

# STATE EMERGENCY RESPONSE COMMISSION

## Meeting Minutes

June 12, 2013

### Commissioners

Lewis Schiliro – SERC Chair (DSHS)  
 Jamie Turner – DEMA  
 Robert Byrd – Rail Transportation  
 Grover Ingle – State Fire Marshal OSFM  
 Robert Newnam – DE State Fire School  
 Dwayne Day - DelDot  
 Dr. Har Ming Lau – Div. Public Health

Marjorie Crofts – SERC Vice Chair (DNREC)  
 Jim Paige – DSP  
 David Irwin – New Castle County LEPC  
 Colin Faulkner – Kent County LEPC  
 Charles Stevenson – Sussex County LEPC  
 James Lee – Consignees  
 Bruce Ennis (Senator) – DE Vol Fireman’s Assoc

### Members/Visitors

Ellen Malenfant – DNREC/ER  
 Lynn Poling – Lewis Environmental  
 David Mick – Kent County LEPC  
 Robert Barrish – LEPC Kent County  
 Jake Morente – LEPC NCC  
 Michael McLean - Amtrak  
 Lois Mathews – DEMA

Robert Pritchett – DNREC  
 Dr. Rick Perkins – Div. Public Health  
 Jay Brabson – DNREC  
 Lisa Dunaway – DHS  
 Frank Jane – Univ of Delaware  
 David Willauer – IEM (*Guest Presenter*)  
 Kevin Kille – DEMA

The June 12, 2013 meeting of the State Emergency Response Commission (SERC) was called to order at approximately 9:05 am by the Chairman Secretary Schiliro. The attendees introduced themselves and a quorum was present. The March 13, 2013 meeting minutes were approved as written, following a motion by Mr. Turner and second by Mr. Newnam.

### **STANDING COMMITTEE REPORTS:**

Summary of SERC finances as of 6/7/2013

#### **SERC Fee Holding Account:**

Carryover from 2012 calendar year	+ \$ 249,759
Fees received thus far in 2013	+ \$ 282,510 (a)
Projected reimbursements thus far for 2013	- \$ 240 (b)
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Current account balance as of 6/7/2013	+ \$ 532,029 (c)

#### **Decon Trailer Replacement Account:**

Carryover from 2012 calendar year	+ \$ 322,657
Interest received thus far in 2013 calendar year (first 5 months)	+ \$ 614 (d)
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Current account balance as of 6/7/2013	+ \$ 323,271 (c)

#### **Notes:**

- Reports and fees from facilities covering calendar year 2012 were due (to be postmarked) by 3/1/2013. Some additional fees are expected as we continue processing submissions and following up on delinquent reporters.

- b) Reimbursement checks are prepared in late December, and mailed to facilities along with reporting notices during the first week in January. Reimbursements in each of the last two years have totaled less than \$300.
- c) Amounts do not include impacts of FY 2014 disbursements to be completed before July 1, 2013. FY 2014 allocations for most organizations were approved at the March 2013 SERC meeting, except for the New Castle and Kent County LEPCs. Final amounts have been proposed for these two LEPCs, to be finalized at the June 2013 SERC meeting. Approved and pending FY 2014 disbursements are listed below:

FY 2014 Allocations Approved by the SERC at March 13, 2013 meeting:

<b>Agency/Organization</b>	<b>FY 2014 Approved Allocation</b>
City of Wilmington LEPC	\$ 56,018.00
Sussex County LEPC	\$ 66,129.36
SERC IT Committee (account maintained at DSFS)	\$ 14,150
Transfer to decon. trailer equipment and maintenance account (a)	\$ 4,000
Transfer to decon. trailer replacement account (b)(c)	\$ 30,000
<b>Sub-total</b>	<b>\$ 170,297.36</b>

FY 2014 Recommended Allocations to be considered by the SERC at June 12, 2013 meeting:

<b>Agency/Organization</b>	<b>FY 2014 Recommended Allocation</b>
New Castle County LEPC (account maintained at DSFS)	\$ 77,591.00
Kent County LEPC	\$ 53,120.00
<b>Sub-total</b>	<b>\$ 130,711.00</b>
<b>Grand-total</b>	<b>\$ 301,008.36</b>

- d) Interest will continue to accumulate. Effective July 2008, interest from both the Fee Holding Account and Decon Trailer Replacement Account are to be jointly deposited into the Decon Trailer Replacement Account.

### **STATE EMERGENCY RESPONSE COMMISSION – AMENDED FINANCE AND BUDGET COMMITTEE - RECOMMENDATIONS FOR FY 2014 BUDGET**

The following SERC Finance and Budget Committee *amended* recommendations dated May 14, 2013 for the Fiscal Year 2014 budget were approved following a motion by Mr. Turner and a second by Mr. Newnam:

The following are SERC Finance and Budget Committee recommendations for the Fiscal Year 2014 budget. The Committee used the “Finance Committee Guidelines for Budget Requests” to review the budgets separately, comparing each to the previous year’s budget.

1. The City of Wilmington Local Emergency Planning Committee (LEPC) requested \$56,018.00, minimal growth. There was no carryover from last year. The Committee recommends approving **\$56,018.00** for the City of Wilmington LEPC Budget.

2. The New Castle County LEPC requested \$87,591.00. There is a \$10,000.00 carryover from previous years. The Committee recommends approving the request, less the carryover. The Committee recommends funding of **\$77,591.00** for the NCC LEPC Budget.

3. The Kent County LEPC requested \$61,100.00, an increase in salary for a total of 56,300.00 in the salary line. There is a carryover from last year of \$7,980.00. The Committee recommends the request for Professional Service of \$1,200.00. The Committee recommends funding of **\$53,120.00** for the Kent County LEPC budget.

4. The Sussex County LEPC requested \$62,629.36, a decrease in salary line. There was no carryover from last year. The Committee recommends approving **\$66,129.36** for the Sussex County LEPC budget.

