

# STATE EMERGENCY RESPONSE COMMISSION

Meeting Minutes  
December 12, 2007

## Commissioners

Director James D. Werner – DNREC/AWM	Glenn Gillespie – DEMA
Bill Betts – Fire Prev. Commission	Dr. Jerry Llewellyn – Division Public Health
Rep. Bruce Ennis – DE Vol. Firemen’s Assoc.	David Irwin – New Castle County LEPC
Grover P. Ingle – State Fire Marshal	George Giles – Wilmington LEPC
Robert Newnam – DE State Fire School	Allen Metheny, Sr. – Kent County LEPC
Ralph T. Baker – Shippers of HazMat	Marilyn O’Neal – Sussex County LEPC
John R. Peirce – Water Transportation	Ellen Malenfant – DNREC
Bob Byrd – Rail Transportation	Fred Bowen – DE Motor Transp. Association
Pam Meitner – DuPont/Consumer of HazMat	

## Members/Visitors

Arthur D. Paul – DEMA	Michael G. Chionchio – State Fire Marshal’s
Nancy Wyatt – DEMA	Richard Antoff – DNREC/ARP
Robert Pritchett – DNREC/EPCRA	Bill McCracken – NCC LEPC
Jay Brabson – DNREC/ARP	Tim Cooper – Sussex EMS
James L. Cubbage Sr. – DVFA	Sen. Dave Ennis – NCC/Sussex LEPC

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The December 12, 2007, meeting of the State Emergency Response Commission (SERC) was called to order at approximately 9:03 a.m. by the SERC Vice-Chair James D. Werner. The attendees introduced themselves and a quorum was present. The September 19<sup>th</sup> meeting minutes were approved as written, following a motion made by Mr. Robert Newnam and seconded by Mr. John R. Peirce.

## STANDING COMMITTEE REPORTS

### **Finance and Budget Committee** – Mr. Robert Newnam

Summary of SERC finances as of 12/7/07 (for accounts at DNREC):

#### SERC Fee Holding Account:

Carryover from 2006 calendar year	+ \$ 256,918
Fees received thus far in 2007	+ \$ 292,340 (a)
Projected reimbursements thus far (as of 12/7/07)	- \$ 600 (b)
Interest received thus far during 2007 (ten months)	+ \$ 16,167 (c)
Annual disbursements approved at June 2007 meeting	- \$ 253,097 (d)
Balance as of 12/7/07	\$ 311,728

#### Decon Trailer Replacement Account:

Carryover from 2006 calendar year	+ \$ 119,084
Interest received thus far during 2007 (ten months)	+ \$ 5,675 (e)
Transfer into account in June 2007	+ \$ 28,000
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Balance as of 12/7/07	\$ 152,759

## Notes:

- a) Reports and fees from facilities covering calendar year 2006 were due 3/1/07. A small amount of additional fees may be expected from ongoing compliance review activities.
- b) Reimbursements will be necessary to a small number of facilities for reporting errors. These are typically mailed to facilities late in the year. Reimbursements in 2006 totaled \$3,160.
- c) Interest will continue to accumulate. Total interest received on this account in 2006 was \$14,109.
- d) Disbursements approved in June '07 were as follows:

New Castle County LEPC	\$ 111,249
Kent County LEPC	\$ 47,000
Sussex County LEPC	*
City of Wilmington LEPC	\$ 50,531.81
DEMA (for decontamination trailer maintenance/equipment account)	\$ 3,000
DSFS (for SERC IT Committee)	\$ 13,316
Decon Trailer Replacement Fund	\$ 28,000

\* The Sussex County LEPC requested \$65,965 for FY 2008. They already have \$34,000 in carryover funds, leaving a balance of \$28,965 being requested. The bulk of their request is to fund a year's salary and benefits for an LEPC staff position yet to be established and filled. Funds were approved, but will be held in the SERC fee holding account until the Sussex County LEPC establishes and fills the LEPC staff position. At that point, the actual amount of funding needed to cover the balance of the fiscal year will be determined, and a separate transfer of funds will be authorized.

