/12 ²	<i>Hazwoper/Clandestine Drug Lab Cert. (40-Hr.)</i> , Pasco	\$14,000.00	\$35,427.18	- \$ 113.18
	6/30/12	3 rd Qtr Admin. Expenses/April-June, 2012 ¹ <Estimated>	<i>\$1,300.00</i>	\$36,727.18	- \$ 1,423.18¹

- Admin. expenses include indirects, internal service charges, auditing, building occupancy, travel time and small miscellaneous expenses. Please note that *italicized* numbers (above) constitute an estimation at the time of Agenda materials preparation and could include committed but yet to be conducted courses as would be identified. The true administrative expenses are tabulated to coincide with the end of each quarter, as submitted to the FDEM under the HMEP Contract. ***The shortage identified above will be offset by funding from the Tampa Bay Regional Planning Council.***
- While the dates of the identified training course actually fall outside of current Contract period, the LEPC was authorized to proceed with the training on the premise that the Contractor **MUST BE** paid during the current Contract period.
- The identified expense associated with the course was for advertising purposes only. The course was not funded under HMEP Program.

HMEP Training Subcommittee Chair J.J. Johnston has scheduled a HMEP Training Subcommittee meeting on Wednesday, May 30, 2012 at 9:30 a.m. at the LEPC/TBRPC offices, one hour prior to the scheduled start of the LEPC quarterly meeting. In order to progress towards the alignment of all State contract periods (to end on June 30th), the LEPC will be awarded a short-term, three-month, HMEP Training Contract for the period of July 1 - Sept. 30, 2012. As part of the Contract stipulations, the LEPC will be required to coordinate first responder training in the amount of ~\$10,000 to be conducted during this time period. All funds for training which will not be conducted during this period must be returned. Strategies and assessments of future training needs will also be discussed as it would apply to this and the nine-month Contract which is anticipated to immediately follow and would complete the timing of the State Contract period.

Additional Material: None.
 Action Recommended: None. For Information Only.

The Region 4 RDSTF includes three of the four counties of the LEPC District VIII - Hillsborough, Pasco and Pinellas as well as Hardee, Polk, Hernando, Citrus and Sumter Counties. The RDSTF Co-Chairs are Hillsborough County Sheriff David Gee and FDLE Special Agent in Charge (SAC) Rick Ramirez. DEM's primary role is in Consequence Management and each Regional Task Force also has a DEM representative. For District IV, it is Joe Eckstein, Citrus County Emergency Manager.

2012 Interoperable Communications Functional Exercise

This functional exercise was held on March 29, 2012 at the Hillsborough County Sheriff's Office Training Division complex. The exercise simulated a surge in communication and calls for service during the Republican National Convention. It built on the lessons learned during the 2011 Interoperable Communications functional exercise, Region 4 ClearComm. Due to the sensitive nature of some aspects of the scenario, participation in and observation of the exercise was by invitation only.

Training and Exercise Planning Workshop

Each county in RDSTF Region 4 was tasked with contacting responder agencies within their jurisdiction to collect information on their training and exercise needs for 2013-2015. This information was submitted to the RDSTF planner and will be included in an annex to the state training and exercise plan. The top 10 training events and top 10 exercise events from each participating county were compiled to form a regional training and exercise calendar. The regional calendars from all 7 RDSTF regions in the state were presented at the statewide Training and Exercise Planning Workshop on May 10. During this workshop, representatives from each region combined regional data to create a statewide training and exercise calendar and set the State training and exercise priorities for 2013 - 2015.

Additional Material: None

Action Recommended: None. For Information Only

The U.S. Chemical Safety Board (CSB) recently released a safety video entitled "*Hot Work Hidden Hazards*", detailing incidents which lead to an explosion at a DuPont chemical manufacturing plant in Tonawanda, NY on November 9, 2010. The explosion occurred while contractors were performing maintenance work on a tank. The USB issued the following recommendations regarding the conduct of hot work: conduct atmospheric monitoring inside tanks before and during work; and positively isolate all process piping, including vent lines on tanks, before authorizing work. The video is available for view from the CSB website (www.csb.gov) or from YouTube® at: <http://www.youtube.com/watch?v=PqskpvPejeU>.