5. The Decon Trailer Committee is requesting funds for the replenishing of the Maintenance and Equipment Account for FY13 of **4,000.00**. The Decon Trailer Replacement Account, as approved at the February 2003 SERC meeting recommends that 10% of the fees collected be set aside for replacement. The committee recommends that a total of **\$30,000.00** be placed into the account. Additionally, the Committee recommends that interest from the Fee Holding Account be automatically transferred to the Decon Trailer Replacement Account on a monthly basis.

6. The Information and Technology Committee requests **\$14,150.00**, In FY 14 Tier II Manager system will be upgraded to the >NET version, to include continued support for annual maintenance/support for the Tier II Manager System, the cost of the LEPC toll free numbers used by industry to satisfy emergency notification requirements, and newspaper ads for annual publication of LEPC contact information. The Committee recommends approval of the requested amount.

The next Budget & Finance Committee meeting is scheduled to be held

**Planning and Training Committee:** - Mr. Jamie Turner and Mr. Kevin Kille

The State Emergency Response Commission Planning and Training Committee met on May 23, 2013 at State Emergency Operations Center (EOC). DEMA Director Jamie Turner called the meeting to order at 9:00 am. Committee Attendees included:

James E. Turner III	DEMA	Robert Barrish	LEPC/KC
Jay Brabson	DNREC	Lisa Dunaway	DHS
David Irwin	LEPC/NCC	Kevin Kille	DEMA
Ming Lau	DPH	Ellen Malenfant	DNREC
Robert Newnam	DSFS	Charles Stevenson	LEPC/SC

*Guest Attendee included: David Willauer, Manager of Geospatial Technologies, IEM*

*Attendees were provided a handout packet which included a copy of:*

- *Planning and Training Meeting Agenda*
- *Minutes from February 28, 2013 P&T Committee Meeting*
- *Amended SERC Finance & Budget Recommendations for FY 14*
- *SERC Quarterly Meeting Tentative Agenda for June 12, 2013*

A motion to approve the Minutes from February 28, 2013 was made by Mr. Stevenson and the motion seconded by Mr. Irwin. Approved Minutes were posted on the State website on June 3<sup>rd</sup>, 2013.

## OLD BUSINESS

- **SERC Quarterly Meeting Agenda:** Reviewed and approved. Meeting will occur on June 12 at the Fire School. Hardcopy provided for review. (The tentative agenda had been previously provided via email for review). Discussion followed on proposed options for presentations for the meeting. The topic of the presentation shall be “*Chemical Facility Anti-Terrorism Standards (CFATS) Update – Where We Are Today*” to be presented by SERC member Ms. Lisa Dunaway of U.S. Department of Homeland Security. Ms. Dunaway attended today’s Planning & Training Committee meeting to discuss content of the June 12 SERC Quarterly Meeting.
- **Hazardous Material Transportation Study:** Mr. Kille introduced Mr. David Willauer of IEM who presented preliminary findings on the New Castle County HazMat Transportation Study, which focuses on five tasks: 1) identify, locate, map, and classify hazardous chemical facilities in the region; 2) identify designated hazardous materials transportation routes and corridors; 3) obtain hazardous material information from regional facilities; 4) identify/verify processes for communicating hazmat transport, and 5) describe the probable affected areas and populations. Mr. Willauer’s report today provided an overview of 4 of the 10 chemicals which were selected by the ranking methods described at the March 13, 2013 SERC quarterly meeting. The 4 chemicals overviewed today were *anhydrous ammonia, methyltrichlorosilane, boron trifluoride, and boron trichloride*. Preliminary transporting trends and mapping of travel routes of each chemical were provided to the Committee.

It was noted that the other six chemicals are stored or distributed at two facilities that have not yet responded to the request for information and therefore could not be included in today’s preliminary findings. Those chemicals are *chlorine, hydrogen fluoride, sulfur dioxide, hydrogen sulfide, titanium tetrachloride and ethylene oxide*.

Mr. Willauer noted that in addition to the Top 10 chemicals ranked priority by IEM, their final report will also include the top 25 chemicals identified by and transported by rail carriers in the region.

Mr. Irwin reported that a few companies that had been contacted to submit information for this study declined to provide aggregate totals, as they felt this was proprietary information that could potentially affect their competitiveness. After discussion, Mr. Brabson suggested that for those facilities not wanting to divulge aggregates, a default calculation based on their Tier II reports can be used. IEM study coordinators will explain this to the companies so that they understand the default calculations will be used in lieu of actual totals.

Mr. Newnam stated that in addition to knowing what chemicals are traveling through our area, it would be helpful in some cases to know WHEN a particular bulk shipment is expected so that precautionary measures (e.g. pre-staging the appropriate amount and type of retardant material) can be made. In order to collect this information, it may be prudent to make it non-FOIable for security reasons, and so that industry would be more amenable to providing such information for the study.

Mr. Willauer explained that all information gathered is held in the strictest of confidence. Further, when the IEM study summaries for each of the 10 chemicals is posted, the reports and maps will be accessible only by way of a secured web portal with only selected emergency planning agency representatives able to view and download information for emergency planning purposes only. Web access will be tied directly to an IP address using an encrypted password. An individual can access the data by one computer after reading and agreeing to a

detailed disclaimer that outlines the restrictions and caveats before proceeding further to view the study reports. Director Turner suggested that the disclaimer language be reviewed by Deputy Attorney General Tom Ellis. Mr. Kille will coordinate this review and have Mr. Ellis's opinion and comments available at the June 12 SERC quarterly meeting.

*Update: A conference call including Mr. Ellis, Director Turner, Mr. Willauer, and Mr. Kille was held on May 28th to review the language of the statement. The statement is now referred to as a "Non-Disclosure Agreement" and its revised verbiage has been approved by the conference call attendees.*

The Committee will make a recommendation to SERC Commission that selected representatives from DEMA, Public Health, DNREC, Environmental Health, Local Emergency Managers, and LEPC Chairs have access to the online IEM web portal. It is further recommended that Kevin Kille will serve as the repository for requests for access by any other person or agency.

