

# STATE EMERGENCY RESPONSE COMMISSION

## Meeting Minutes

June 11, 2014

### Commissioners

Marjorie Crofts – SERC Co-Chair (DNREC)	Robert Byrd – Rail Transportation
Dwayne Day – DelDot	Sen. Bruce Ennis – DVFA
Colin Faulkner – Kent County LEPC	Monroe Hudson – DSP
Grover Ingle – State Fire Marshal OSFM	David Irwin – New Castle County LEPC
Al Johnson, Jr. – Air Transportation	Kevin Kille – DEMA*
James Lee – Consignees	Dr. Har Ming Lau – Div. Public Health
Robert Newnam – DE State Fire School	Lynn Poling – Water Transportation
Charles Stevenson – Sussex County LEPC	John Verdi – Chemical Users

*SERC Commissioners unavailable: Secretary Lewis Schiliro (SERC Co-Chair); \*Jamie Turner (DEMA Director); George Giles (City of Wilmington LEPC); Michael Layton (Highway Transportation), Brian Wong (Shippers).*

### Members/Visitors

Robert Barrish – LEPC Kent County	Mark Dolan – DNREC
Lisa Dunaway – DHS	Brandon Olenik – KC OEM
Bill Hermstedt – East Shore Natural Gas	Ellen Malenfant – DNREC
J. Allen Matheny - DVFA	Lois Mathews – DEMA
Roger Minner - DHS	Robert Pritchett – DNREC
Alex Ritteg - DNREC	Col. Dallas Wingate - DNG

Meeting called to order at 9 am by Co-Chairwoman Crofts.

The March 12, 2014 minutes distributed at the meeting were approved as written following a motion by Mr. Newnam and seconded by Mr. Irwin.

### **STANDING COMMITTEE REPORTS:**

Mr Newnam: Re: Budget and Finance – a summary is in agenda packet Item "C" in packet. You will see that everything is in line as expected. Decon replacement account is showing encumbered amount - shows being taken out and shows the balance. Account balance after FY 2015 is \$58K. When we get to new business, I will report on a recommendation on the Kent County LEPC amount that was left on the table when we last met. We met with Kent County and the Finance Committee since then and we do have recommendation to be brought up under new business.

### **Summary of SERC Finances as of 6/10/2014**

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

Carryover from 2013 calendar year	+ \$ 234,771
Fees collected so far in 2014	+ \$ 265,920 (a)
Projected reimbursements thus far for 2014	- \$ 0 (b)
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Account balance as of 6/10/2014	+ \$ 500,691
FY 2015 approved allocations to be completed by 7/1/2014	- \$ 307,210 (c)
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These minutes are DRAFT until approved at the next SERC meeting.

Account balance after FY 2015 disbursements + \$ 193,481

**Decon Trailer Replacement Account:**

Carryover from 2013 calendar year	+ \$ 355,747
Encumbered amount for first replacement decon unit	- \$ 328,311
Interest received thus far in 2014 (first 5 months)	+ \$ 1,151 (d)
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Account balance as of 6/10/2014	+ \$ 28,587
FY 2015 deposit to be completed by 7/1/2014	+ \$ 30,000 (c)
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Account balance after FY 2015 deposit	+ \$ 58,587

**Notes:**

- Reports and fees from facilities covering calendar year 2013 were due (to be postmarked) by 3/1/2014. We are still processing submitted reports and fees, and following up on delinquent reporters. Fee collected in 2013 totaled \$286,260.
- 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 three years have totaled less than \$300.
- FY 2015 Allocations Approved for Distribution:

<b>Agency/Organization</b>	<b>FY 2015 Approved Allocation</b>
City of Wilmington LEPC	\$ 58,381.83
New Castle County LEPC (account maintained at DSFS)	\$ 82,591.00
Kent County LEPC	\$ 54,664.00
Sussex County LEPC	\$ 67,326.67
SERC IT Committee (account maintained at DSFS)	\$ 12,247.00
Transfer to decon. trailer equipment and maintenance account	\$ 2,000.00
Transfer to decon. trailer replacement account	\$ 30,000
<b>Total</b>	<b>\$ 307,210.50</b>

Note: FY 2015 budget allocations were approved at the March 12, 2014 SERC meeting, with one exception. The Kent County Local Emergency Planning Committee (LEPC) budget was still under review, with the Finance Committee requesting additional documentation for the request. The SERC authorized the Finance Committee to make the final decision on the Kent County LEPC request. The Finance Committee met with representatives of the Kent County LEPC on May 22, 2014 and arrived at an agreement for the final amount, included in the list of distributions above.

- 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.

*\*END OF SERC FINANCE REPORT \**

**SERC Planning and Training Committee: - Mr. Kevin Kille**

Mr Kevin Kille: RE: P&T Committee: SERC P&T meeting occurred on May 22 and the meeting was run by Glenn Gillespie in Jamie's absence. I can highlight the main items of the notes in your agenda packet:

Proposed presentation for the SERC meeting was decided (Vulnerability Assessment of Coastal Facilities); we also talked about HMEP grant - status FY14 grant total amount \$110k' spent\$ 22,994 (21%.) Sub-grantees - please spend your money. Adding the projected spending of the Fire School (\$30k) and NCC LEPC for their full scale exercise (\$40k), that would bring it to 84%.

RE: HMEP sub-grantees who received an email from me that I had received from USDOT. As you recall, they wanted us to take an on-line course. So, I took it, and basically is instruction on how the grant works. At the end, there is a place certifying that everyone who is trained with HMEP funding does a good job and the liability of the responders. Bottom line is we HMEP grantees and subgrantees are not liable for sub-par performance by responders, and you do not have to take this course. It is not required. A written confirmation will be forthcoming from USDOT PHMSA.

We also reviewed the HazMat Workshop. Dave Irwin will discuss in greater detail. Jamie Turner has not made a decision on how or to what extent DEMA will support the next workshop. That decision is upcoming.

We then discussed Bakken oil shipments. As far as Delaware is concerned, the railroad sent to us a non-disclosure/ confidentiality agreement stating that we will not disclose particular shipment information. It came to us at DEMA and Jamie Turner forwarded it to our Deputy Attorney General. Those agreements are being reviewed currently. If you were watching news on this subject, you will see that some states are declaring this to be public information.

I have hard copies of the actual USDOT order –basically saying shipments of a million gallons or more, per train, of Bakken shell that comes through the State - we need to be notified .

As mentioned at the Planning and Training Committee meeting, Jamie proposed disclosing this information to our 911 centers and local EMAs. That is not set in stone yet. Once it is finalized we will inform you of the notification process.

Other items discussed: The rail car training in Pueblo, and exactly what is offered in that course. I have minutes from the meeting in your agenda packet.

Notes from the most recent Planning and Training Committee Meeting follow:

**The State Emergency Response Commission Planning and Training Committee meeting of May 22, 2014:**

*Attendees:* Glenn Gillespie (attending as proxy for Jamie Turner, Committee Chair), Robert Newnam, Mark Dolan, David Irwin, Kevin Kille, Dr Har Ming Lau, Ellen Malenfant, Charles Stevenson, COL Dallas Wingate.

Meeting opened 1000 by Glenn Gillespie

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

OLD BUSINESS: Approval of minutes of last meeting. Motioned to approve by Newnam. 2nd by Irwin. Approved. Quarterly SERC Meeting. Opened discussion with possible presentations for the SERC quarterly meeting.

Malenfant: Proposed presentation of the "*Vulnerability Assessment of Hazmat Installations in Coastal DE*". She would arrange the presentation. Committee approved the proposed presentation for the SERC quarterly meeting.

