

# STATE EMERGENCY RESPONSE COMMISSION

## Meeting Minutes

March 9, 2011

### Commissioners

Secretary Lewis D. Schiliro – Chair/DSHS	Jamie Turner – DEMA
Marjorie Crofts – DNREC/DAWM	David Irwin – New Castle County LEPC
Grover P. Ingle – State Fire Marshal	George Giles – Wilmington LEPC
Robert Newnam – DE State Fire School	Colin Faulkner – Kent County LEPC
Sen. Bruce Ennis – DVFA	Charles Stevenson – Sussex County LEPC
Dwayne Day – DelDOT	Robert Byrd – Rail Transportation
Ken Belmont – Div. Public Health	Alfred Johnson Jr. – Air Transportation
James Lee – Consignees	Steve Owens – Water Transportation
Jim Paige – DSP	Lori Palmer – Chemical Users

### Members/Visitors

Arthur D. Paul – DEMA	Joseph Murabito – NCC LEPC
Nancy Wyatt – DEMA	Bob Barrish – Citizen/Kent LEPC
Kevin Kille – DEMA	Allen Metheny, Sr. – Kent Cty LEPC (Retired)
Ellen Malenfant – DNREC	David Mick – Kent LEPC
Jay Brabson – DNREC	Lisa Dunaway – DHS
Robert Pritchett – DNREC	Roger Minner – DHS
Tom Schultz – Lewis Environmental	Bill Hermstedt – Eastern Shore Natural Gas

The March 9, 2011 meeting of the State Emergency Response Commission (SERC) was called to order at approximately 9:05 a.m. by the Chairman Lewis D. Schiliro, Secretary Department of Safety and Homeland Security. The attendees introduced themselves and a quorum was present. The December 8, 2010 meeting minutes were approved as written, following a motion by Mr. Steven Owen and seconded by Senator Bruce Ennis

### STANDING COMMITTEE REPORTS

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

Summary of SERC finances as of 3/8/2011 (for accounts at DNREC):

#### SERC Fee Holding Account:

Carryover from 2010 calendar year	+ \$ 260,838
Fees received thus far in 2011	+ \$ 241,620 (a)
Projected reimbursements thus far	- \$ _____ 0 (b)
Account balance as of 3/8/2011	\$ 502,458

#### Decon Trailer Replacement Account:

Carryover from 2010 calendar year (interest info incomplete)	+ \$ 226,449 (c)(d)
Interest received thus far in 2011 calendar year	+ \$ _____ 0 (c)(d)
Account balance as of 3/8/2011	\$ 226,449

#### Notes:

- Reports and fees from facilities covering calendar year 2010 were due (to be postmarked) by 3/1/2011. Additional fees are expected as we continue to follow up on delinquent reporters. Net fees for 2010 totaled \$297,380.

- b. Reimbursements will be necessary to a small number of facilities for reporting errors. These will be identified as submission reviews are completed. Reimbursements are typically mailed to facilities later in the year. Reimbursements in the last two years have totaled less than \$500.
- c. Effective July 2008, interest from both the Fee Holding Account and Decon Trailer Replacement Account are being jointly deposited into the Decon Trailer Replacement Account.
- d. The State migrated to a new financial system in July 2010. They are still working out issues, including ways to extract data and reports from the system. The carryover balance from the 2010 calendar year contains data for only 5 months of interest. The amount will be updated when complete interest data for the full year is available. No interest data is included yet for calendar year 2011.

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

Mr. Paul briefed that sub-grants have been completed by the four LEPCs and the Fire School and provided printouts of the sub-grant amounts and approved activities (some information was missing, and was emailed to the Commission following the meeting). He also briefed on improvements to the sub-grant process which will improve the ability to liquidate available funds. Progress reports are being collected and will be presented at future meetings.

**Planning and Training Committee** – Mr. Jamie Turner

The State Emergency Response Commission Planning and Training Committee met on February 24, 2011 at State Emergency Operations Center (EOC) and 16 members/attendees were present. Committee Chairman Jamie Turner called the meeting to order at 9:00 a.m. and the November meeting minutes were approved. Attendees were provided a copy of the meeting agenda. Mr. Roger Minner and Ms. Lisa Dunaway, Department of Homeland Security, Office of Infrastructure Protection, Region 3, gave a short introduction Chemical Facility Anti-Terrorism Standards (CFATS) and their responsibilities. They are establishing contact with States in this region and would like to attend SERC and LEPC meetings. They will be added to the SERC and this committee's email distribution list. The following agenda items were briefed and discussed.