At the June 12 quarterly SERC meeting, Mr. Willauer will provide an overview of what the secured website will look like, along with a description of the security of the system so that SERC Commissioners can contribute their comments also.

Director Turner asked Mr. Willauer if, based on the early findings, he feels the top 10 chemicals that were identified in March appear to be accurate, or would he advise adding or changing any chemicals. Mr. Willauer reported that after reviewing preliminary responses, *hydrogen sulfide* and *boron trichloride* could be minimized as having a lower risk. After discussion, the Committee recommended unanimously that *hydrogen sulfide* and *boron trichloride* be removed from the study, and replaced with *ethanol* and *vinyl chloride*.

Ms. Malenfant reports that her group has done some research regarding the amounts of ammonium nitrate stored in our counties. DNREC's preliminary studies show there is not a lot in solid form. It was noted that Agricultural facilities in Delaware are exempt from Tier II reporting at this time.

Mr. Willauer closed his presentation by noting the next steps: a) Meet with USCG Sector Delaware Bay, b) attend SERC Jun 12 meeting and DelMarva Freight Summit Jun 26, c) analyze regional hazmat flow characteristics; d) complete remaining six chemicals flow & composite maps; e) map pipeline and maritime hazmat transport; f) identify affected populations transport corridors; g) prepare final report.

**Notes:**

- *On June 12, 2013, Mr. Willauer presented at the SERC quarterly meeting to provide an update of the study as outlined above. In addition, Mr. Willauer offered an example of how the data being collected through this study may lay the groundwork in creating better risk assessment tools and may assist with developing more efficient mitigation strategies by helping to identify critical public structures (schools, hospitals, nursing homes, etc) that may be downwind from one of the high risk transportation corridors. The State of Delaware has a wealth of EHS information on fixed facilities, but not on the transportation of these chemicals going to and from the plant sites. This study is designed to help bridge that gap of information.*
- *Mr. Willauer will also give a broad overview of the HazMat Transportation Study he is conducting for SERC when he presents at the DelMarva Freight Summit in June.*

- **HMEP Update. Sub-Committee Meeting:** (The below info was updated by Giang Nguyen and provided to Kevin Kille on May 22). To date, 32.5% of the FY 2013 grant funds have been expended. **With the addition of the cost of the IEM HazMat Transportation Study, the amount expended rises to 49%.** The FY14 budget was submitted to the US Department of Transportation Pipeline & Hazardous Materials Safety Administration (PHMSA) on April 18, 2013. Grantor requested a few further details, which were provided. Grant awards will be announced on September 30, 2013. The Planning and Training Committee members will be notified as soon as DEMA receives notice of Grant award status.
- **6<sup>th</sup> Annual DE HazMat Training Workshop:**  
The Workshop was held April 5-6, 2013 at the Delaware State Fire School. Mr. Irwin reported that 247 individuals attended the Saturday training workshops, and 122 attended the Friday evening teambuilding dinner. More than 400 surveys were received from participants in 21 classes and the results were overwhelmingly 'excellent' with regard to classroom material/content and instructor knowledge and presentation. We were fortunate to have had great sponsorship this year and of total expenses of \$10,752, we have \$3,974 cash on hand as seed money for next year, and were under budget by \$1,240 for allocated HMEP funds (\$5500 allocated; \$4,260 spent for speakers/supplies). Director Turner responded that subject to approval of the HMEP grant for FY14, we would allocate \$5000 as a match to support the 7<sup>th</sup> Annual HazMat Training Workshop, similar to what was done this year. In addition, DEMA will support the Workshop with support staff as much as possible, subject to demand and/or an arising emergency. Mr. Newnam has agreed to offer the Fire School as the Workshop venue again for next year, and will provide the food service free of charge as they did this year (Dinner Friday, breakfast/lunch on Saturday).
- **SERC Membership Status:** Interested candidate (Alyce Poeppel) for vacant SERC *Highway Transport* position continues to state she would like to be considered for the position, but has not yet completed the SERC Application. In addition, Mr. Steven Owens announced his intent to resign as *Water Transportation* expert and as Chairman of the SERC IT Committee. Ms. Malenfant stated that pilot Brian Wong who was appointed as *Shipping* representative last year is actually better suited to represent Water Transportation. Consider aligning Mr. Wong as the Water Transportation representative, and finding a Shipping representative.

**NEW BUSINESS:** None

#### **CLOSING COMMENTS**

- Next SERC Quarterly meeting is scheduled for June 12, 2013 @ 9 am at the Delaware State Fire School
- Next Planning and Training Committee Meeting is scheduled for August 22, 2013 at 9 am at DEMA TAC Planning Room

The meeting was adjourned at approximately 10:49 am

*The next Planning & Training Committee meeting is scheduled for Thursday, August 22, 2013 @ 9 am*

#### **State Decon Trailer Committee** *Mr. Robert Newnam*

The Committee met on May 23, 2013 Chaired by Robert Newnam, with 9 members present.

#### **Attendees**

Robert Newnam, Co-Chair	DSFS	Ed Strouse	KC Decon
Ellen Malenfant	DNREC	Charles Stevenson	Sussex LEPC
Joe Leonetti	NCC – Decon	Kevin Kille	DEMA

These minutes are DRAFT until approved at the next SERC meeting.

Co-Chair Robert Newnam called the meeting to order at 1055.