Irwin: Asked if the SERC Budget had been approved.

Newnam: The Finance and Budget Committee approved Wilmington, New Castle County, and Sussex County. Have not yet approved Kent County, pending meeting today of the Finance and Budget Committee with representatives of Kent County.

*(NOTE: After the Planning and Training Committee Meeting, there was a meeting of the SERC Finance and Budget Committee to discuss Kent LEPC. Per subsequent report from Newnam, he states the following(extracted from the Finance and Budget Committee Report to the SERC) : " The Kent County LEPC requested \$68,800.00. There is a carryover from last year projected at \$14,136.00. The Committee recommends approving \$54,664.00 for the Kent County LEPC Budget. \*\**

*\*\*The SERC Budget and Finance Committee met with personnel from Kent County on May 22, 2014 to review the initial request. Kent County amended their request which is reflected in the request being presented to the SERC Committee for consideration. The other requests were approved by the SERC Committee at the March 2014 meeting."*)

Newnam: Asked Kille to modify wording on SERC agenda in the Finance and Budget Committee report to read: "Approval of Budget Recommendation for Kent County LEPC".

Gillespie: Asked Kille to confirm meeting time is 9:00 AM.  
*(Kille later confirmed with Dee Rivard that the meeting is 9:00 AM, June 11, at the Fire School.)*

Gillespie: Approved agenda for SERC Meeting

HMEP Grant Report: (Kille). Reported that of the HMEP FY 14 Grant, \$22,950.84 has been spent. This amounts to slightly more than 20% of the allocation of \$110,643. If adding the projected spending of the Fire School (which is always \$30,000) and New Castle County LEPC for their full scale exercise (\$40,000), this would amount to 84% of the grant. The application for the FY 2015 grant has been completed and submitted. Got preliminary approval from USDOT PHMSA. Now awaiting notice of award documents.

Irwin: Suggested requesting LEPCs to see if they will spend their allocations toward end of the FY. Kille will do so.

Gillespie: Kille will discuss HMEP grant at the SERC Meeting. Kille will also determine if projected (but not yet spent) funds count as the FY closes.

*Note: Kille checked on this, and it was never allowed in the past, and the grant guidance for the current grant does not allow it. HMEP grant does not allow this nor carry-over from one year to the next. Kille will present status of HMEP grant at the SERC mtg.*

COL Wingate discussed his experience with Federal grants process from the Department of Defense perspective.

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Gillespie: Kille to review grant guidance for reporting purposes, and will brief at the SERC Meeting.  
Irwin: PHMSA briefed at the recent NASTTO meeting. PHMSA gets funds from fees from trucking Associations. Total is about \$25 million, authorized by Congress. Question by truckers at the conference: Where is the money going? What is the Fed doing with excess money collected in fees? Truckers are saying that if the Feds are not spending all the money they collect in fees, then the Feds should do away with the fees. However, if the fees disappear, then HMEP will disappear also.  
Hazmat Workshop briefing. (Irwin).

Thanks to all involved. Discussed how funds were obtained and spent. Discussed details of workshop, attendee numbers, classes, speakers, etc. Extremely successful event. Hotwash was last Tuesday. Recognized early on that admin support would be limited from DEMA. DNREC & DSFS staff contributed. Noted a problem: Inefficient and inconsistent reporting of the registration processes. DSFS took over the registration process, using their normal system, but there was some initial difficulty in adjusting between how Lois at DEMA did that and how DSFS was used to doing that.

The conflict was worked out quickly and the process went smoothly afterwards. If SERC sponsors the workshop again, recommend that certain agencies do certain processes. Suggest having DEMA do contracts, HMEP, and travel expenses. Have DSFS totally handle budget & registration process. Have DNREC handle promotional items and suppliers of promotional items. Recommending that P&T Committee Chair recommend to SERC that we have an 8th annual workshop. Recommended keeping the conference open to surrounding states and counties in NJ and PA, MD, but be careful not to get too many out of state attendees vs in-state attendees.

Gillespie: Please elaborate on inconsistencies. Were there I.T. issues?

Irwin: No. it was a process issue. DSFS has excellent system of tracking registration, which was different from Lois' system of tracking. DSFS had to adjust from Lois' system to their own, which worked.

Ellen: Let's stay with what you start with.

Kille: Relayed guidance from Jamie Turner to the Committee that DEMA will not commit to support of the next workshop, as of this time.

Irwin: Can we bring up at the next SERC meeting? The next workshop will be 10-11 April 2015.

Gillespie: I will discuss this with Jamie Turner.

Newnam: Lessons learned, we need to coordinate better next time.

The Emergency Order for Notification of States' SERCs of Bakken Oil shipments. (All members had seen the Order via email, and a hard copy was made available to attendees). Kille briefed Jamie Turner's proposal of notifications, i.e. to SERC, 9-1-1 centers, local EMAs and LEPCs, in that order. General discussions of the Bakken Oil issues followed. All agreed that if every train shipment caused a notification per the Emergency Order, there would be large amount of notifications daily coming to us daily.

Newnam: We need to discuss at SERC mtg. We need to accurately interpret the Order, as Norfolk Southern notifying SERC (and others) of scheduled trains. What exactly is the order saying? How

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detailed? Is this a DELDOT issue also? Bottom line is: We don't need to know of every train every time they come here.

NEW BUSINESS: Next SERC Meeting 11 Jun 0900 at DSFS. CONFIRM TIME! IS IT 9 OR 10?  
(Kille has confirmed the meeting is 9:00 AM).

OTHER NEW BUSINESS:

Irwin: Discussed training. DSFS is the top trainer in Delaware. NS Rail states that the FRA is giving Railroads \$5m to train on railcar response. DSFS gets 2 slots for Pueblo course. NS sent letter says they have 5 additional slots for the fire companies. NCC has Identified an individual for the Pueblo training. It should be DSFS's purview to Identify students to attend the course. Concern: If sending firefighters from local district, what's the benefits? Better to have DSFS to send students.

Gillespie: Believes that the program is a train-the- trainer program. The DSFS is the lead organization in the State for training 1st responders in all subjects including fire, rescue, EMS. This should be coordinated with the Director of DSFS so the state gets best benefit. Asked if those interested in attending the course in NCC are also instructors?

Irwin: Is there some way that to ensure that NCC not identify who goes?

Bethard: Quoted Jamie Turner's email to Dave Carpenter, on who would attend.

COL Wingate: DSFS is the center for training, and should have first cut on any application for training.

Irwin: Original email was from Scott Muir. (Irwin read the email). Also read Jamie Turner's response. He also read Norfolk Southern's response to Jamie Turner. DEMA shall not nominate until the Fire Chiefs had have an opportunity to vet the nominations.

Newnam: When NS made the pitch, it was 1st step in opportunity to send people to training. Was it Hazmat technician, or train-the- trainer training? If it is train-the-trainer, then DSFS may not recognize the course. Sounds like the Railroad is interested in publicity. There is no "Crude Train-the-Trainer". Newnam has a meeting scheduled for 28th May, with Railroads and the refinery, looking at responses from fire chiefs, and will put together a workshop. Fire Chiefs are tired of the NS sales pitch. They are more interested in what DNREC will bring to table in an incident. By May 28th, DSFS will better be able to respond to NS offer for crude oil response. The NS course is for 1st responders, not a technician course.

Irwin: Recognized that DSFS is the lead for training. Suggesting issuing a public statement that anyone wanting training should contacting DSFS.

Newnam: Will hold off till after May 28th. Will report back at the SERC mtg.