Additional Material: None.

Action Recommended: None. For Information Only.

Information is available for the following Training/Conference events:

- A. FDEM's Training and Events Schedule/**Region 4**, Various FL Locations/Times (May - Aug. 2012)
- B. FDEM's Training and Events Schedule/**Region 6**, Various FL Locations/Times (May - Aug. 2012)
- C. Hazwoper/Clandestine Drug Lab Certification Course, New Port Richey, July 9-13, 2012 (40 Hours)
- D. HazMat IQ Refresher Course (4 Hrs.), Ft. Myers, FL, May 30, 2012 (8:00 a.m. - Noon)
- E. HazMat IQ Refresher Course (4 Hrs.), Estero, FL, May 30, 2012 (1:30 - 5:30 p.m.)

FDEM TRAINING AND EVENTS SCHEDULE/REGION 4 (May 2012 - Aug. 2012), as posted 5/07/12

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State Training and Events Schedule

The following schedule is provided by Florida Division of Emergency Management (FDEM) to keep our customers advised of events and training opportunities throughout the state.

REMINDER: Information on these pages changes frequently. It is recommended that you check the site weekly to stay abreast of important changes.

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Course	<input type="text" value="--Select from List--"/>	
Region	<input type="text" value="Region 4"/>	Jump to a month
From	<input type="text" value="May 2012"/>	May 2012 June 2012 July 2012
To	<input type="text" value="Aug 2012"/>	
<input type="button" value="Search"/> <input type="button" value="Reset"/>		

May 2012 Training and Events

Date	Region	City/ County	Name
May. 30 - May. 30	Region 4	Lecanto Citrus	FL-601 Preliminary Damage Assessment...

June 2012 Training and Events

Date	Region	City/ County	Name
Jun. 06 - Jun. 07	Region 4	Tampa Hillsborough	G-358 Evacuation and Re-Entry Planning ...
Jun. 06 - Jun. 07	Region 4	Tampa Hillsborough	(TIME) Transportation Interface for Modeling Evacuation ...
Jun. 29 - Jun. 29	Region 4	Tampa Hillsborough	FL-003 Flood Provisions of 2010 Florida Building Code ...

July 2012 Training and Events

Date	Region	City/ County	Name
Jul. 09 - Jul. 13	Region 4	Winter Haven Polk	L-449 Incident Command System (ICS) Curricula Train-the-Tr...

Public | Business | EM Community | Organization | News Media | Kids

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FDEM TRAINING AND EVENTS SCHEDULE/REGION 6 (May 2012 - Aug. 2012), as posted 5/07/12

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Region:

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May 2012 Training and Events

Date	Region	City/ County	Name
May. 02 - May. 04	Region 6	Fort Myers Lee	G-300 Intermediate Incident Command System for Expanding In...
May. 07 - May. 08	Region 6	Arcadia DeSoto	G393 Mitigation for Emergency Managers...
May. 09 - May. 11	Region 6	Sarasota Sarasota	Community Based Disaster Coalitions...
May. 11 - May. 11	Region 6	Fort Myers Lee	FL-003 Flood Provisions of 2010 Florida Building Code...
May. 17 - May. 18	Region 6	Punta Gorda Charlotte	G-290 Basic Public Information Officer (PIO)...

June 2012 Training and Events

Date	Region	City/ County	Name
Jun. 06 - Jun. 08	Region 6	Sarasota Sarasota	Community Based Disaster Coalitions...
Jun. 07 - Jun. 08	Region 6	Fort Myers Lee	G-400 Advanced Incident Command System Command & General St...
Jun. 07 - Jun. 28	Region 6	Naples Collier	G-300 Intermediate Incident Command System for Expanding In...
Jun. 21 - Jun. 22	Region 6	Naples Collier	G-400 Advanced Incident Command System Command & General St...