### Committee Reports

- **DECON Trailer Equipment Repairs**
  - Kent County request for repair to the Mass DECON shower.
- **DECON Trailer Equipment Requests**
  - Normal request for DECON suits
- **County DECON Team Activity Reports**

	<u>Responses</u>	<u>Training</u>	<u>Public</u>
○ New Castle	5	4	1
○ Kent	3 (Meth Labs)	4	
○ Sussex	4 (3 Meth Labs)	2	

### Old Business

- Mr. Leonetti reported
  - On the status of pricing for the proposed new DECON unit to replace DECON 1. At this time expect to have information for the August meeting.
  - The proposal to advertize to sell the current DECON 1 and DECON 3.

### New Business

- Mr. Leonetti asked that the committee provide guidance with respect to operational matters with the “Host” companies. After discussion:
  - Chairman will contact Chief Giles with respect to Meth Lab responses.
  - Members to review the SOP Guidelines currently in effect for the State DECON team operations.
  - The committee will review in detail the need for MOUs with all host agencies.

Adjourned: 1200

*Next Decon Trailer Committee Meeting Date: August 22, 2013*

### Information and Technology Committee - June 5, 2013 – Robert Pritchett

The Information & Technology (IT) Committee met on June 5, 2013 at 9:00 a.m. at the Delaware State Fire School in Dover, with 7 people present.

### Attendees:

Jay Brabson, DNREC

Jacob Morente, New Castle County LEPC

Lynn Poling, Lewis Environmental

Charles Stevenson, Sussex LEPC

Bill McCracken, New Castle County LEPC

Rick Perkins, DPH

Bob Pritchett, DNREC EPCRA

### Business:

- Minutes from last meeting, held September 5, 2012, were approved.
- The term for our current Committee Chair on the SERC, Steve Owens, is up for renewal. He has decided not to re-apply. Per SERC by-laws, Committee Chairs must be voting SERC members. As such, the Committee will need to identify and recommend a new Chair to the SERC. The Committee decided to wait until currently vacant SERC positions are filled before making a recommendation.

- The FY 2014 budget for the IT Committee had been developed and submitted to the SERC Finance Committee, after circulation by e-mail among IT Committee members. The budget was reviewed and no need for changes identified.
- Current Tier II Manager issues were discussed.
  - Entry and updating of Fire Districts and Lat/Longs for Tier II facilities is ongoing.
  - Concerning the upgrade to the new .NET version in 2013, the EPCRA Program in DNREC has been coordinating with IDSI to review and comment on the facility reporting screens and Admin features of the new system. They have coordinated and submitted comments jointly with the states of Michigan, Illinois, and Minnesota, to increase weight of comments. Will attempt to reach out to other states, including Maryland, to include them as well. Draft planner/responder screens for the new system will be distributed among the IT Committee members for review when available.
- Outreach materials
  - It is time to update and print our annual newspaper ads (The required newspaper ads were published last year in The News Journal on 6/24, and the State News on 7/13 and 7/18.) Draft ads from last year will be circulated for updating, and quotes for publishing obtained for consideration at next meeting.
  - There was a general discussion on whether or not there is a need for additional outreach materials on subjects such as chemical release events, shelter in place, etc. It was decided to first find out the types of materials available thru DEMA, to see if there are gaps.
- Wally the Wise Guy
  - The idea was raised about possibly using Wally the Wise Guy to distribute outreach materials at the State Fair on Kids Day...possibly in conjunction with the DEMA booth typically located at the Fair. Lynn Poling will discuss with Kevin Kille of DEMA.
- In response to the explosion at the Texas facility involving ammonium nitrate, DNREC has received a number of FOIA requests from major news agencies. Several of them requested the complete set of all Tier II data for Delaware for multiple years. The requests were filled, however certain data elements were withheld (including emergency contact info, storage location info and amounts, and site plot plans) in accordance with SERC policy for processing requests from the public for EPCRA info in Delaware – adopted by SERC on December 10, 2008. The Committee reviewed and discussed the policy. No necessary changes were identified.

*The next Information and Technology Committee meeting will be September 11, 2013 at the Fire School in Dover.*

### **LOCAL EMERGENCY PLANNING COMMITTEE (LEPC) REPORTS**

**New Castle County LEPC Committee Report:** - Mr. David Irwin (report period March 14-June 12 2013). **There has been one LEPC meeting since the last SERC meeting:**

The May 13, 2013 meeting was hosted by the DuPont Edge Moor Site, 104 Hay Road, Edge Moor, Delaware 19809. Twenty-six individuals attended. (*Note: The date of this meeting was incorrectly stated as March 13, 2013; the meeting occurred on Monday, May 13, 2013*)

## Highlights:

- SHE Manager Wendy Smith welcomed the group and provided an overview of the Edge Moor site.
- Committee Reports –
  - Finance – Chairman Irwin reported that expenses since the last meeting were \$13,774.45 which leaves a budget balance of \$19,580.05.
  - I.T. – Chairman Irwin reported that Bill McCracken has volunteered to represent the LEPC on the SERC IT Committee. The next committee meeting is scheduled for June 5, 2013.
  - Training – Committee Chairman Mark Dolan reported that NCCIHMRAs has conducted two training sessions since the last LEPC meeting:
    - Sponsored participation in the 6<sup>th</sup> Annual HazMat Training Workshop
    - Sponsored Live Release Ammonia training conducted by Tanner Industries and hosted by Calpine Energy.
    - Reported that the GE Aviation full scale exercise scheduled for May 18<sup>th</sup> was cancelled.
    - NCCIHMRAs Training Committee met on April 3<sup>rd</sup> to conduct long range planning for the CY 2014 training events
  - Transportation – Committee Chairman Al Stein reported:
    - The leaking tank car in the Paulsboro, NJ derailment was caused by the bolster. The bolster is the part of the rail car's truck that the tank rests on. The bolster went thru the car's (105j300) jacket (11 gauge about 1/8 in. steel), 4 in. of fiberglass 1/2 inch of glass insulation. The wall of the tank is 9/16 in. steel.
    - OSHA published the FINAL RULE for the "Globally Harmonized System for the Classification and Labeling of Hazardous Chemicals (CHS). Some points of the new rule are:
      1. MSDS to become Safety Data Sheets (SDS)
      2. SDS will have minimum information in 16 sections 12 mandatory
      3. Labels there are 28 GHS hazard classes and 88 categories.
      4. Labels shall have a Signal Word Pictogram and a Hazard Statement
- Vacant Position – Chairman Irwin reported that 8 individuals applied for the position. The Selection Committee interviewed 5 individuals. After completing the interviews the Selection Committee recommended that the LEPC hire Jake Morente for the Plan Reviewer/Fire Service Liaison and Vice-Chairman vacant position. A motion to hire Mr. Morente was made by Bill Kelly (Sunoco) and it was seconded by Wayne Hopkins (DuPont Chestnut Run). The motion to hire Mr. Morente was passed unanimously by the LEPC members present at meeting. Mr. Morente joined the LEPC staff effective June 1, 2013. *(Note: Mr. Morente attended the June 12, 2013 SERC quarterly meeting and was introduced to the Commissioners.)*
- NASTTPO (National Association of SARA Title III Program Officials) – Chairman Irwin reported on the highlights of the 26<sup>th</sup> Annual NASTTPO Training Workshop and HMEP Grants Assistance Meeting (4/15 – 19/2013). He also informed the group that he was elected to serve a two year term on the NASTTPO Board of Directors representing EPA Region III.