Dolan: Described his experience at the Pueblo course. All students were Hazmat Techs. They were expected to be so qualified prior to attending the course. Was a very worthwhile course. Students can do much more hands-on training that they can't do here. The school also prefers command experience among the attending students. There will be a Crude Oil class in June, but the school did not say whether or not that the Crude class is a Train-the-trainer.

Newnam: Would like to get people trained on crude oil response to come back to Delaware and pass on that training.

Gillespie: Will brief Jamie Turner on this, and will suggest talking to Newnam. Also will discuss Jamie Turner's response to Mr. Muir of Norfolk Southern.

Newnam: Do we really need Planning & Training meeting in August?

Gillespie: The meeting is still scheduled and will occur,

Meeting adjourned at 1110.

Minutes drafted by Kevin Kille, DEMA, SERC Executive Director.  
Minutes approved by Glenn Gillespie, DEMA, Proxy Chair for SERC Planning and Training Committee. Signed: (Original signed and saved as PDF)

*\*END OF PLANNING AND TRAINING COMMITTEE REPORT\**

### **SERC State DECON Trailer Committee – Mr. Robert Newnam**

Mr Newnam: RE: Decon Committee: We met on 5/22/14 - see agenda item E in your packet - it is an overview of meeting notes. Nothing really new on equipment or training. We did discuss the new trailer that is on schedule to be delivered. Things are going fine at this time. Also discussed disposal of 2 decon trailers. Since the trailers were bought with general funds, the money would have to go back to the general fund. We would like to have the money go back to the replacement account. We are awaiting an answer from DEMA. Our Committee did recommend it come back to SERC.

Ms Crofts: It goes back into the state legislative fund?

Newnam: It goes back to State's general fund, not DEMA's fund. It won't hold up the new trailer or disposal of old trailers. It will cause an issue down the road when we go to replace the Kent County trailer. We were counting on \$30k extra coming out of the sale of the trailers.

I want to thank Ellen on the work she did organizing the MOU with Elsmere Fire Dept and DNREC in regards to housing of unit. I understand that is being executed soon.

Lastly, we did discuss the funding for 2014 Security grant and we are still in line for \$80k maintenance required. Next meeting will be August 28.

Lynn Polling: In general, when old ones become available, I may know someone who might be interested.

Newnam: Jamie Bethard will be the contact. I will work with you on that.

### **Notes from the DECON Trailer Committee meeting on May 22, 2014.**

The DECON Trailer Committee met on May 22, 2014.

*Attendees:* Robert Newnam, Jamie Bethard, Ellen Malenfant, Dave Mick, Dave Irwin, Mark Dolan, Kevin Kille, Charles Stevenson, Dr. Har Ming Lau, Joe Leonetti (Called in).

Meeting was called to order, introductions made.

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Newnam: Any county have any repair requests? NONE

Responses:

Leonetti: Most turned around. Nothing of significance. 24-hr classes conducted. May have 7 or 8 more on the June 8 class.

Stevenson: No activations. 1 training course: A Technician Refresher course.

Mick: No responses. 1 training course. Getting ready for races & Firefly.

Stevenson: Got email from DEMA asking status of trailer.

Mick: We are OK with equipment

Leonetti: With equipment, the pack had problem. A Swedish company sent one. We tried it out in training. Heavy duty enough for Decon use. Has harness. Good positives. Not good seal at bottom. Will try out again in next training. Costs \$1600 a piece.

Malenfant: Let me know if you want homeland security funding. 2014 funding is available now. Mostly for replenishment. We are using 2012 funding now.

Bethard: Joe Leonetti send me email on what was done. Please validate.

Leonetti: OK, will do.

OLD BUSINESS

Bethard: On the trailers, paperwork is in the system to go to surplus. Sussex #2: We will take to Delaware City when getting the green light to do so.

Newnam: Units ordered status? Inspection pick up date in mid June.

Leonetti : Will be In service when paperwork done, in a week or two. Probably in service in 2 week. By 01 Aug.

Malenfant: MOU. Sent revised one with lawyer additions.

Leonetti: We are OK with that.

Malenfant: We will send a non-draft copy which Elsmere can sign.

Leonetti: Ken Dunn will sign.

Malenfant : On the forms to fill out, state insurance and specific driver. The forms are on a web page.

Leonetti: We will have drivers fill out.

Newnam: We are on schedule with new unit. Is there any need for new equipment when unit comes in?

Leonetti: Maybe some minor items. Not much.

NEW BUSINESS:

Malenfant: 2014 Homeland Security Grant. Will be some extra funds for 2014, 2015, 2016. There's \$48,000. This year and next the total is \$80,000. Starting in 2015 there will be some extra funding. This will cover maintenance.

*Newnam: Special thanks to Mrs. Malenfant for her excellent assistance in facilitating approval of the MOU with Elsmere Fire Department and DNREC with regards to housing the unit.*

***The next meeting will be 28 Aug at 1000, unless cancelled.***

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

*\*END OF DECON TRAILER COMMITTEE REPORT\**

**Information and Technology Committee – Mr. Robert Pritchett**

Mr Pritchett: RE: IT Committee: The IT Committee has not met since the last SERC meeting. The focus has been working with contractor to address bugs and enhancements of Tier II Program. Our focus at this point will begin to start working on the Response aspects.

The SERC Information and Technology Committee did not meet this quarter; therefore, no report submitted.

*\*END OF INFORMATION TECHNOLOGY COMMITTEE COMMENTS\**

**Discussion of Hazmat Workshop held on April 25-26 2014:**

Ms Crofts: Onto the next agenda item - I got to attend Friday and Saturday's Hazmat Workshop and want to thank Dave and the Workshop committee members for all of their hard work in making this another success. The speakers were well received --- overall things were great.

Mr. Irwin: As Madam Chair said, this was the most successful workshop to date. The theme was again "Educating Responders for Today and Tomorrow:.. DSFS is an excellent host. We had 320 registrants - from DE, PA, MD, NJ. This exceeded last year's. We had 279 people actually show up. A lot of those that did not show up were from the Coast Guard and the Atlantic Strike Team, who had to cancel as they were unexpectedly deployed. Thanks to them not showing up, we had extra briefcases and as a gesture of appreciation we want every SERC member to have a brief case and challenge coin.

There has been a problem for some salaried people to attend a Saturday class, so this year, for the first time, we offered Friday session. We had 129 people attend Friday's session. For the team-building dinner, we had 168 attendees. At team building exercise we awarded each sponsor a certificate of appreciation. The Keynote speaker was Greg Noll, nationally recognized HazMat instructor, retired from the Air Force, who spoke on the Air Forces core values - integrity, service and excellence. These have kind of fallen by the wayside in today's world, and he spoke to this in his presentation. In regards to sessions – we had 13 different sessions taught by local subject matter experts and 3 invited speakers. DSFS awarded 8 hours HazMat Refresher and EHS CEUs. Regarding funding for the Workshop, DEMA supplied \$4800 through the HMEP grant; PSEG \$1000, TRANSCAER \$1000; we had 8 vendors @ \$250. Happy to report one of the things LEPC has been able to do is establish partnerships with private industry and they have embraced the Workshop. We raised an additional \$12,750 from private industry contribution, which brought the total to \$21,550. This was the first time we were able to pay for everything we consumed. Also happy to report that because the workshop is getting a national reputation for being the only free state sponsored workshop in the US with such a high caliber of the sessions. Frank Docimo taught four courses – no fee; Jake Kelton – paid travel only. Greg Noll charged an extremely reduced amount for his speaker fee.

We have a carryover of \$5,583 to get next year's workshop started. It was a great team effort. In addition, I want to thank the HazMat Planning Committee who worked to develop this outstanding workshop. Thanks to Lois, Jerry Brennan, Chris, Libby Carey, and the entire staff of the Fire school and Ellen and Donna from DNREC. Really a great team effort. Could not have done it without their help.