- e) Interest will continue to accumulate. Total interest received on this account in 2006 was \$4,505.

### **HMEP Grant Review** – Mr. Arthur Paul

The FY 2008 Hazardous Materials Emergency Preparedness (HMEP) Grant budget projections are presented below. Mr. Paul briefed that the City of Wilmington's request for \$11,000.00 could not be approved, at this time, because of the major expenses of the DE HazMat conference. However, he anticipated that some funds will be available in the very near future. All amounts listed represent dollars.

#### Planning

Balance as of 12/06/07	39,751.36
Pending Items:	
Sussex Cty Decon Team funds 1 mbr attend Haz Mat Explo in Las Vegas	1,650.00
DNREC EPCRA funds 1 mbr attend HazMat Expo in Las Vegas	1,650.00
Sussex Cty Decon Team funds 2 mbrs attend EPA Region III Conf.	2,000.00
Kent Cty LEPC funds 2 mbrs attend EPA Region III Conf.	2,000.00
NCC LEPC requests funds 2 mbrs attend EPA Region III Conf.	2,000.00
SERC requests funds for 2 mbrs attend EPA Region III Conf.	2,000.00
LEPCs requests funds for planning dinner w/spkr for DE HazMat Conf. Apr 08	<u>3,000.00</u>
Total Pending Items	14,300.00
<i>Projected Planning Balance</i>	<i>25,451.36</i>

Training

Balance as of 12/06/07		42,333.00
Pending Items:		
Delaware Fire School funds support HazMat training for Decon teams (12k)		6,153.84
NCC LEPC funds for 2 DOT trn sessions Oct 2007		550.00
NCC LEPC funds for 2 trn sessions Marine HazMat Response Feb 2008		2,000.00
City of Wilmington LEPC funds 1 person attend HazMat Ref training		400.00
Sussex LEPC funds for 9 mbrs attend HazMat training @400.00 each	3600.00	3,600.00
DNREC EPCRA funds for 3 half day workshops on tier II Mgr Sys Dec 07		500.00
LEPCs requests funds for training for the DE HazMat Conf Apr 2008		22,000.00
DNREC requests funds for HazMat Ref Trn in Dec 07		1,064.00
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Total Pending Items		36,267.84
<i>Projected Training Balance</i>		<i>6,065.16</i>

## HMEP – FY 2008:

Approved Grants:	Planning	\$46,090
	<u>Training</u>	<u>\$45,133</u>
	Total	\$91,223

## HMEP Key Dates:

Obligation and Performance Period: September 30, 2008

Liquidation Date: December 31, 2008

**IT Committee Update for 12/12/07 SERC Meeting:** – Mr. Bill Betts

The IT Committee met on 12/11/07 at the Fire School with 8 members present at 9:00am.

- Tier II Manager – Bob Pritchett gave everyone an update on the Tier II Manager upgrade. There have been several delays due to past system upgrades. The new system will be version 3.4, and the old system is currently frozen, awaiting the loading of the new system at the end of this week.
  - Updates to outreach materials – Updated outreach materials have been printed with 4,500 general fliers on EPCRA, 3,000 half-page guides on release notification procedures, and 5,000 pocket-size cards summarizing notification procedures. HMEP funds were used to cover printing costs, and Art Paul has distributed them to most of the LEPC's. Samples are available for the meeting today.
  - The newspaper ad (required by EPCRA) ran for four days in both the News Journal and Delaware State News in late September, and was handled by Art Paul.
  - Procedures for Public Access to EPCRA information -- Nothing has moved on this situation that anyone on the committee is aware of. We urge the SERC leadership to set up a meeting between the State FOIA Attorney, and the Attorneys representing the various LEPC's.
- New Business: After looking into the training for the new Tier II Manager Upgrade for Planners/Responders, it was decided that with their busy schedules getting the forms in, Bob's group would be best suited to do the training in April 2008. Bob Pritchett will check on this and get back with the committee.
- Upcoming Tier II reporting cycle: Each county will have training workshops for industry in each county in the current week's time-frame.
  - Printouts for Fire Departments/Hardcopy backups in case that the internet goes down:

Bill McCracken reported that New Castle County has almost completed this project and are putting the data in books by fire districts. Al Metheny suggested that we put them on CD's to save space and room in the dispatch centers. Bob Pritchett will look into the feasibility of this, and start a trial in New Castle. If it works there, the other two counties should be very easy to do.