- EPCRA Reporting Program Tier II Update – DNREC’s Kris Gontkovsky provided the following information:
  - \$281,000 collected from Tier II fees
  - Total of 1,796 active facilities
  - 181 Facilities have not reported (due 3/1)
  - 22 Facilities in the process of reporting (due 3/1)
  - Currently Beta testing Tier II Manager update.
- Presentations –
  - 6<sup>th</sup> Annual HazMat Training Workshop slide presentation (D. Irwin)
  - Emergency Preparedness: Findings from CSB Accident Investigations video (D. Irwin)

#### **SERC/DEMA Activities:**

- Participated in the SERC meeting (3/13)
- Participated in the Planning & Training Committee meeting (5/23)
- Submitted quarterly LEPC performance report
- Prepared and submitted FY 2014 HMEP Grant application
- In accordance with SARA Title III Section 303 [42 U.S.C. 11003 (a)] completed the annual review of the LEPC for NCC Hazardous Material Response Plan and forwarded to NCC OEM for distribution and inclusion in the New Castle County Comprehensive Emergency Response Plan.
- Facilitated 6<sup>th</sup> Annual HazMat Training Workshop Dinner and Training sessions (4/5 & 6).
- Continue to work DEMA and IEM personnel to progress the Delaware Hazmat Study in New Castle County
- Worked with DEMA personnel regarding the storage of Ammonium Nitrate in Delaware
- Worked with DEMA personnel to establish a new Chemical Release reporting system.

#### **Emergency Response Plan Reviews and Facility Visits:**

- No Plan reviews were conducted during this period.
- Introduced J. Morente to the Plan Review and Facility Visit process.
- Reviewed 2013 Plan Review and Facility Visit schedule with Mr. Morente
- Scheduled Formosa Plan Review and Facility Visit with Mr. Morente for June 18, 2013.

#### **Exercise Status:**

- The GE Full Scale Exercise scheduled for May 2013 was canceled
- Worked with Olson Group personnel to develop a FY 2014 Full Scale Exercise RFP for FY2014 HMEP Grant project

#### **Hazmat Incidents:**

- No incidents since the last SERC meeting required activation of NCCIHMRMRA.

#### **NCCIHMRMRA:**

- Sponsored NCCIHMRMRA Team participation in the 6<sup>th</sup> Annual HazMat Training Workshop
- Sponsored Live Release Ammonia training conducted by Tanner Industries and hosted by Calpine Energy. More than forty individuals participated
- Due to business priorities the GE Aviation full scale exercise scheduled for May 18<sup>th</sup> was cancelled.
- Participated in the NCCIHMRMRA Training Committee’s April 3<sup>rd</sup> meeting to conduct long range planning for the CY 2014 training events

#### **Outreach Initiatives:**

- Participated in a 4 CAP meetings, Croda (6/5), and 3 Delaware City Refining (4/9, 5/21 & 6/11).
- Participated in the DC CAER meeting (4/11)

- Participated in the Coast Guard Sector Delaware Bay AMSC Main meeting (5/17)
- Participated in the New Castle County Family Resource Fair (5/15)
- Participated in the Delmarva Power Weather Symposium (6/5)
- Delivered over 12,000 Emergency Preparedness Guidelines to BASF, Blood Bank of Delaware, Delmarva Power, Burris, Red Cross, Wilmington OEM, NCC Libraries and Robscott Manor Civic Association.

#### **Additional Staff Activities:**

- Led effort to recruit, interview and hire individual for vacant LEPC position, 8 applied and 5 were interviewed.
- Attended NASTTPO Training Workshop and HMEP Grants Assistance Meeting (4/15 – 4/18).
- Elected to a 2 year term to represent EPA Region III and serve as a NASTTPO board member.
- Conducted and documented 6th Annual Workshop Hotwash and 7th Annual Workshop Preliminary Discussion Teleconference (6/3)
- Represented LEPC at DEMA sponsored FEMA AWR 232: Mass Fatalities Planning and Response for Rural Communities course (5/2).
- Continue to lead efforts to deliver the 6<sup>th</sup> Annual Hazardous Material Training Workshop
- Worked with NCC OEM regarding community complaints regarding new facility locating in neighborhood
- Worked with DNREC personnel regarding Reuters requesting TIER II data.
- Provided copies of Delaware's TIER II FOIA request procedure to NASTTPO board members.
- Participated in two teleconferences (4/1 & 5/8) with DEMA and IEM personnel to progress the Delaware Hazmat Study in New Castle County
- Discussed NS sponsoring LEPC member for one week HAZMAT rail care training course in Colorado
- Developed HAZMAT Workshop PowerPoint presentation.
- Reviewed 2 TIER II submissions
- Served as a technical resource to five LEPC member and one non-profit organization.
- Worked with Emergency Guideline printer to collect contributions from sponsoring companies.
- Represented LEPC at Kent County LEPC meeting (5/14) and Wilmington LEPC meetings (5/3)
- Documented four Release Notification Reports in accordance with EPA requirements

*Next LEPC meeting scheduled for Monday, July 8, 2013. Exact location to be announced.*

#### **City of Wilmington LEPC Report**

*No quarterly report submitted by City of Wilmington to date.*

#### **Kent County LEPC Report** – Mr. Colin Faulkner/Mr. David Mick

Regular LEPC meetings continue on the second Tuesday of odd numbered months.