Feedback has been extremely positive. I recommended to the P&T Committee and SERC to authorize an 8<sup>th</sup> Workshop for April 2015. Because P&T did not make a recommendation, we have to wait until September. We normally begin negotiations and preparations in August. We will be behind the curve and it will be tough to get first-class presenters. That is my report.

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Ms Crofts (*Addressing the whole Commission*): What is feeling of value of the workshop?

Mr. Lee: I think it is something that should be continued.

Mr. Verdi: I agree.

Mr Faulkner: I like the attendance levels and excellent reports on this.

Mr Stevenson: I agree.

Ms Crofts: Kevin, why is DEMA considering not providing support?

Mr. Kille: Jamie did not elaborate. He asked me to put the word out that we are still thinking it over. I can't really speak for him.

Ms Crofts: Does that include an issue with the HMEP grant?

Mr.Kille: He did not say that.

Ms Crofts: Having done conferences in the past, I am inclined not to wait for a decision in September

Ms Polling: I agree.

Mr. Byrd: I agree also.

Ms.Polling: I offer a motion to proceed with planning the 8th Annual HazMat workshop

Mr. Byrd: I second that motion.

Ms Crofts: All in favor? (YES) Opposed? (none); Abstain? (Mr. Kille representing DEMA). Motion carried. Thank you, Dave.

Mr Irwin. I will start planning for it.

DRAFT

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

### **NEW CASTLE COUNTY LEPC REPORT:** - Mr. David Irwin Reporting Period March 12, 2014 to June 11, 2014

Irwin: RE: LEPC NCC: My report is in your packet – rather than bore you with details, I will hit the highlights. May 12<sup>th</sup> hosted by – 28 individuals attended. Mark Dolan compressed specialty gases training - 55 first responders participated. Honeywell march 29<sup>th</sup>. Some background - for those that drive through Newport Rt. 141, that project has been going on a long time. There were Public hearings on the subject, but, one of the things that slipped by was part of 141 corridor improvement project that involves replacement of James Street Bridge, a movable bridge across Christina River. NCC Special Services sent out a letter to major industrial facilities – that by 2016, they need to come up with a contingency plan to either keep Sewer Water on site, or truck it off site. That would be a monumental task for any industry. So one of the LEPC members raised a question – did anyone else receive a similar letter? YES. NCC looked into it. They had public hearings, but no one raised questions or issues, so they are asking that contingency plans be put together. I contacted DelDot. They did an excellent presentation on this project. The James Bridge is in such bad shape it is supported by truck jacks. The challenge is a 72-inch sewer line in Pine Creek and runs up to Wilmington waste water treatment. The problem is it is by the James Street Bridge. It is between the river and the Superfund site. If they disturb that pipe and it ruptures, we will lose that 72-inch sewer line. We are worried about I-495 closure, but 10 miles of people with no sewer would be a major problem. After a lots of team work and cooperative effort between DelDot and NCC, they will test the integrity of the pipe in May. Will come to July LEPC meeting and give results of that. This line was installed in 1971 of reinforced concrete – gets integrity from the steel. They have a history of failing. They will test the integrity of the reinforcement. Lot of detail there, but wanted to bring to everyone's attention. RE: SERC Title III, Section 303 – LEPC completed annual review of hazardous response plan and sent copies to OEM for inclusion in their Emergency Response Plan. Sent copy to DEMA.

Facility Visits: Middletown and Amtrak.

We have an HMEP grant for full scale crude oil exercise on Aug 23 at the Occidental Facility on Rt. 9. As a result, Norfolk-Southern (NS) and the refinery are partnering and parlayed that exercise to NS totally funding and the refinery hosting a tabletop exercise on Aug 2<sup>nd</sup> that will help us prepare for full scale exercise on 23<sup>rd</sup>. There will be room for 40 to 60 participants.

NS is bringing in Dupont TRANSCAER railcars on Aug 21-22 and we will open that up to 5 sessions – 25 seats per session. Open up to any first responder who wants to participate.

We also attended a NCC Fire Chief's meeting – TRANSCAER has put together a set of 3 videos (chlorine, anhydrous ammonia and CHEMTREK info). We distributed these to 18 fire companies.

Ms Crofts: There are several legislators concerned about oil shipments. Consider inviting them as observers to the full scale exercise.

Irwin: Yes, I've been to their public meetings. At the end of the day I was fortunate to negotiate a tremendous discount with the company who will run this full scale exercise for us. NS is contributing trains, workshop, and a fair amount of money. It was suggested we videotape the full scale exercise. Video directors are not cheap. No funds available. Anyone interested?

Byrd: Let's talk about that.

Newnam: That is training that you need to edit – now you are presenting something. Mistakes take place in training. We need to be careful about videotaping. Just be careful.

Dave: Maybe we should forget about raising funds and taping.

**NCC LEPC Meetings: There has been one LEPC meeting since the last SERC meeting. Notes follow:**

The May 12, 2014 meeting was hosted by BASF Corporation, 205 S. James Street, Newport, DE 19804. Twenty-eight individuals attended.

**Highlights:**

- Paul Moran, Site Director, welcomed the group.
- Committee Reports –
  - Finance – Chairman Irwin reported that expenses since the last meeting were:
    - Staff Salaries - \$13,333.34
    - Admin Support - \$ 1,000.00
    - Training Support - \$ 933.43
    - Total Expenses \$15,266.77
    - FY 2014 Budget balance: \$17,003.81
    - SERC approved FY 2015 budget request of \$87,591 minus any FY 2014 carryover.
  - DECON - Chairman Irwin reported there is no new information, next meeting scheduled for May 22<sup>nd</sup>.
  - I.T. – Bill McCracken, LEPC committee representative reported:
    - John Outten started with the DNREC EPCRA Group on April 7<sup>th</sup>, filling the position vacated by Kris Gontkovsky.
    - 1697 facility reports submitted on-line.
    - DNREC still working with the contractor to address bug fixes and enhancements identified during current reporting cycle.
  - Training – Mark Dolan NCCIHMRM Planning and Training Committee Coordinator reported that three training sessions have been conducted:
    - Emergency Response to Compressed Specialty Gases training was conducted by Eugene Ngai and hosted by the U of D – Fifty-five first responders participated.
    - Participated in the DuPont sponsored, Honeywell/Claymont Fire Company hosted Sulfur Trioxide (SO<sub>3</sub>) full scale exercise.
  - Participated in the 7<sup>th</sup> Annual State of Delaware Hazardous Materials Training Workshop hosted by the Delaware State Fire School.
  - Transportation – Committee Chairman Al Stein reported:
    - Canada will phase out the old DOT 111 rail cars within the next three years.
    - Details of the CSX Corp. 105 car train carrying crude oil that derailed and burst into flames in downtown Lynchburg, Virginia on April 30,2014.
  - 7<sup>th</sup> Annual HazMat Workshop – Chairman Irwin briefed the group on the success of the 7<sup>th</sup> Annual HazMat Training Workshop. *(Note: Mr. Irwin's briefing included: Total 320 registrants for the 2-day event with 279 actually attending; Teambuilding Dinner had 168 attendees; Grant support included HMEP (\$4,800); PSEG (\$1000) and TRANSCAER (\$1000); 8 vendor booths @ \$250 each; plus private industry support in the amount of \$12,750, bringing total support raised to \$21,550. After paying all expenses, there is a carryover surplus of \$5,583 to support next year's Workshop in 2015. Mr. Irwin thanked the DSFS and staff for their administrative*

*work in hosting the Workshop, and for the support of the Workshop Planning Committee, especially DNREC's Ellen Malenfant and Donna Donovan).*

- Discussed the transfer of DENS information from First Call to Code Red and the need for individuals to verify that their information is still in the system.
- DelDot and New Castle County Special Services personnel discussed the James St. Bridge project and the concerns about the 72" Sanitary Sewer line protection measures.