July 2012 Training and Events

Date	Region	City/ County	Name
Jul. 11 - Jul. 13	Region 6	Sarasota Sarasota	Community Based Disaster Coalitions...

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<http://trac.floridadisaster.org/trac/trainingcalendar.aspx>
5/7/2012



HAZWOPER/ CLANDESTINE LAB CERTIFICATION COURSE

Tampa Bay LEPC, 4000 Gateway Centre Blvd., #100, Pinellas Park, FL 33702, 727/570-5151 x 29, Staff Coordinator: John Meyer

COURSE DATES:	July 9-13, 2012 (40 Hr. Course)
COURSE TIMES:	8:00 a.m. - 5:00 p.m.
COURSE LOCATION:	Pasco County Emergency Management 8744 Government Drive New Port Richey, FL 34654
COURSE INSTRUCTOR(S):	St. Petersburg College
COURSE OBJECTIVE:	“Specialist” level training designed for Law Enforcement & Hazmat personnel. Consisting of classroom & hands-on activities, the course will meet the criteria outlined in 29 CFR 1910.120 & EPA 40 CFR 311. The course does contain disposal and transportation requirements for each specific type of lab process.
MAX. CLASS SIZE:	40 Students
CONTACT INFORMATION:	James Johnston, Pasco County Emergency Management - 727/847-8137 or jjjohnston@pascocountyfl.net



**HazMat Chemistry IQ
First Responder Offensive
4-Hour Refresher Training**

**May 30, 2012
8:00 a.m. – 12 Noon
Fort Myers Fire Academy
4312 Michigan Ave
Fort Myers, FL 33905**

Course Sponsors:

Southwest Florida Local Emergency Planning Committee (LEPC)
Southwest Florida Regional Planning Council (SWFRPC)
City of Fort Myers Fire Department

Program Description:

This refresher HazMat IQ training streamlines the size-up process and enables responders to maximize their response efficiency and effectiveness. Moreover, this refresher course provided training to safely and efficiently respond to unknown chemicals, mixtures or chemical reaction when there is no information on chemical and physical properties available.

HazMatIQ IQ is a patented Hazmat/WMD Response System incorporating a set of SMART CHARTS formulated from years of Hazmat emergency response experience. The system uses four simple steps:

1. 20 second Above the Line, Below the Line size-up™
2. Chemical research under 2 minutes
3. Selecting the correct meters (CGI, Temperature gun, PID, FID, KI, pH paper)
4. Selecting the correct Mission Driven PPE (Level A, Level B, or SFPC)

Each attendees will receive a personal copy of the Smart Chart

Program Cost:

This training program is provided free of charge by the Southwest Florida Regional Planning Council and Southwest Florida District IX Local Emergency Planning Committee.

Who Should Attend:

Firefighters, Law Enforcement, EMS, First Responders and others involved in mitigating or addressing chemical emergencies

Course Reservation

Please note that Course Registrations must be made at:
<http://trac.floridadisaster.org/trac/loginform.aspx>



HazMat Chemistry IQ First Responder Offensive 4-Hour Refresher Training

May 30, 2012
1:30 – 5:30 p.m.
Estero Fire Department Administration
21500 Three Oaks Parkway
Estero, FL 33928

Course Sponsors:

Southwest Florida Local Emergency Planning Committee (LEPC)
Southwest Florida Regional Planning Council (SWFRPC)
City of Fort Myers Fire Department

Program Description:

This refresher HazMat IQ training streamlines the size-up process and enables responders to maximize their response efficiency and effectiveness. Moreover, this refresher course provided training to safely and efficiently respond to unknown chemicals, mixtures or chemical reaction when there is no information on chemical and physical properties available.