Notes from March 14, 2013 Meeting:

#### **Attendees:**

Dave Mick	KCDPS	Nicole Vautard	KCDPS
Terri Abegglen	ARC	Charlie Boyer	Town of Smyrna
Barry Laise	LCFC/DSP	David Irwin	NCC LEPC

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Carleton Carey	City of Dover	Ed Strouse	DEMA
Bob Barrish	Citizen	Maria Burritt	Town of Smyrna
Jay Brabson	DNREC	Galen Purcell	Troop 3
Craig Black	Citizen		

David Mick called the meeting to order at 10:00 am.  
 Welcome from Dave and introduction of all the attendees.  
 The minutes of the last meeting were approved.

### **Current Issues**

**Dave Mick – DECON** – Little Creek working on replacing DECON Shower. Sussex County's trailer still located at Little Creek. Meth Labs have not been as active but Heroine Seizures are increasing.

**Dave Mick – Technical Rescue Team** – Conducted exercise with Kent County Waste Water Treatment Plant at Fire School on confined spaces. We were able to share good information. Then went to Waste Water Treatment Plant and set up a prop for a confined space rescue. Placed a mannequin in trench with pipes laying on it. Between Frederica Fire Department and Technical Rescue Team they were able to lift the pipes off the mannequin with air bags and rescue it. Everyone worked well together. After action report is prepared. There will be a meeting on May 23 to discuss the after action report.

### **Kris Gontkowsky – Tier II Reporting**

#### **I. FUNDS**

\$281,000 collected so far this year from 2012 Tier II reports.

#### **II. REPORTING**

- A. 1,796 total active facilities.
- B. 181 facilities have not started their 2012 report.
- C. 22 facilities have started their 2012 report, but have not finished.

#### **III. STEPS FORWARD**

- A. Work on reviewing received submittals for data quality/compliance issues.
- B. Emails/phone calls to facilities with delinquent reports/fees.
- C. Work with 911 centers to update street addresses, lat/long coordinates, and corresponding fire district for new facilities.

**Kris Gontkowsky – Tier II Manager Update** – Beta tested new system with developers. Providing feedback along with other state staff to provide constructive criticism. Periodic tests being scheduled to allow staff the opportunity to provide input to developers as the program is being constructed.

**Dave Mick– SERC-** Next meeting on June 12 at Delaware State Fire School.

### ***Old Business***

- **Dave Mick – Budget** – Requests in and filed.
- **Bob Barrish – Facility Visits** – No visits conducted since last meeting. Next week will be visiting Crop Services. On May 23<sup>rd</sup> will be re-visiting two sites for Delaware

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Propane. Jay visited them prior and they are looking good and have a good training program.

- **Dave Irwin– New Castle LEPC** – Vacant position has been filled. They will start on June 1. Ammonia Training was conducted. Had about 45 participated. Emergency Preparedness Guidelines printed and ready to distribute.
- **Dave Mick – Exercise Program** – Nothing scheduled anytime soon. Initiative to start a series of tabletop and functional exercises with Dover Downs. Firefly is coming up. Already sold about 50,000. Extended the hours and added more acts. It's going to be much bigger than last year. 64 countries to be represented. Increased prices on space rentals and they are being sold out. (*Update presented 6/12/13: The Firefly Planning Committee is evaluating potential evacuation routes of individuals in the event of an emergency. Kent County and other emergency response partners are continuing to adapt as response needs increase.*)
- **Dave Irwin – 2013 6<sup>th</sup> Annual Statewide Hazmat Training Workshop** – Was very successful. Had 122 attendees at Friday's dinner. There were 10 corporate sponsors who enabled us to buy bags and challenge coins which were handed out to all attendees. Certificate was put together for sponsors. The sponsors are looking forward to next year. Saturday had 247 attendees. Classes were held in the morning and hands on training in the afternoon. FBI had the biggest role with their presentation.

#### ***New Business***

- **Terri Abegglen – American Red Cross** – See handout for their available phone aps.
- **Dave Mick – DECON Activation** – Dispatched to LD Caulk for outdoor Nitrogen release. Wasn't an incident and didn't require a response. It was normal tank burping and employee saw it and called 911. Employee did not go through the proper channels.
- Meeting adjourned.

*Next LEPC meeting scheduled for Tuesday, July 9, 2013. Will notify as soon as possible as to the location of the meeting.*

#### **Sussex County LEPC Report – Mr. Charles Stevenson**

Meetings: There have been two LEPC meeting since the last SERC meeting.

**March 13, 2013 Meeting:** There was 15 members/guests in attendance.

*Topics covered:* Kris Gontovsky from the DNREC-EPCRA program reported: Tier II Update (As of 03/07/2013):

#### **I. FUNDS**

\$256,890 collected so far this year from 2012 Tier II reports.

#### **II. REPORTING**

- A. 1,796 total active facilities.
- B. 243 facilities have not started their 2012 report.
- C. 51 facilities have started their 2012 report, but have not finished.