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

- Participated in the SERC meeting (3/12)
- Participated in the Planning & Training Committee meeting (5/22)
- Participated in the DECON Committee meeting (5/22)
- Participated in the Crude Oil Survey meeting (5/28)
- Prepared and submitted in a timely manner the LEPC quarterly performance report
- 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 the 7<sup>th</sup> Annual HazMat Team Building Dinner on April 25, 2014
- Along with HazMat Training Workshop Planning Committee members, DEMA, DNREC, Fire School and Wilmington LEPC staff led the effort to conduct the 7<sup>th</sup> Annual HAZMAT Training Workshop at the Fire School on April 25<sup>th</sup> & 26<sup>th</sup>.

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

- Conducted six Plan Reviews and Facility visits, Middletown Water Treatment follow-up (3/20), Southern States (3/20), DuPont Stine-Haskell (3/24), DuPont Edge Moor (4/1), UPS (5/12) and Amtrak (5/29).

#### **Exercise Status:**

- Participated in the DuPont/Honeywell full scale emergency exercise on March 29, 2014.
- Was successful in resolving the liability issue of requiring Rail Car exercise participants having to sign a private industry liability waiver.
- Was successful in getting the Delaware City Refinery to partner in the Rail Car Full Scale Exercise
- Was successful in getting US Coast Guard, Delaware City, Goodwill, Christiana and Delaware City Refinery Fire Companies to serve on the Rail Car Full Scale Exercise Planning Committee.
- The first Exercise Planning Committee meeting was conducted by the Olson Group and hosted by the Mill Creek Fire Company on May 1, 2014
- Successful in getting Delaware City Refinery to host Norfolk Southern sponsored Rail Car Incident Tabletop exercise on August 2<sup>nd</sup>.
- Working with NS to finalize plans for Rail Car Emergency Response Training for First Responders, August 21<sup>st</sup> and 22<sup>nd</sup>.
- Working with Exercise Planning Committee to finalize details of LEPC sponsored Full Scale Exercise scheduled for August 23<sup>rd</sup>.

#### **Hazmat Incidents:**

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

**NCCIHMRA:**

- Administered the “Emergency Response to Compressed Specialty Gases” training sessions conducted by Eugene Ngai and hosted by the University of Delaware March 11<sup>th</sup> & 12<sup>th</sup>.
- Along with DuPont and Fire School personnel modified SO3 tank trailer to simulate SO3 leak in preparation for Full Scale exercise scheduled for March 29<sup>th</sup>.
- Assessed Occidental Site for suitability for August 23<sup>rd</sup> exercise (4/15).
- Participated in NS/DuPont TRANSCAER Rail Car Safety/Response Training

**Outreach Initiatives:**

- Participated as a panel member in State Rep. John Kowalko’s Energy Committee meeting on Oil-By-Rail Safety hearing at Legislative Hall (3/26)
- Attended State Rep. Longhurst sponsored Crude Oil Rail Car Safety & Response Planning meeting hosted by the Delaware City Fire Company (3/10)
- Participated in Community Rail Safety meeting conducted at AETNA Fire Station 8 (4/17).
- Attended two planning meetings (3/25, 4/21) for October 2014 Emergency Preparedness and HazMat Response Conference to be held in Valley Forge, PA.
- Participated in Sunoco Logistics Marcus Hook Industrial Complex Project community meeting sponsored by the Claymont Collation and hosted by Claymont Fire Company (4/28).
- Discussed and distributed over 150 Emergency Preparedness Guidelines at Sunoco event.
- Delivered 3,750 Emergency Preparedness Brochures to Wilmington OEM.
- Attended the NCC Northern Regional Public Safety Community meeting at the Claymont Community Center on May 5, 2014 and distributed approximately 100 Emergency Preparedness Guidelines.
- Conducted HazMat CERT training for NCC OEM (4/4)
- Participated in DC CAER meeting (4/10)
- Participated in five CAP meetings, Croda (6/4), FMC (3/19), Delaware City Refining (4/8,5/5), and DuPont Newark Sites (5/5)
- Participated in Stine-Haskell Employee Health & Safety Fair on May 14, 2014 and distributed 375 Emergency Preparedness guidelines.
- Received invitation to participate in DuPont Chemicals and Fluoroproducts 2014 Summer Safety Fair June 12, 2014.

**Additional Staff Activities:**

- Attended NASTTPO Annual Training Workshop & HMEP Grants Assistance Meeting, April 22-25, 2014.
- Was successful in getting a record 17 sponsors for the 7<sup>th</sup> Annual HazMat Training Workshop
- Attended NCC Fire Chief's meeting (6/5) and distributed 18 sets of TRANSCAER Emergency Response training (Chlorine, Anhydrous Ammonia, Chemtrec information) DVD's to fire companies.
- Attended NCC Fireman's & Fire Chief's “joint” Association meeting (5/6).
- Attended Mill Creek Dedication Ceremony (5/18).
- Facilitated HazMat Training Workshop Hot Wash meeting (5/20).
- Prepared and distributed HazMat Training Workshop Hot Wash meeting minutes.
- Rode the NS Research Car from Wilmington to Baltimore (5/17)
- Represented LEPC at two Wilmington LEPC meetings (3/14 & 5/9).
- Arranged for DelDOT personnel to discuss James Street Bridge project at May meeting.

- D. Irwin received TRANSCAER 2013 Certificate of Appreciation for Contributions to HAZMAT Transportation Safety.
- Interviewed and quoted by Jeff Montgomery for News Journal Rail Car Safety Article published Thursday, 5/8.
- Attended NCC Council Public Safety meeting (4/8)
- Worked with NS personnel to finalize details of NS/DuPont TRANSCAER Rail Car Safety/Response Training scheduled for 8/21 & 22/14.
- Successful in getting PBF to host NS sponsored tabletop exercise scheduled for 8/2/14.
- Documented five reportable release reports in accordance with EPA regulations.
- Served as a resource for Private School Administrator regarding Emergency Plan requirements and test protocols (4/3)
- Served as a technical resource to one mid-west state, five member organizations, one state agency, U of D student conducting research on crude oil safety and one consultant company.
- Worked DNREC personnel to develop a special recognition plaque for Frank Docimo.

Chairwoman Crofts complimented Mr. Irwin on his coordination of the crude oil by rail safety exercises in August and asked that he consider inviting concerned members of the State legislature who conducted public meetings on this topic to participate as observers. Mr. Irwin will do so.

*\*END OF NCC LEPC REPORT\**

Ms Crofts: Anyone here for George Giles? We have his report in his packet, so let's move on.

### **City of Wilmington LEPC Report – Mr. George Giles**

The City of Wilmington LEPC met once since the last SERC quarterly meeting:

Wilmington LEPC meeting was held May 8, 2014 @ the EOC.

**FY13 BUDGET:** - Budget on track

### **HAZMAT TRAINING**

- Attended the IAFC Hazmat Conference.
- Will attend and participate in the 2014 Emergency Preparedness & Hazmat Response Conference October 25<sup>th</sup>-30<sup>th</sup> in Valley Forge. Participating on the Planning Committee for the event
- Attended and participated in the statewide Hazardous Workshop April 25 & 26<sup>th</sup>, 2014.
- Conducted all hazmat team members from WFD for hazmat re-cert.
- Conducted Delaware River Bay Response Training to responders in March.
- Will attend and participate in Wilmington's Active shooter drill June 13<sup>th</sup>& 14<sup>th</sup>.