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Each attendees will receive a personal copy of the Smart Chart

Program Cost:

This training program is provided free of charge by the Southwest Florida Regional Planning Council and Southwest Florida District IX Local Emergency Planning Committee.

Who Should Attend:

Firefighters, Law Enforcement, EMS, First Responders and others involved in mitigating or addressing chemical emergencies

Course Reservation

Please note that Course Registrations must be made at:
<http://trac.floridadisaster.org/trac/loginform.aspx>

A. TAMPA BAY LEPC (DISTRICT 8) HAZARDOUS MATERIALS EMERGENCY RESPONSE PLAN UPDATE John Meyer

The updated *District 8 LEPC Hazardous Materials Emergency Response Plan* is required to be submitted to the Florida Division of Emergency Management on or before June 30, 2012. LEPC staff is nearing completion of this endeavor. Many of the edits are related to updating population figures and the Section 302 facilities within each County. **LEPC Staff is seeking a motion to authorize LEPC Chair Ehlers to transmit revised Plan to FDEM prior to deadline.** Upon submittal and acceptance, LEPC staff will prepare a CD Rom containing the updated LEPC Plan in various formats for distribution to the required entities. The revised Plan will additionally be posted to the LEPC website.

Additional Material: None.
 Action Recommended: **Motion to authorize Chairman to transmit revised Plan to FDEM prior to June 30, 2012 deadline.**

B. FDEM REGION 4 QUARTERLY MEETING John Meyer

The Florida Division of Emergency Management - Region 4 held their Quarterly meeting at the Polk County Emergency Operations Center on March 2, 2012. A special thanks is extended to Ms. Amanda Shaw for preparing a written summary of the meeting, provided on **Pages 29-30** of these Agenda materials. The next FDEM Region 4 meeting has been scheduled for Friday, June 8, 2012 at the offices of the Tampa Bay Regional Planning Council. A *Summary* of the June meeting will be provided in conjunction with the next LEPC Agenda.

Additional Material: March 2, 2012 meeting summary
 Action Recommended: None. Information Only.

C. MEMORANDUM OF UNDERSTANDING BETWEEN SERC & USEPA REGARDING SUPPLEMENTAL ENVIRONMENTAL PROJECTS Chair Ehlers

A *Memorandum of Understanding* (MOU) was finalized between the State Emergency Response Commission and the U.S. Environmental Protection Agency in conjunction with the April 24, 2012 SERC quarterly meeting. Provisions of the MOU would allow up to 75% of what would otherwise have been a fine imposed by EPA for a violation under the EPCRA to fund a Supplemental Environmental Project (SEP) designed to benefit the local community. SEPs could be in the form of first responder training and/or equipment purchase which would be negotiated between violating industry, EPA & FDEM personnel. The other 25% must remain as a fine. The violating facility would always have the discretion to alternatively just pay the fine. A similar MOU was in effect until it lapsed in 1999 and no action had been taken to extend or re-create the agreement until now. It was determined that a pre-determined core listing of projects (or equipment) shall be developed for each District in order to efficiently be administered in the event a SEP option has been selected for a particular area. A survey will be completed by all Hazmat team members statewide in order to serve as a needs assessment and to define this “core of projects” for each area.

Additional Material: Copy of *Memorandum of Understanding* (**Pages 31-34** of Agenda materials)
 Action Recommended: None. Information Only.

D. LEPC MEMBERSHIP/BIENNIAL REAPPOINTMENTS**John Meyer**

Each July of all even-numbered years, the State Emergency Response Commission reauthorizes LEPC memberships for all LEPC District. Unless advised differently of non-interest in membership renewal and/or membership changes by June 1, 2012, LEPC District 8 staff will seek to reauthorize all present day members in our District. The current membership roster is as follows:

PRIMARY	ALTERNATE	CATEGORY		PRIMARY	ALTERNATE	CATEGORY
Armstrong, Dean	William Orzech	Hospital		Johnston, James	Greg Lindgren	Emergency Mgmt.
Atherton, Chris	None	Local Option		Kemp, Jonathan	Janet Frazier Henry	Print Media
Burnett, David	James Wilson	Firefighting		Kinley, Ed	None	Transportation
Calig, Hallie	None	Local Environmental		Klinger, Chester	N/A	Interested Citizen
Castonguay, Steven	Gregg Rottler	Health		LeCroy, Steven	Robert Ballou	First Aid
Connors, Lance	Jon Tillis	Law Enforcement		Lofgren, William	N/A	Interested Citizen
Cooksey, Michael	Sandra Brooking	First Aid		McCarthy, Steve	Craig Maciuba	Firefighting
Crowther, Charles	James Terry	Firefighting		Pratt, Alan	Lynne Vadelund	Facility Operator
Dabrowski, Peter	N/A	Interested Citizen		Shaw, Amanda	None	Non-Elected Official
Davies, Scott	William Stanfield	Transportation		Simpson, Steve	Don Hermey	Emergency Mgmt.
Dorsey, Martin	Cynthia Lewis-Younger	Health		Steadham, Phillip	Richard Booth	Transportation
Douglass, William	Pamela Bartley	Transportation		Stewart, Jeffrey	Ron Kobosky	Facility Operator
Ehlers, Scott	Tom Forward	Firefighting		Terrell, Michael	Ron Koper, Sr.	Non-Elected Official
Fernald, Larry	Elliot Smith	Community Group		Tobergte, Jeff	Timyn Rice	Local Environmental
Fraday, Terry	Robert Knecht	Health		Touchton, Lesley	Michael Holtcamp	Water Mgmt. District
Gonzalez, Roberto	Dale Hanson	Transportation		Wade, Holley	Martin Montalvo	Emergency Mgmt.
Griffin, Navin	Jessica Paxton	Law Enforcement		Walker, Richard	Paul Keller	Emergency Mgmt.
Guincho, Michael	James Markart	First Aid		Watson, Alain	Greg Cowden	Local Environmental
Hall, Glenn	Charles Rowe	Facility Operator				

Additional Material: Above Listing of current LEPC District 8 membership

Action Recommended: None if desiring two-year LEPC Membership renewal.

E. TIER II SUBMITTALS FOR CY 2012**John Meyer**

The State Division of Emergency Management has advised that facilities will be permitted to “upload” their Tier II inventories using either *Tier II Submit* or *Tier II Manager* software programs starting next year. It is envisioned that such allowance will result in a significantly increase of facilities desiring to report electronically since 40 of the State’s already allow such programs for reporting. It was identified that only 57% of all facilities reported electronically for 2011.

Additional Material: None

Action Recommended: None. Information Only.

F. **“CALL BEFORE YOU DIG” PUBLIC SERVICE ANNOUNCEMENT/CAMPAIGN John Meyer**

As part of the U.S. Department of Transportation's commitment to pipeline safety, U.S. Transportation Secretary Ray LaHood launched a public service announcement reminding everyone from backyard gardeners to professional excavators to call 811 toll-free before digging.

The national 811 toll-free telephone number should be used by anyone prior to digging so that underground pipelines and other utilities can be marked and thus avoided during construction, landscaping and other excavation projects. In recognition of the five-year anniversary of the Call 811 program, LaHood unveiled national TV and radio public service announcements reminding the public to "Avoid a Grimm Situation - Call 811 Before You Dig" and recognize advocates and retailers for their efforts to raise awareness of the program.

Together with the Pipeline and Hazardous Materials Safety Administration, USDOT is engaging in a national education campaign promoting safe digging practices to prevent injuries and deaths associated with incidents from pipelines. There are 2.5 million miles of pipeline in our nation, and one-third of major pipeline accidents are caused by someone digging and hitting a pipeline by mistake, which can be fatal.