- RFI concerning database with GIS for response resources and assets:

This is requested to track all of the homeland security equipment that is distributed around the State. There seems to be a problem between State groups on who is going to fund the IT person to run this program.

- The Sussex Paramedic representative Tim Cooper requested four ADASHI plume-modeling programs for Sussex from the HMEP funds. They cost around \$1,000 each, but Art Paul reported that there is a \$300 usage fee every year per each unit. After a very long discussion, and a compromise, there was a motion made, and seconded, to purchase four ADASHI units for Sussex County for the EOC and Mobile Command Unit, and 1 unit for the Special OPS unit in Kent County. Motion Carried.

-Tim also had a question on whether the Dispatch Center CAD systems were updated with the information from the Tier II program. Kent was pretty sure that they were current, and Tim will check with Joe Thomas at the Sussex Dispatch center in regard to their status.

No other business, the meeting adjourned at 10:40 am.

### **Planning and Training Committee** – Mr. Arthur Paul

The State Emergency Response Commission (SERC) Planning and Training Committee met on November 28, 2007 at State Emergency Operations Center. Mr. Jamie Turner, Committee Chairman, chaired the meeting. Ten people attended the meeting and were given a copy of the meeting agenda and a draft revision of the SERT Plan. The following agenda items were briefed and discussed.

SERC Meeting Program – The next SERC meeting will be Wednesday, December 12, 2007, at the Delaware State Fire School, room 5b. The Committee agreed that the presentation would consist of briefings on the Environmental Protection Agency, Region III Spills Conference in Pittsburgh.

HMEP Update – Mr. Arthur Paul briefed that the new fiscal year had started and that nearly \$17k of planning funds had been obligated—leaving approximately \$29k and just over \$13k training funds are obligated—leaving nearly \$32k remaining. At least \$20k will be used to support the 2008 DE HazMat Conference.

Rerouting of Rail Hazardous Material – Following Mr. Scott Muir's, Norfolk Southern (NS), presentation at the Commission's September meeting, a motion was made and approved that the SERC would formally question the rail companies (Norfolk Southern Corporation and CSX Transportation) on matters pertaining to shipping and storage of HazMat railcars, security, responsibilities, etc. The Committee reviewed the draft letter and questions. Additional questions were suggested; Mr. Paul will consult with the SERC Rail Representative, Mr Robert Byrd and share the revised questions with the Committee prior to forwarding to Director Werner and Sec Mitchell for review and signing.

Delaware HazMat Conference – Mr. Bill McCracken briefed on the 1<sup>st</sup> Annual Delaware Hazardous Material Conference for April 4 & 5, 2008. Negotiations with Buz Melton broke down, so guest speaker and a trainer are needed. The Committee met with the Fire School in October and agreed that they could conduct the training as an option. The Committee is entertaining proposals from other sources for a speaker and a trainer and will be meeting in the near future to make a selection. Friday night will be a teambuilding dinner with a speaker at the Brandywine 100 Fire Company. Saturday will consist of HazMat and EMS training.

SERT Plan Revision & Review – Mr. Paul gave a special thanks to Mr. Robert Newnam, for his efforts in coordinating the plan with the State’s Fire Chiefs. At its last meeting, the Commission decided that the plan should be reviewed by the Fire Chiefs prior to being approved by the SERC. The three County Fire Chief’s Associations adopted the plan at their regular monthly meetings to include the following changes:

- Return the Multi Hazard Decontamination Plan to the Annex
- Additional language 2.3.20 page 8
- 3.1.2 page 9 Training - add training in accordance with the SERT plan.
- 5.2.3 page 14, coordinate all PIO
- 5.2.4 page 14, ensuring the implementation of Unified Command

The Committee reviewed each of the Fire Chiefs recommended changes and unanimously approved a motion to recommend to the SERC that the plan be approved pending update and return of the Decon Plan Annex. The Decon Plan will be referred to the Decon Committee for review and updating.