#### **III. STEPS FORWARD**

- A. Work on reviewing received submittals for data quality/compliance issues.
- B. Emails/phone calls to facilities with delinquent reports/fees.
- C. Work with 911 centers to update street addresses, lat/long coordinates, and corresponding fire district for new facilities.

#### **IV. TIER 2 MANAGER UPDATE**

GIS updates include the plotting of new facilities added into T2M in 2012

- Eric Huovinen, Sussex EMS, reported two responses of the DECON Team to Meth Lab incidents.

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- Kevin Kille from DEMA provided a report: HMEP Grant: In progress of applying for FY 2014 Grant. Have been told by USDOT that the amount will be the same as last year. (\$118,036) SERC: Quarterly meeting to be held on March 13th. Presentations by Norfolk-Southern RR and CSX RR. There was a radiological incident response in Wilmington, involving a lost source. The source had been recovered.

Presentations: There was no presentation scheduled for this meeting. Ric Chatham of Chesapeake Utilities was recognized for his many years of dedicated service to education and safety. Jay Brabson of DNREC-ARP led an informative discussion about an ammonia release in Clayton.

**May 13<sup>th</sup> Meeting-** There was 20 members/guests in attendance.

Topics covered: -Kris Gontovsky from the DNREC-EPCRA program reported:

I. FUNDS

\$281,000 collected so far this year from 2012 Tier II reports.

II. REPORTING

A. 1,796 total active facilities.

B. 181 facilities have not started their 2012 report.

C. 22 facilities have started their 2012 report, but have not finished.

III. STEPS FORWARD

A. Work on reviewing received submittals for data quality/compliance issues.

B. Emails/phone calls to facilities with delinquent reports/fees.

C. Work with 911 centers to update street addresses, lat/long Coordinates and corresponding fire district for new facilities.

IV. TIER 2 MANAGER UPDATE

Beta tested new system with developers. Providing feedback along with Other state staff to provide constructive criticism. Periodic tests being scheduled to allow staff the opportunity to provide input to developers as the program is being constructed.

- Jay Myers, Sussex EMS, reported one response of the DECON Team. incidents.
- Kevin Kille from DEMA provided a report: HMEP Grant: In progress for FY 2014 Grant. The amount of funding will be the same as last year. SERC: The next quarterly meeting will be held on July 11<sup>th</sup>.

Presentations: Michael Kristiansen, USCG-Indian River Inlet and Robert Fitzpatrick, USCG-Lewes provided a discussion on the Coast Guard's local roles and responsibilities.

Facility Visits : There has been one facility visit since the last SERC meeting.

-Cannon Cold Storage in Bridgeville.

**HazMat Plan Status:** The yearly review of the Sussex County HAZMAT Response Plan was completed in April of 2013.

**Exercise Status:** The Sussex County LEPC participated in the Sussex County Hurricane Recovery Command and Control Workshop this quarter.

**HazMat Incidents:** In the first quarter of 2013, there were 20 incidents reported.

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**Comments:**

Other LEPC activities include:

- Attended the 6<sup>th</sup> Annual HazMat Training Workshop on April 5<sup>th</sup> and 6<sup>th</sup>.
- Attended the Annual Emergency Planning Meeting at L.D. Caulk in Milford on April 12<sup>th</sup>.
- Attended the Sussex County Fire Chiefs Association meeting on April 18<sup>th</sup>.
- Observed the USCG booming exercise at Indian River Inlet on May 14<sup>th</sup>.
- Attended the SERC Planning and Training Committee meeting on May 23<sup>rd</sup>.
- Attended the DECON User's Group meeting on May 23<sup>rd</sup>.
- Attended the SERC IT Committee meeting on June 5<sup>th</sup>.

The next Sussex County LEPC meeting is scheduled for July 11<sup>th</sup>, 2013 at 10 a.m. at the DNREC Field Facility, Lewes.

**DNREC Report** – Ms. Ellen Malenfant

Statistics for the 1st quarter 2013 show the DNREC Emergency Response Team (ERT) responded to 74 incidents. This is compared to 66 responses in the 4th quarter of 2012. The largest number of responses in the 1st quarter was to residential heating fuel spills with 15 responses. The next highest categories of responses were Law Enforcement assists and abandoned drums and containers with 10 responses each. There were several abandoned containers found along roadways during this quarter. Six of the Law Enforcement assists were to clandestine methamphetamine laboratories.

Transportation incidents came in as the 4<sup>th</sup> highest category with 9 responses in the 1st quarter of 2013. Of the 9 transportation incidents, 8 involved only the fuel and fluids from the vehicle fuel and hydraulic systems and one involved an overturned propane delivery truck.

There were 4 declared SERT level responses this quarter.

**DNREC ERT Activities:** DNREC Emergency Response Team member, Jamie Bethard, conducted three training sessions for the Sussex County Paramedics on clandestine methamphetamine laboratory awareness on February 13, 19 and 25<sup>th</sup>. The training was provided to ensure the paramedics safety when responding to their normal emergency medical service calls and when responding on the Sussex County Hazardous Materials Decontamination Team.

On March 15, DNREC oil spill response staff along with USCG representatives observed a practice boom vane deployment in the Broadkill River in Lewes conducted by Delaware Bay and River Cooperative (Coop) oil spill response personnel. The boom vane, designed to be used during an oil spill in fast current areas like the Indian River Inlet and the mouth of the Broadkill River, is new technology for the east coast. The vane is designed to be “flown” like a kite in up to 5 knot currents. A boom is attached to the vane then captures oil flowing in the current. The March 15<sup>th</sup> deployment practice was in preparation for a USCG lead boom vane deployment exercise to be conducted in the Indian River Inlet in May.

On March 23, DNREC Emergency Response and Accidental Release Prevention (ARP) programs assisted Perdue with the company's 24-Hour HAZWOPER refresher training for all Perdue plants and employees. DNREC presented information on past DNREC emergency response incidents and ammonia release notification procedures as well as safety and reporting aspects concerning ammonia as used in refrigeration processes.