The 36-second public service announcement/video is available for viewing from the Pipeline and Hazardous Materials Safety Administration's website (www.phmsa.dot.gov/pipeline) or from YouTube® at: www.youtube.com/watch?v=db_BtDrWrI.

Additional Material: Advisement of PSA locational link (above)
Action Recommended: None. Information Only.

G. **OTHER BUSINESS** (To be Determined and/or may be Applicable)

**FLORIDA DIVISION OF EMERGENCY MANAGEMENT/REGION 4
QUARTERLY MEETING SUMMARY - 3/02/12**

[PAGE 1 of 2]

**Region 4 EM Director's Meeting
March 2, 2012**

- Regional VTC discussion – Cecilia Patella
 - In place for a number of years
 - Pinellas conducts monthly testing
 - As a region, we do not use it
 - There are some issues with dropped calls
 - Do we want to keep funding the maintenance? Comes out of Hernando County general fund.
 - Can we now use SHSGP/UASI funding for maintenance?
 - Are there other solutions that would work, such as GoToMeeting, Skype, etc.

- RDSTF/ UASI – Joe Eckstein
 - They have called a meeting to determine what funds remain to be spent (Joe believes that EM here has spent their money.
 - Annette said that there was an email with attachments stating that they attempting to “sweep back” unspent money. Annette will forward.
 - Next RDSTF/UASI meeting is Wednesday, March 7.

- National Weather Service – Dan Noah
 - Searching for a new hurricane center director
 - How close are we to normal for 90-day percent of normal? We have been very dry and very warm.
 - March – May we have above normal temperatures and below normal precipitation expected.
 - Mike Gittinger – more automation in routine forecasting

- RNC – Preston Cook
 - The County’s EOC is operating in support of what is going on in the City.
 - Annette: Have we estimated the high probability incidents? Are we doing contingency planning for the RNC? Preston says this is part of the consequence management subcommittee.

- EMPA/EMPG update of changes – Region 4 Coordinator

- Training / Exercise – Amanda Shaw
 - January 31 – we held our first regional meeting for the 2013-2015 Training and Exercise Workshop meeting and chose 3 priorities for that time period. Representatives were asked to return to their counties to collect information on the training and exercise requirements they will have for 2013-2015. They were also instructed that ALL training for which any funding or support will be requested, or for which there is an opportunity for collaboration, should be listed in the documents submitted from our region. This includes specialty team trainings and exercises.

**FLORIDA DIVISION OF EMERGENCY MANAGEMENT/REGION 4
QUARTERLY MEETING SUMMARY - 3/02/12**

[PAGE 2 of 2]

- March 20 – We will hold our next meeting at the Pasco County EOC. At this time we hope to select the remaining two priorities for training and exercise for 2013-2015. We also hope to have substantial information collected on the training and exercise needs of each county and discipline.
- April 26 – We will hold this required meeting at the Tampa Bay Regional Planning Council. At this meeting, we will finalize our regional training and exercise priorities (if not finished at the March 20 meeting), and put together our final training and exercise plan for our region.
- May 10 – The 2013-2015 Training and Exercise Workshop statewide meeting will be held in the Orlando area and will focus on allowing regions time to discuss possibilities for collaboration.

County / State Agency updates

- Sumter – No report
- Coast Guard – Greenpeace left
- Red Cross – regionalizing disaster response structure
- Hillsborough County – we are just completing the process of interviews, should have 4 new people on in a month and a half. May 8 there will be storm surge training to go over SLOSH modeling.
- DOH – Doing a lot of RNC stuff, meeting with CHDs, will be having Cities Readiness Initiative assessment, EM Resource system will now be required by statute to report availability and such.
- USF – USF Tampa Campus is storm ready
- Hernando – March PIO training needs students.
- Citrus – No report
- Hardee – In transition at the moment
- Manatee – One open position for a planner, opened yesterday
- Pasco – will be gutting interior of the building, position may be posted soon if Annette is unable to restructure the staff and redistribute that salary amongst the current positions.
- Polk – Sun N’ Fun, ramping up Emergency Management Academy in Escambia County, go to the FEPA website.