Georgetown Dental Clinic Incident Report – Mr. Paul briefed on a review of a minor incident that occurred at the Georgetown Service Center.

City of Wilmington Hazmat Team – Mr. Paul briefed that the City of Wilmington had requested \$11k of Hazardous Material Emergency Preparedness (HMEP) Grant Training funds to start a HazMat Team. Mr. George Giles gave details on the initiative. Mr. Paul expressed concerns about the availability of funds considering the major expense (at least 20k) of the DE HazMat Conference. After much discussion, it was decided that the HMEP Sub-Committee (DNREC, DPH, and the four LEPCs) should discuss the issue and give the Committee a decision prior to the SERC meeting.

New Business – None

Closing Comments – Mr. Bill McCracken, NCC LEPC, informed the Committee that Mr. Jim Kenny, NCC LEPC, has resigned from the LEPC for health reasons and that a Committee has been formed to select a replacement. Mr. Kenny was acknowledged for his dedication and longstanding involvement with the SERC; in addition to his vital contributions to the NCC LEPC, which he has been instrumental in since before its establishment. Mr. Kenny was also credited with establishing the NCC Hazardous Material Advisory Council. This Council was the predecessor to the LEPCs and was established prior to the Emergency Planning and Community Right-to-Know Act of 1986. Mr. Turner directed that Sec Mitchell’s office be contact for a citation for Mr. Kenny.

Ms. Marilyn O’Neal mentioned that there would be a briefing to the County Administrator on the progress of the Sussex LEPC.

Ms. Ellen Malenfant advised the Committee of a Secretary Action (administrative enforcement) levied against to Dow Reichhold citing air release violations including the August 2006 styrene railcar release. The order also requires Dow to do safety improvements that will prevent future occurrences.

2008 Committee meeting dates:      Feb 27              May 28              Aug 27              Nov 19

**Decon Trailer Committee** – Mr. J. Allen Metheny, Sr.

The DECON Trailer User’s Group met on December 6, 2007 at the Kent County Public Safety Building with all three teams represented. Highlights of the meeting follow:

Since the last meeting, the teams have:

- Responded to two emergency incidents
- Conducted thirteen training classes or drills
- Completed eleven public appearance/community outreach events.

Training the companies that house the FDU trailers was again discussed. The Director of the DSFS assured the Committee that he would get the training program for the FDU's developed and ready for presentation in the near future. One Company has been trained and the training went well.

We discussed the list of equipment for the 10 FDU's in the State and are developing the list to add \$5,000 worth of equipment to each unit.

Credentialing of the team members is on hold due to the lack of an acceptable ID system for Delaware. In the meantime, we have lost the WMD funds for this project.

The team reviewed the WMD FY06 funding requests. Primarily, FY 06 funds will be used to cover the State Field Service Maintenance Contract. The team discussed FY 07 requests, and again, we will try to maintain what we have and replace any agents, chips, etc, that become outdated. In the future, we may have to turn to SERC funding to maintain our equipment and supplies as the WMD funds fade away. An update was given on the Statewide HAZMAT Conference. The group agreed to participate in the planning and management of such a Conference in the spring of 2008.

The team discussed an "identification" system for identifying persons before and after being decon. Orange wristbands would indicate the person has not been decon and a blue wristband would be worn after passing through decon. Work continues on this project.

Our next meeting is scheduled for February 27, 2008 at 1:30 P.M.