**HAZMAT RESPONSES :** NONE

### **EXERCISE STATUS**

- Will host and participate in the June 13<sup>th</sup>& 14<sup>th</sup> Active Shooter drill.
- Continue to review all previous drills to address corrective actions.
- Will continue to work with Noramco on their drills and exercises.
- Will stay active with the Port of Wilmington on all there exercises& drills.

**PLANNING & OUTREACH**

- Continue teaching an all hazards approach to citizens, community groups, business groups and our City employees.
- Continue to do evacuation and sheltering training to business, citizens and placed in all City Office Buildings.
- Wilmington TV Chanel 22 showing Public Safety issues on their monthly show. The WFD, WPD, and OEM will be doing one each a month. The last two segments were on hurricane preparedness and showing what should go in the family kit.
- The next will be severe heat precautions and actions.

**HAZARDOUS SUBSTANCE AND HAZARDOUS MATERIAL PLAN**

-The City of Wilmington plan is continually updated.

**EHS SITE INSPECTIONS**

- Sites were reviewed and letters are drafted and ready to be sent out with inspections to start in June.

*Next meeting is on July 11<sup>th</sup>, 2014 in the Emergency Operations Center.*

*\*END OF CITY OF WILMINGTON LEPC REPORT\**

**KENT COUNTY LEPC Report** – *Mr. Colin Faulkner/Mr. David Mick.*  
*Kent County LEPC met once since the last SERC quarterly meeting:*

Mr Faulkner: Last meeting March 11; May 13<sup>th</sup> was cancelled. March 11<sup>th</sup> meeting is in the packet. Our next meeting is July 8<sup>th</sup>.

Notes from the recent Kent County LEPC meeting follow:

**Kent County LEPC Meeting Minutes  
 March 11, 2014**

**Attendees**

Dave Mick	KCDPS	Nicole Vautard	KCDPS
Charlie Boyer	Town of Smyrna	Ellen Malenfant	DNREC
Jay Brabson	DNREC	Susan Domm	DAFB
Frank Promutico	DAFB	Barry Laise	DSP/Sta. 54
Cheryl Russell	Delmarva	Charles Stevenson	Sussex LEPC
Kelly Medkeff-Rose	PPG	Bob Barrish	Consultant
Peter Fraley	DSP 3	Antonio Haigler	Dentsply

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**

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

**Dave Mick – DECON** – No calls since the last meeting. Had a meeting with Kay Saas of Dover regarding the Calpine Group doing a power plant located east of Route 1. The issue is they have a relatively large amount of ammonia on site. So they were meeting to discuss their emergency plans. This company has done several of these types of power plants. They have a good plan and looks like a very tight operation.

**Dave Mick – Technical Rescue Team** – One stand-by for Sussex County for a trench rescue that they were able to handle themselves. Had a horse in a pool. Had to drain the pool and built a ramp to get the horse out.

**Jay Brabson – Tier II Reporting** – About 80% submitted. New system up and running.

**Kevin Kille – SERC** – Last meeting was held in September. December and January were both cancelled due to weather. Tomorrow is the quarterly meeting.

**Kevin Kille – HMEP** –

- FY13 spent 100%
- FY14 is under way
- FY15 just opened up and received Kent County's work plan

**Kevin Kille – DENS** – New provider called Code Red. Registration is the same as before on the DEMA website. Kent County has used it multiple times for weather notifications of county office closings, delays, etc. Each county is allocated minutes in the new system.

### **Old Business**

**Dave Mick – Outreach Initiatives** – We have been bringing Brandon Olenik up to speed. Will be working on some new programs.

TTX held @ Polytech High School. Polytech is upgrading all their locks in classrooms. Key will only open their rooms but will lock all rooms from inside. Looking at escaping out of windows and other ways to exit building with emphasis on stressing to kids to keep going when they get out.

Law Enforcement and school looking over plans for sheltering in place. This program is being conducted in all schools state wide where "Run, Hide, Fight" concept is being stressed. It is being run by instructors from Safe Plans Company out of Missouri. The program has been done in 28 states so far. We represented EMS response but specialized on school response.

**Susan Domm** – Shelter in Place verses Barricading needs to be specified better. Might be a chemical issue verses a shooting issue and wrong verbiage is being used which can cause the wrong kind of response action.

**Dave Mick – Budget** – Kent County's budget submission has been turned in.

**Bob Barrish – Facility Inspections** – Inspections have been inactive due to weather and being sick. Have half a dozen on radar screen. All of these are re-visits. Having an issue with Tier II. Was able to get into the site but the site would not load. Waiting for assistance on this issue.

**Chip Stevenson – Sussex LEPC** – Four facility visits have been conducted. Good feedback received from these visits. Will be conducting two re-visits over the next couple months. Next meeting will be Thursday at 10 am at Sussex County Emergency Management.

**Dave Mick – Exercise Program** – We can look into including Hanover in a Hazmat exercise. A functional exercise is in the works right now for an active shooter. Dover Downs very busy right now so will take place sometime after firefly. This will give the Olsen Group a chance to see how to very busy events function at Dover Downs (Race and Firefly).

**Kevin Kille – 2014 7<sup>th</sup> Annual Statewide Hazmat Training Workshop** – Will be held the weekend of April 25-26.

### New Business

**Jay Brabson** – Visited Hanover in February for a release. The Elementary School was evacuated. Lots of concern as to how close homes are. Will visit them again early next year. Hanover would be good to use as an exercise. Their response was not good and everyone had a different idea of how to handle the situation.

**Ellen Malenfant** – New Castle County will be having an exercise at Honeywell the end of March involving an active release. This will be sponsored by Dupont and organized through the New Castle County LEPC.

**Chip Stevenson** – There will be a exercise in May with a train derailment in Lewes during the summer. Not sure what the chemical will be. Still working on the details.

**Ellen Malenfant** – New Castle County DECON – purchase orders have been put in place for a new truck.

Meeting adjourned. Next LEPC meeting scheduled for **Tuesday, May 13, 2014.**

*\*END OF KENT COUNTY LEPC REPORT\**

### SUSSEX COUNTY LEPC REPORT: – *Mr. Charles Stevenson*

Stevenson: Sussex report – 2 meetings to report. Summaries are in your packet. Our Hazmat plan was reviewed for 2014. One exercise was tabletop in Lewes concerning a railroad chemical spill. Next meeting is July 5th

There have been two Sussex County LEPC meetings since the last SERC meeting. (Notes follow):

**March 13, 2014 Meeting-** here were 20 members/guests in attendance.

#### Topics covered:

- Bob Pritchett from the DNREC-EPCRA program. Bob is requesting any feedback from the facilities on the new Tier II program.
- Eric Huovinen, Sussex County EMS-No report
- Kevin Kille from DEMA:
  - HMEP Grant- FY 2014 \$110,643.00 was approved.
  - SERC approved the Sussex County LEPC budget.

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

- DEMA has been busy the last few months with weather events.

Presentation: No presentation this month.

**May 8, 2014 Meeting:** There were 20 members/guests in attendance.

Topics covered:

1. Tier II Manager- Bob Pritchett of the DNREC-EPCRA Program provided a written report: *New Staff Member:* John Outten started with the DNREC EPCRA Group on April 7, filling the position vacated by Kris Gontkovsky. Previously, John worked with the Division of Air Quality in DNREC. He spent many years working with the Air Emissions Inventory program, which provided him with familiarity with Delaware facilities, and experience developing and working with Web-based reporting systems. His experience will be extremely beneficial to our Tier II related efforts.