SERC/EPA MEMORANDUM OF UNDERSTANDING

[PAGE 1 of 4]

**MEMORANDUM OF UNDERSTANDING
BETWEEN FLORIDA DIVISION OF EMERGENCY
MANAGEMENT AND UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, REGION 4**

I. PURPOSE/OBJECTIVES/GOALS:

The purpose of this Memorandum of Understanding (MOU) is to establish cooperation and coordination between the United States Environmental Protection Agency, Region 4 (EPA) and the State of Florida Division of Emergency Management (DEM), for identifying and coordinating compliance monitoring, compliance assistance and Supplemental Environmental Project participation pursuant to the Emergency Planning and Community Right to Know Act of 1986 (EPCRA), also known as Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA Title III), the EPA Supplemental Environmental Projects Policy, effective May 1, 1998, and Florida Executive Orders 94-138 and 05-122, respectively.

DEM currently enjoys a positive working relationship with EPA and EPCRA regulated industries within the state of Florida. DEM has worked extremely hard to foster these partnerships, and the MOU is intended to further strengthen these relationships by maximizing the cooperation and collaboration between all parties, in the areas of compliance monitoring, compliance assistance, and Supplemental Environmental Projects (SEPs).

II. BACKGROUND:

The EPA and Florida previously entered into a MOU for the purpose of identifying and coordinating compliance monitoring and compliance assistance activities among EPCRA- regulated facilities within the state of Florida. The previous MOU expired. This current MOU sets forth activities to be carried out by EPA and DEM in furtherance of the objectives of this MOU.

WHEREAS, EPCRA requires certain reporting by facility owner/operators to the Florida State Emergency Response Commission (SERC) and Local Emergency Planning Committees (LEPCs); and

WHEREAS, the need exists for sharing certain information between EPA and DEM, and coordination of compliance and outreach activities; and

WHEREAS, The State Emergency Response Commission through DEM, and EPA recognize the benefits of the utilization of supplemental projects to the State of Florida, as well as to industries, citizens and businesses of the impacted community.

SERC/EPA MEMORANDUM OF UNDERSTANDING

[PAGE 2 of 4]

THEREFORE, it is hereby agreed between EPA and DEM as follows:

III. ACTIVITIES OF THE EPA AND DEM :

1. ACTIVITIES TO BE CONDUCTED BY EPA, REGION 4

- A. Maintain the lead on compliance inspections pertaining to EPCRA Sections 312 and 313. EPA, as a courtesy and to the extent practicable, may notify DEM in advance of conducting EPCRA inspections. To the extent practicable, and resources permitting, EPA may prioritize requests from DEM for conducting EPCRA compliance inspections and compliance assistance.
- B. Upon request from DEM, EPA may to the extent practicable and as allowed by applicable law and more particularly as discussed in Section 3(B) below, share information concerning alleged EPCRA violations that are uncovered during EPCRA compliance inspections or compliance assistance at facilities in Florida.
- C. In accordance with EPA's final Enforcement Response Policy and SEP policy, and in appropriate cases as determined by EPA within its discretion, EPA may consider the inclusion of SEPs in EPCRA settlement agreements involving facilities in the state of Florida.

2. ACTIVITIES TO BE CONDUCTED BY DEM

- A. Assist EPA with identifying EPCRA-regulated facilities that are non-compliers in the state of Florida for compliance monitoring and enforcement, and compliance assistance by EPA.
- B. Notify EPA of all non-compliant facilities based on information generated by the current annual fee system and from SERC and LEPC recordkeeping. Make available to EPA any evidence of CERCLA 103 and/or EPCRA Sections 312, 313 and 304 violations uncovered during normal record-keeping activities.
- C. Cooperate, to the extent necessary and permitted by law, in any EPA EPCRA initiatives, specifically those involving EPCRA Sections 302, 303, 304, 311, 312 and 313.