## **LOCAL EMERGENCY PLANNING COMMITTEE REPORTS**

### **New Castle County** – Mr. David Irwin

- Meeting Notes – There has been one LEPC meeting since the last SERC meeting. That Meeting was held on November 19, 2007 and was hosted by the New Castle County Office of Emergency Management at the Public Safety Building in Minquadale, DE. Items discussed were: 1). NCC LEPC Preparedness Coordinator: Mr. Jim Kenney resigned as the NCCLEPC Preparedness Coordinator due to health reasons. The effective date was December 7, 2007. A selection committee has been established to identify a recommended candidate for the part-time contract position. LEPC members will award the contract upon approval of the recommended candidate. 2). DuPont Incident Investigation: Al Donofrio provided an overview presentation of the DuPont Edgemoor Site September 7, 2007 chlorinator flue leak incident. DuPont personnel notified DNREC, Coast Guard and the NCC LEPC. No community or workforce health concerns or adverse environmental impact resulted from this incident. Evaluation and implementation of appropriate process improvements are underway. 3). HazMat Conference: Planning continues for the 2008 HazMat Conference scheduled for April 4<sup>th</sup> & 5<sup>th</sup>, 2008. Proposals for training have been requested from Threat Preparedness, HMHTTC, Miller Environmental and the Delaware State Fire School. A meeting of the Conference Committee will be held to select a contractor. 4). Tier II Manager: Work is in progress to provide preplanning data on Hazardous Material Facilities and stored chemicals to each Fire Chief. A duplicate of the data will be given to the Emergency Communications Center in

case of Internet failure. 5). NCCIHMR: The 6<sup>th</sup> annual NCCIHMR training dinner was held at the Elsmere Fire Hall November 7, 2007. LEPC Vice Chair and former State Representative Dave Ennis presented Mr. J. Kenney with a House Resolution thanking him for his years of service. Mark Dolan reviewed the 2007 NCCIHMR training sessions and presented the proposed 2008 training initiatives. Joe Leonetti provided a NCCIHMR overview presentation. Ellen Malenfant provided the group with a DNREC-ERB update.

- Facility Visits – Four on-site assessments of site Emergency Response Plans were completed. The companies audited were: Croda, Valero, The Pond, and Honeywell.
- HazMat Plan Status – The Hazardous Materials Response Plan has been reviewed. Once the proposed revisions to the SERT PLAN are approved the plan will become an annex in the New Castle County Comprehensive Emergency Management Plan.
- Exercise Status – Not reported.
- HazMat Incidents – There have been no incidents since the last SERC meeting that required activation of NCCIHMR

### City of Wilmington – Mr. George Giles

- Meeting Notes – The LEPC meeting was held on November 9, 2007.  
Summary of minutes: Co-chair Giles reported that the FY08 budget is under way with about 75% going to salary. He encouraged any member that has a project or training that they would like to have or attend to please contact our office. -The anti-terrorism committee continues to meet. -EHS sites completed. Our training and outreach programs continue.  
- We are working with the Wilmington Fire Department to have several members trained for Hazmat Technicians. Also are working on SOP's and having a Hazmat Team in place every day/night shift. We will report on this further at a later time.  
Continue doing presentations on Evacuation and Sheltering in Place to Citizens and business establishments.  
- We are doing a CERT class in Wilmington this month for Bank of America and Wilmington Trust is in the process of setting up training for their Wilmington branches.  
- Continue with our radio station on public safety announcements to the community. We are keeping the public informed 24/7.  
- We are working with the West End Neighborhood House on a project to try to figure out why the Special needs population does not know what to do during disasters and trying to find ways to improve their notification and information. This \$25, 000.00 grant has been approved and we are working on the project continuously.  
- Noramco is preparing for a new learned process safety management (PSM) audit in December. PSM requires chemical manufacturers guarantee their process are safe from major incidents such as fires, explosions or environmental releases. We will work Closely with Noramco on this to see all results and help in any way we can.
- Facility Visits – DeIEASI has completed the EHS visits. We are in the process of going over the reports. We will meet with the business reps along with the Wilmington Fire Department to discuss the reports.
- HazMat Plan Status – Currently being reviewed by LEPC members for updates.
- Exercise Status – Not Reported.
- HazMat Incidents – One incident pertaining to a 50 gallon drum found with an unknown substance. HMHTTC and DNREC were notified and the substance was found to be motor oil.
- HazMat Training – We are continuing training on the new Hazmat Program. (ADASHI Software) Four members of the LEPC will be attending the EPA Region III in Pittsburg. Hazmat training response level for 175 Wilmington Firefighters is in the process. Hazmat team training will be given

to the Wilmington Fire Department and the Wilmington Police Department. Field DECON and trailer training will begin in February.