Tier II Reporting for 2013 (reports due 3/1/2014)

- 1697 facility reports submitted online
- Another 19 started, but not yet completed
- For last year, we had 1802 facility reports submitted online
- We are contacting and following up with delinquent facilities

TIER II MANAGER™ System Update

- We are still working with the contractor to address bug fixes and enhancements needed for the reporting and administration portions of the system, based on feedback and experience from the recent reporting cycle.
- Within the next several months, we will be arranging a SERC IT Committee meeting to review, discuss, and compile recommendations for changes to the emergency planning/response portion of the system.
- Once the changes are implemented, we will need to organize training sessions for the various system users.
- The next step will be to organize system roll-out directly to Fire Departments thru the SERC IT Committee.

2. Eric Huovinen, Sussex County EMS:

- Eric reported that there was one response by the DECON team to a suspected Meth Lab.

3. DEMA UPDATES- Kevin Kille

- Kevin reported on new information concerning Bakken oil rail shipments.
- The SERC Planning and Training Committee will hold a meeting on May 22<sup>nd</sup>.

**Facility Visits:** There has been one facility visits since the last SERC meeting.  
-SPI Pharma in Lewes

**HazMat Plan Status:** The yearly review of the Sussex County HAZMAT Response Plan was completed in May of 2014.

**Exercise Status:** The Sussex County LEPC participated in or observed the following exercises:  
HazMat TTX at DNREC Field Facility in Lewes

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

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

**Comments:** Other LEPC activities include:

- Attended the 7<sup>th</sup> Annual HazMat Workshop on April 26<sup>th</sup> ..
- Attended the Sussex County Fire Chiefs Association meeting on March 20<sup>th</sup>.
- Attended the SERC Planning and Training Committee meeting on May 22<sup>nd</sup>.
- Attended the DECON User's Group meeting on May 22<sup>nd</sup>.

The next Sussex County LEPC meeting is scheduled for 10 a.m. on July 10th, 2014 at the Sussex County EOC.

*\*END OF SUSSEX COUNTY LEPC REPORTS\**

Ms Crofts: There is one bill re: extremely hazardous substances - SB 199. Right now, we are required to inspect once every 3 years. We feel it should be based on *risk of the facility*. For example, yesterday, we had a chlorine release – even if we were just there at that facility, we will want to go back before a year's time. Another example: if a long-time safety manager retires and he tells us that they haven't chosen his replacement yet and there may not be any cessation training, that is another facility we should check up on and not wait for 3 years to lapse. We must give 24 hour notice to the facilities before visiting. It does not change R&P requirements. It is a very short bill. We hope to see it before the House – it is out of House Committee.

**DNREC Emergency Response Summary Report: Ms. Ellen Malenfant**

Report for June 11, 2014 SERC Meeting:

Mallenfant: Agenda item "F" is DNREC response report. First quarter of 2014. Between Jan & March – 90 incidents compared to 62 the previous quarter. The majority - 30 - were transportation incidents. All incidents we responded to fuel from the vehicle – not dumping of cargo. We had 2 clandestine meth lab incidents during first quarter, a marked decrease from last year. We have a new employee, John Outten who replaced Kris Gonkowski. John started in April and is in middle of this year's reporting.

Responses of note: March 20<sup>th</sup> leaking sulfur dioxide from a refrigerant system in an apartment in Wilmington. Building was evacuated for a few hours while we inspected to make sure it was safe to re-enter. We had a SERT Level II at Food Lion in Dover...Freon.

**DNREC Emergency Response Summary**

Statistics for the 1st quarter 2014 show the DNREC Emergency Response Team (ERT) responded to 90 incidents. This is compared to 62 responses in the 4th quarter of 2013. The largest number of responses in the 1st quarter was to transportation incidents with 30 responses. The next highest number of responses was to residential heating fuel releases with 21 responses. Of the 30 transportation incidents, all the releases were fuel and fluids from the vehicle fuel, motor and hydraulic systems. There were no transportation incidents this quarter that involved hazardous cargo carried on the vehicle. DNREC ERT responded to two clandestine meth lab related incidents during the first quarter of 2014.

**DNREC ERT Activities**

On February 20, Matthew Higgins of the DNREC ERT gave a presentation to the City of Seaford on the Recognition and Hazards associated with One-Pot Clandestine Methamphetamine Labs. Approximately 65 individuals attended the presentation, including representatives from the Public Works, Electric, and Police Departments with the City of Seaford.

On March 27, Jamie Bethard of the DNREC Emergency Response Team conducted methamphetamine

prevention training at the Caesar Rodney High School. Approximately 200 students in the spring semester health classes were in attendance.

### **EPCRA Program Update**

John Outten joined the EPCRA Group on April 6, 2014 as an Environmental Scientist III, filling the vacancy left by Kristoffer Gontkovsky. Mr. Outten worked for many years on the Air Emissions Inventory in DNREC's Division of Air Quality. His familiarity with Delaware facilities and experience developing Web-based reporting systems will be an asset to DNREC's Tier II Hazardous Chemical Inventory efforts.

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

On February 12, representatives from DNREC's Emergency Response Team (ERT) were dispatched to assist Felton Volunteer Fire Company with an in ground fire in a waste pile at a closed recycling facility near Sandtown. The fire apparently started by spontaneous combustion of the material within the pile. The ERT worked for several days using contractual help, heavy equipment and firefighting equipment to break the pile apart to reach the smoldering material and extinguish the fire.

On March 19, DNREC ERT responded to an overturned dump truck carrying road salt on south-bound Rt. 1 north of Smyrna. Southbound Rt. 1 was closed for about three hours until the truck driver, pinned under the truck, was extricated by Citizens Hose Company (Smyrna Volunteer FD) and the Kent County Technical Rescue Team. The truck accident caused an estimated 50 gallon release of diesel fuel, engine oil, hydraulic fluid and antifreeze. DNREC ERT cleaned up and restored the road shoulder with contractual assistance.

On March 19, DNREC ERT and Millsboro Fire Company operating DNREC's Sussex County spill trailer **HM 83**, responded to an overturned tractor trailer in Ellendale carrying frozen chicken. Both saddle tanks were leaking. DNREC ERT drilled and vacuumed out approximately 85 gallons of fuel from both tanks. After the removal of the truck from the ditch, Del DOT provided a grade-all to excavate contaminated soil. DNREC made arrangements for proper disposal. Approximately 125 gallons of fuel was released.

On March 20, DNREC ERT assisted Wilmington Fire Department after an apartment building was evacuated for an unknown chemical odor in the building. DNREC identified the leaking chemical as S02-sulfur dioxide - a gas used as refrigerant in old refrigeration systems. After removing a leaking S02 refrigeration compressor unit from the basement, DNREC ERT monitored the building, apartment by apartment, to verify that S02 levels were below Division of Public Health-recommended levels considered safe for reoccupying .

*\*END OF DNREC QUARTERLY REPORT\**

Chairwoman Crofts brought to the attention of SERC Commissioners a new bill that passed unanimously in the Delaware Senate and is now out of House Committee: Delaware Senate Bill 199 amends the definition of extremely hazardous substance in 7 Del. C., Chapter 77, the Extremely Hazardous Substances Risk Management Act to be consistent with the wording in the federal Clean Air Act Amendments and the federal Risk Management Program. This bill also replaces the three year inspection mandate for the Department of Natural Resources and Environmental Control to inspect facilities regulated by Chapter 77 with an inspection program based on risk and compliance with this Chapter and establishes requirements for inspection notice and inspector identification.