3. MISCELLANEOUS

- A. The parties agree that the costs of all services will be borne by the party providing such.

SERC/EPA MEMORANDUM OF UNDERSTANDING

[PAGE 3 of 4]

- B. Any confidential information that the parties want to share shall be provided or disclosed only in accordance with the requirements of the Freedom of Information Act (FOIA), 40 C.F.R. Part 2, and Chapters 119 and 286 of the Florida Statutes. The parties understand and agree that either or both parties may be precluded from sharing certain information due to restrictions or requirements of applicable federal and state laws pertaining to confidentiality of information.
- C. This MOU is not a delegation of authority under EPCRA.
- D. For the purposes of this MOU, each agency agrees to establish a single point of contact. Each agency shall provide written notice of its established point of contact to the other agency within 20 days after this MOU becomes effective.
- E. This MOU may be terminated by either party by providing written notice at least 30 days prior to the termination date, or by mutual written agreement, and is automatically terminated upon the enactment of a law that is in conflict with this agreement.
- F. This MOU shall become effective upon the date of last signing by the parties' representatives, and shall expire one year thereafter. The parties agree to meet at least 30 days prior to the expiration date to discuss the MOU and any concerns related to its implementation, and to determine if the MOU should be renewed, amended, or terminated.
- G. The contact persons designated by the parties to this MOU agree to communicate informally on a regular basis, but at least once a month, to discuss problems or concerns that may arise during the duration of this MOU. Any modifications to this MOU shall only become valid when reduced to writing, signed by both parties, and attached to this MOU.
- H. Nothing in this MOU shall be construed to impose liability on EPA, the State of Florida or DEM. Nothing in this MOU may be interpreted as a waiver of state sovereign immunity. Any provision of this MOU that is inconsistent with the State's sovereign immunity statutes shall be considered null and void.
- I. Neither party to this MOU has the authority to act on behalf of the other party. Parties to this MOU have no authority to bind the other party to any obligation, including compliance inspections, compliance assistance, enforcement and SEPs. This MOU is not intended to be enforceable in any court of law or dispute resolution forum. This MOU does not create any right or benefit, substantive or procedural, enforceable by law or equity, to persons who are not party to this MOU, against EPA or DEM, their officers or employees, or any other person. This MOU does not direct

SERC/EPA MEMORANDUM OF UNDERSTANDING

[PAGE 4 of 4]

or apply to any person outside of EPA and DEM. No person or entity not a party to this MOU can rely on this MOU to grant any rights or authority not granted by applicable state or federal law. The sole remedy for non-performance under this MOU shall be termination of the MOU, as expressed above.

AGREED TO:

United States Environmental Protection Agency

State of Florida
Division of Emergency Management

By: *Beverly H. Banister* Date: 4/20/12
Beverly H. Banister, Director
Air, Pesticides & Toxics
Management Division

By: *Bryan W. Koon* Date: 4/24/2012
Bryan W. Koon, Director
Division of Emergency
Management

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PREPAREDNESS

Agenda Item #12

LEPC LOGO SHIRTS

Chair Ehlers

LEPC-Logo shirts will always be made available in a variety of styles, colors and sizes. Each shirt will be personally designed to the specifications of the purchaser. If interested or for more details, please consult John Meyer, LEPC Staff Coordinator.

Agenda Item #13

PUBLIC COMMENTS

Chair Ehlers

Agenda Item #14

NEXT MEETING - Wednesday, September 19, 2012^{*}**

Chair Ehlers

***** - Note: Change of Meeting Dates was approved at the February 29, 2012 LEPC meeting to facilitate anticipated scheduling conflicts associated with the upcoming Republican National Convention to be hosted in the City of Tampa from August 27-30, 2012.**

Agenda Item #15

ADJOURNMENT

Chair Ehlers

The 2012 Schedule of LEPC meetings is: September 19th & November 28th