### **DNREC ERT Responses of Note**

On February 26, 2013 DNREC Emergency Response and Accidental Release Program representatives met at Hanover Foods in Clayton with representatives from the Kent County Local Emergency Planning Committee, Kent County Emergency Management, Clayton Fire Company, Smyrna School District, General Refrigeration and Hanover Foods to discuss two ammonia releases that occurred from the facility's refrigeration system in February 2013. An ammonia release from the facility on February 12<sup>th</sup> caused the evacuation of Clayton Elementary School. The release occurred during maintenance and upgrade work on the refrigeration system. Representatives discussed needs and concerns regarding releases of ammonia from the facility. Rapid communication to downwind receptors such as the elementary school and expeditious 911 notification were identified as crucial areas of concern. In response, Hanover agreed to institute new notification procedures in the event of a release of ammonia. DNREC's Accidental Release Prevention Program stressed the prevention of releases and noted that Hanover is taking steps to improve the ammonia refrigeration systems onsite. Responders discussed and agreed on response objectives and future coordination efforts. A meeting may be held in the future to review efforts and to further enhance public safety.

On March 4 through March 8 the DNREC Emergency Response Team (ERT) responded to a fire on the Reed property at 16644 Diamond Farm Road in Milton. A pile of construction and demolition (C&D) waste covering an area of approximately 13,000 square feet caught fire on March 3<sup>rd</sup>. The Milton Fire Department fought the blaze the night of March 3<sup>rd</sup> until approximately 3 A.M., at which point they considered it contained. At the request of Milton Fire Department, DNREC's ERT responded on March 4<sup>th</sup> and developed a response plan to contain the fire overnight of March 4<sup>th</sup> and to begin to fully extinguish the fire on March 5<sup>th</sup>. The fire was 98% extinguished on March 6<sup>th</sup>. An investigation into the start of the fire was conducted. Responders on scene were members of the DNREC Emergency Response Team (ERT), Milton Fire Department and the Delaware State Forest Service. The Reed property C&D waste pile cleanup is currently being overseen by DNREC's Solid Waste program.

On January 14 and 15, the DNREC ERT participated in the joint hazard assessment team for the 2013 Gubernatorial Inauguration events including the prayer breakfast, the swearing in ceremony and the inaugural ball.

### **SERC OLD BUSINESS:**

- On behalf of the SERC Commissioners, SERC Chair Secretary Schiliro extended their deepest gratitude for the expert service Mr. Steve Owens provided to the SERC during his tenure as Chair of the SERC Information and Technology Committee.
- Chair Schiliro thanked Mr. Irwin for his leadership in making the 6<sup>th</sup> Annual Hazmat Training Workshop a tremendous success.
- In follow-up to the DNREC report regarding the increase in clandestine methamphetamine laboratory activity, Chair Schiliro and Vice Chair Crofts reiterated that this has become a significant problem in the State of Delaware, and announced that H.B. 28, sponsored by State Rep. Steve Smyk, and co-sponsored by Sen. Bruce Ennis, among others, passed the House on June 4, 2013, and is now assigned to Judiciary Committee in the Senate for a vote. This bill makes it a crime *to operate or attempt to operate* a clandestine laboratory defined as any location on or in which a person assembles any chemicals or equipment which are intended to be used to or have been used to unlawfully manufacture a controlled substance or other substance in violation of the Uniform Controlled Substance Act. Any person convicted would also be responsible for all reasonable costs associated with remediation of the site and any other site resulting from the operation or disposal of substances or materials from a clandestine laboratory. This act is modeled after similar laws from Pennsylvania and West Virginia.

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- SERC Commissioner Mr. Byrd, who represents rail transportation stakeholders, thanked the SERC for encouraging open dialogue with regard to the expanded railway freight service to PBF/Delaware City Refinery by Norfolk-Southern Railroad. It is natural for a project of this scope and size to spark discussions as to the economic and environmental impacts that added rail traffic is bringing to the area. PBF Energy and Norfolk Southern continue to work with the community and state and local leaders to respond to questions and concerns. The railroad is continuing with an aggressive plan to upgrade railroad crossings throughout the state. They are also putting together a signal improvement project for the area.
- Mr. Turner announced that Mr. Frank Docimo, the keynote speaker at this year's HazMat Training Workshop, has accepted the position as Hazardous Material Coordinator Senior Staff for the Department of Military Affairs for the State of Wisconsin.

### **SERC NEW BUSINESS:**

- **Presentation:** “*Chemical Facility Anti-Terrorism Standards (CFATS) Briefing and Update*” by Ms. Lisa Dunaway, Department of Homeland Security. Ms. Dunaway reviewed the CFATS program goal of making our nation and communities more secure by identifying and regulating high-risk chemical facilities to ensure they have security measures in place to reduce the risk associated with these chemicals. The program uses a dynamic multi-tiered risk assessment process to identify and regulate high-risk chemical facilities. She also shared CFATS program statistics of April 2013. Through extensive outreach and education by the CFATS program team, 2,900 facilities voluntarily removed, reduced, or modified their holdings of chemicals of interest relating to three security issues:
  - **Release**—Toxic, flammable, or explosive chemicals or materials that, if released from a facility, have the potential for significant adverse consequences for human life or health.
  - **Theft or Diversion**—Chemicals or materials that, if stolen or diverted, have the potential to be misused as weapons or easily converted into weapons using simple chemistry, equipment or techniques, in order to create significant adverse consequences for human life or health.
  - **Sabotage or Contamination**—Chemicals or materials that, if mixed with readily available materials, have the potential to create significant adverse consequences for human life or health.

### **CLOSING COMMENTS –**

- The next SERC meeting will be September 18, 2013 @ 1 pm at the Delaware Fire School. The meeting adjourned at 10:30 am

#### *Minutes Drafted by:*

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