<http://www.legis.delaware.gov/LIS/LIS147.nsf/vwLegislation/928010FD16327D2085257CAD00697072?open>

**SERC OLD BUSINESS:**

1. Mr. Newnam updated the Commission on the DSFS task of surveying Fire Chief's in New Castle in order to identify potential gaps in training or equipment necessary to respond to a crude oil derailment/fire incident. The survey was conducted in April/May and a meeting held to discuss those results on May 28, 2014 with representatives from DSFS, DSP, DNREC, NCC and City of Wilmington Fire Chiefs, NCC and City of Wilmington LEPC representatives, along with representatives from Norfolk Southern. After careful review of survey comments, it was determined that the State of Delaware emergency response agencies surveyed feel comfortable in their abilities to adequately respond to a crude oil leak or fire due to the fact that crude oil product is a flammable liquid. Emergency responders surveyed feel that sufficient Emergency Response Plans are in place, and that they have the appropriate materials, supplies and training to respond to a crude oil incident should it arise. It was further determined that DSFS and its emergency partners should do a better job in communicating these capabilities to the public, legislators and local officials.

A conference call is scheduled for week of June 16 to discuss next steps in organizing a *Special Rail Transportation Emergency Response Workshop for New Castle County and City of Wilmington Fire Companies and Norfolk Southern Railroad*. This Workshop is in addition to the Rail Car Incident Tabletop Exercise scheduled for August 2, 2014; the Rail Car Emergency Response Training for First Responders scheduled for August 21st and 22nd, and the Full Scale Rail Car Emergency Response Exercise scheduled for August 23rd (See Mr. Irwin's notes in NCC LEPC Report above).

Mr. Newnam will have further updates for the SERC Commissioners when we convene in September.

**SERC NEW BUSINESS FOR 06-11-14 MEETING:**

1. Finance and Budget Committee: Approval of Budget Recommendations for Kent County LEPC. (*Robert Newnam*). The SERC budget and Finance Committee met with personnel from Kent County on May 22, 2014 to review Kent County's initial budget request for FY2015. Kent County amended their request as follows: The Kent County LEPC requested \$68,800.00. There was a carryover from last year projected at \$14,136.00. The Finance and Budget Committee recommends approval \$54,664.00 for the Kent County LEPC Budget in FY2015. A motion to accept this recommendation was made by Sen. Ennis and seconded by Mr. Irwin. All members in favor; none opposed or abstained.

(*Note: See Appendix "A" to these minutes for FINAL Report of SERC Finance and Budget Committee Recommendations for FY 2015. All recommendations were approved at the March 12, 2014 SERC meeting, with the exception of Kent County's request, that was approved June 11, 2014*)

2. Decon Trailer Committee (*Robert Newnam*): Regarding the disposal of two decon trailers, the SERC Decon Committee was recently advised that since the trailers were purchased with general state funds, the money from the sale of these trailers may have to be returned to the State's General Fund. Mr. Newnam made a motion that the proceeds from the sale of the two decon trailers be placed in the SERC Decon Replacement Fund - NOT the State's General Fund, as the Decon budget is counting on the projected \$30k from the sale of the trailers to assist with funding a replacement Kent County decon trailer in the future. This motion was seconded by Mr. Irwin. All members in favor; none opposed or abstained. (*Note: DEMA Fiscal Manager has requested clarification on the General Fund issue. The SERC Commission will be updated at the September 2014 meeting. This issue will not interfere with the new trailer purchase, or the decision to dispose of the two decon trailers*).

3. *Proposed 8th Annual HazMat Workshop - April 2015 (Marjorie Crofts):* Chairwoman Crofts thanked Mr. Irwin and the 7th Annual HazMat Training Workshop Planning Committee members for a job well done in making the Workshop a huge success. She attended the Workshop and agreed that the attendance, speaker presentations and session content were excellent. Chairwoman Crofts polled the Commission members regarding their opinions about the value of sponsoring the 8th Annual HazMat Training Workshop in 2015. Planning for this type of event needs to begin well in advance, and she did not want to wait until the September 2014 SERC quarterly meeting to gain consensus. Mr. Verdi, Mr. Lee, Ms. Poling, Mr. Byrd, Mr. Faulkner, Mr. Stevenson and others voiced strong support for this idea. Ms. Poling made a motion to proceed with SERC support of the 8th Annual HazMat Training Workshop for April 10-11, 2015. The motion was seconded by Mr. Byrd. All in favor; no opposed, DEMA representative abstained. (Note: DEMA Director Mr. Turner was not available for today's meeting, but will advise the SERC Commission as to what degree DEMA will support the 2015 Workshop).

4. Presentation: Stephen F. Johnson, PE, Senior Project Manager for DNREC, Site Investigation Restoration Section and Joseph D. Brown, PE, University of Delaware presented: "*Vulnerability Assessment of Hazardous Materials Installations in Coastal Delaware*". Highlights of the presentation included:

- Shared findings concerning sea level rise (SLR) and storm surge (SS) planning.
- Tie-in with the Governor's Executive Order #41 concerning "actionable recommendations" (2013)
- Reviewed impacts of SLR/SS on mission and activities of the Division of Waste and Hazardous Substances
- Explored opportunities for coordination with agencies represented on SERC

#### **CLOSING COMMENTS**

- Mr. Byrd announced that Norfolk Southern is organizing an "Operation Lifesaver Safety Train Ride" for June 23rd. This 4-to-5 hour train ride is part of a safety initiative calling attention to railway safety and accident prevention. Invited passengers include state, county and municipal elected leaders, state and local transportation officials, law enforcement officers and emergency responders. Mr. Byrd will relay further information about this opportunity to SERC members.
- This meeting adjourned at 10:35 am
- The next SERC meeting will be September 10, 2014 @ 9 am at the Delaware Fire School.

#### *Minutes Drafted by:*

Kevin Kille, SERC Executive Director  
 Delaware Emergency Management Agency  
 Acting Operations Chief  
 Phone: (302) 659-2237  
 Email: kevin.kille@state.de.us

## APPENDIX "A"

**STATE EMERGENCY RESPONSE COMMISSION  
FINANCE AND BUDGET COMMITTEE  
RECOMMENDATIONS FOR FY 2015 BUDGET  
Final Report 06-11-14**

The following are SERC Finance and Budget Committee recommendations for the Fiscal Year 2015 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 \$68,381.83. Requested increase included additional funding of \$10,000.00 for Hazmat Team members to attend a conference. There was no carryover from last year. The Committee recommends approving **\$58,381.83** for the City of Wilmington LEPC Budget.
2. The New Castle County LEPC requested \$87,591.00. There is a projected \$5,000.00 carryover from previous year. The Committee recommends approving the request, less the carryover. The Committee recommends funding of **\$82,591.00** for the NCC LEPC Budget.
3. The Kent County LEPC requested \$68,800.00. There is a carryover from last year projected at \$14,136.00. The Committee recommends approving **\$54,664.00** for the Kent County LEPC Budget.  
\*\*
4. The Sussex County LEPC requested \$67,326.67. There was no carryover from last year. The Committee recommends approving **\$67,326.67** for the Sussex County LEPC Budget.
5. The Decon Trailer Committee is requesting funds for the replenishing of the Maintenance and Equipment Account for FY15 of **2,000.00**. The Decon Trailer Replacement Account, as approved at the February 2003 SERC meeting recommends that 10% of the fees collected is 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 **\$12,247.00**, 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 SERC Budget and Finance Committee met with personnel from Kent County on May 22, 2014 to review the initial request. Kent County amended their request which is reflected in the request being presented to the SERC Committee for consideration. The other requests were approved by the SERC Committee at the March 2014 meeting.