**Kent County** – Mr. J. Allen Metheny, Sr.

- Meeting Notes – Regular meetings held on November 13th with 18 members present. Provided updates to the members on the following topics: Decon III operations, statewide HazMat conference, budget issues, Delaware Emergency Notification System and the Tier II Manger System
- Facility Visits – one site visit: this visit was for the entire LEPC membership at the November meeting which was hosted by the Christiana care health and wellness center. After the business meeting, they provided a tour of their facility explaining the many phases of the operations taking place within their facility. They also provided lunch.
- HazMat Plan Status – received one plan change since the last meeting.
- Exercise Status – We will be arranging a meeting of the key players in the Delaware State Fair full-scale exercise that was held last year to review compliance with recommendations made in the after-action report. Kent and Sussex County conducted a tabletop exercise on November 7<sup>th</sup>. This was a state WMD exercise. The exercise discussed actions anticipated in order to manage explosions of “dirty” bombs at two schools and one hospital in the counties at the same time. The exercise concentrated on area and unified command between the two counties and the state. The draft after action report was just received and several recommendations for improvement were made in 8 different capabilities.
- HazMat Incidents – none.

The next LEPC meeting will be January 8<sup>th</sup> at the Kent County public safety building at 10:00 a.m.

**Sussex County** Marilyn O’Neal

- Meeting Notes – A meeting was held in November 8<sup>th</sup> at the Sussex EOC with the 31<sup>st</sup> Army National Guard Civil Support Team doing a presentation. There were approximately 25 attendees. Joe Thomas gave me a list of the fire chiefs, and they have been added to the email list. All of the Information and Technology Committee new handouts were given away. Sometime in early 2008, I will be doing a presentation for SCAT about EPCRA and the LEPC. Groups that still need to be contacted and/or invited: elected officials and health (County or State).
- Facility Visits – Meet with Responders to identify concerns and review response status: No action has been planned at this time, although a format similar to what Allen did in Kent County will likely be used. Coordinate Emergency Response Plans w/local EHS facilities: This performance measure is reserved at this time for the permanent Sussex LEPC Chairperson. Conduct EHS audits and plan reviews: Reserved for permanent LEPC Chair.
- HazMat Plan Status – Review LEPC plan and update: Nothing to date. I intend to set up a half-day meeting with about 6-8 members that would include the EOC and Fire representation. Remaining members will be chosen or volunteer from EMS, DNREC, hospital, industry, municipal, transportation, public information, law enforcement or DHSS. Joe Thomas has sent me an electronic version of the Sussex County Plan.
- Exercise Status – Conduct, coordinate or participate in exercise or critique. DEMA conducted a very successful Delaware South multiple scenario tabletop exercise with Kent and Sussex Counties.
- Comments – Prepare annual budget and work plan – FY08 budget of \$62,965 was submitted and approved by SERC Finance Committee minus \$34,000 carryover from FY07. This is contingent upon hiring a Sussex LEPC staff person. Hal Godwin, Assistant Administrator of Sussex County, called a

meeting, and it was attended by David Baker (Sussex County Administrator), Dave Ennis from DelTech, Arthur Paul from DEMA, Joe Thomas from EOC, Susie Webb, Sussex County finance Officer, and Marilyn O'Neal, Interim LEPC Chair. The purpose was to give the County Administrator and his assistant an overview of the EPCRA program, the LEPC requirements and what the current status was for Sussex County. During that meeting, the budget was discussed, and Susie Webb has since submitted an itemization for the \$34,000 to the SERC Finance Committee (Biff Newnam) for review and recommendations.

The next LEPC meeting will be January 10<sup>th</sup> at the EOC.

## **DNREC REPORT – Director James Werner**

Attendees received handouts on DNREC emergency responses for the third quarter of 2007. Mr. Werner briefed that statistics for the 3<sup>rd</sup> quarter 2007 show DNREC responded to 96 incidents. This is compared to 85 responses in the 3<sup>rd</sup> quarter of 2007. The largest number of responses were to transportation related spills and releases primarily from motor vehicle accidents.

Second highest responses this quarter were to assist Delaware State Police (DSP), Explosive Ordinance Disposal team (EOD) and to conduct pre-event sweeps and monitoring at large public events. During the third quarter there were two Special Duty assignments in September, the National Speakers Conference and the Dover Downs NASCAR races. The DNREC Emergency Response Team participated in a “joint hazard assessment team” (JHAT) with other emergency response and law enforcement agencies during the NASCAR races at Dover Downs in September. The JHAT concept is that in a large scale multi-hazard event several local, state and federal agencies will be involved in the emergency response. Agencies involved in this assignment included Federal Bureau of Investigation, DSP-EOD and the Delaware National Guard 31<sup>st</sup> Civilian Support Team.

On November 20, 2007, DNREC issued a Secretary's Order to Dow Reichhold Specialty Chemicals, LLC citing multiple air violations including the styrene railcar release in August 2006. This enforcement action was the culmination of three separate investigations conducted by DNREC related to the Dow Reichhold styrene release. This administrative enforcement action includes a penalty of \$40,000, an environmental improvement project (EIP) and a reimbursement for DNREC's emergency response costs. In the EIP portion of the Secretary's Order Dow Reichhold agrees to conduct over \$1 million in improvements to its bulk monomer handling systems for hazardous chemicals including acrylonitrile, butadiene and styrene that improve safety at the plant and prevent a repeat of incidents like the styrene railcar incident. These safety improvements were the result of DNREC's Accidental Release Prevention Program accident investigation. Dow Reichhold will be phasing in the improvements over the next three years following a schedule specified in the Secretary's Order.

## **OLD BUSINESS**

1. SERC Annual Report - Mr. Paul briefed that the final report was submitted to the Governor and copies were made available at this meeting. The report was made available at the November LEPC meetings.
2. SERT Plan Revision - Mr. Paul thanked Mr. Newnam for coordinating the Fire Chiefs review of the SERT Plan. The Fire Chiefs recommendations were minimal and include reinserting the Decon Plan. Mr. Newman made a motion to approve the changes made by the fire chiefs, Mr Irwin, seconded and the motion was approved by the SERC.

3. Rail Company Letters - Mr. Paul reported that a letter formally questioning the rail companies on their handling of railcars that contain Hazmat was drafted, coordinated, signed by the SERC Chair and Vice-Chair, and mailed certified to Mr. French, CSX Transportation, and Mr. Muir. Norfolk Southern Corporation.

**PRESENTATION - None**

**NEW BUSINESS**

1. Mr. Giles motioned that SERC recognized Wilmington for forming a HazMat team and it was second. After discussion, the motion was withdrawn. The Commission decided to let the minutes reflect that the SERC recognizes and supports the City of Wilmington's efforts to start a HazMat team.
2. Mr. Newnam, Chair Finance and Budget Committee, briefed that the Committee was awaiting additional information from the Sussex County Finance Officer on the LEPC carryover funds. Mr. Newnam made a motion that the Commission authorize the F & B Committee to review the Sussex Budget input and to release funds; the motion was approved.

**CLOSING COMMENTS**

Ms. O'Neal thanked everyone for all their hard work with Sussex County LEPC and Congratulated Senator Ennis. Mr. Dave Ennis recognized Ms. Marilyn O'Neal and Mr. Tim Cooper for their efforts.

Mr. Paul read a tribute from Governor Ruth Ann Minner to Mr. James R. Kenny for over 20 years of committed service to the State's hazardous material commissions and New Castle County hazardous material planning efforts. The tribute and a fruit basket will be presented to Mr. Kenny.

Ms. Pam Meitner announced that she was retiring December 31, 2007, but would assist the SERC until a replacement was named. She stated that it was a privilege and that she was proud to have served nearly 20 years on the Commission.

Meeting adjourned at 10:30 a.m. Next meeting on March 12<sup>th</sup>, 2008