- SERC Meeting Agenda – Mr. Paul briefed that the SERC budget process had begun and that the SERC funded entities budgets were due today. The Finance and Budget Committee will meet next week to make budget recommendations for presentation at the March 9, SERC meeting. Mr. Paul suggested a CFATS briefing to the Committee Chairman after being contacted by Ms Dunaway. The Committee approved and our Region 3 CFATS contacts will give a 15-20 minute briefing at the March SERC meeting. The appropriate request form will be submitted by Mr. Paul.
- HMEP Update – Mr. Paul briefed that the Hazardous Material Emergency Preparedness (HMEP) Planning & Training Sub-grants were all complete. Sub-grant forms were improved and tracking measures have been included to improve the ability to liquidate the funds. An update of sub-grants will be provided at the March SERC meeting. Mr. George Giles mentioned receiving an update request after just signing the sub- grant; he does not have an update. Mr. Paul mentioned that the update request was for the other sub-grantees whose grants were completed in December 2010.
- New Castle County LEPC – Mr. Dave Irwin, LEPC Chair, briefed that the relationship with the Fire School is going very well. However; carryover funds have not been returned from the County. Chairman Turner will check on the status of the funds. (Following contact with NCC, the Chairman has been reliably informed that the necessary paperwork to transfer the fund balance to an account allowed to issue checks has been signed.)
- TRANSCAER (Transportation Community Awareness Emergency Response) – Mr. Paul briefed that a Delaware TRANSCAER Planning Committee had been established at the request of Mr. Giles, Wilmington LEPC, in December 2010. Mr. Giles has had to relinquish his role as State Coordinator since assuming extra duties of the Public Safety Director. Several members of the DE TRANSCAER Committee had a telephone conference with the Tri-State TRANSCAER

Committee and there has been a telephone conference call with the majority of the DE Planning Committee. Members of Delaware's Committee continue to working diligently with other TRANSCAER organizers and are finalizing the training agenda and rotations. Mr. Paul stated that Mr Dave Irwin, NCC LEPC, has been instrumental in coordinating the TRANSCAER event and is taking a key role in the project. Mr. Paul relayed that TRANSCAER organizers have requested clarification on the State Coordinator position. Chairman Turner will discuss this issue with Mr. Giles following the meeting. (Following the meeting; the decision was made to appoint Mr. Paul as the State Coordinator and Mr. Giles as the co or alternate.) Mr. Minner and Ms Dunaway, CFATS, suggested a table at the HazMat Conference, this will be coordinated with the HazMat Planning Committee.

- 4<sup>th</sup> Annual DE HazMat Conference – Registration forms and Session Descriptions/Bios were distributed. Mr. Paul briefed that the conference will be April 1<sup>st</sup> & 2<sup>nd</sup> 2011 with a Friday night teambuilding dinner and numerous breakout sessions on Saturday (a quick review of conference particulars was given). There has been an extensive outreach efforts and a good turnout is expected (info emailed to numerous email distribution lists and briefings provided at the last 3 County Fire Chiefs meetings). Discussions about the future of the Annual Conference included emphasis on conference critiques/surveys for future considerations on continuing the annual event. Past participant comments have played a key role in planning conference activities.
- LEPC Meeting Attendance – Mr. Paul commended the LEPCs on attending each other's meetings in January. This topic was discussed at our November meeting and is an excellent was to share information and ideas.

Meeting Dates for 2011:

- P & T Committee: May 26 /Aug 25 / Nov 17
- SERC: Jun 8 / Sep 14 / Dec 14

The meeting was adjourned at approximately 10:05 a.m. The next meeting will be held on May 26, 2011.

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

The Committee met on February 23<sup>rd</sup>, and 13 members were present. Co-Chair Robert Newnam called the meeting to order at 9:00 a.m. at Delaware State Fire School. Minutes of the previous meeting were approved (received).

- Repairs/Maintenance – New Castle generator replacement was approved at the regular meeting held on December 9, 2009.
- WMD Funding – Review of the SHSGP DECON funding available.

PROJECT	TEAM	FY 07	FY 08	FY 09	FY10	TOTAL
Maintain, service & replenish existing PPE & CBRNE detection equip & Decon equipment	KC Decon	0	16163	30000	20000	66163
Maintain, service & replenish existing PPE & CBRNE detection equip & Decon equipment	NCC Decon	0	23400	30000	20000	73400
Maintain, service & replenish existing PPE & CBRNE detection equip & Decon equipment	SC Decon	0	16151	30000	20000	66151
<b>TOTAL</b>		0	55714	90000	60000	205714

- Status Reports – No Report
- Other – New Business – Presentation by Kurt Reuther on the National and State Strategic goals and plans. The presentation included the changes in focus at the National Level and how the State plan will need to mirror this change.
- Reviewed the DECON operations and responsibilities – With the prospect of continued decrease in funding the committee agreed that the committee needs to review and update the DECON mission statement and SOP's. Discussion included the Field DECON Units and reducing the units, equipment inventory supplies, size of future units.
  - The Co-Chairs will appoint a sub-committee for the purpose of reviewing the mission on the DECON and providing recommendations to the committee.
- Reviewed Dispatch Procedures – Mr. Bundek passed out a handout describing Medical/Fire Priority Dispatch Response Guide detailing the areas that indicates DECON unit dispatch. Mr. Bundek explained the policies and procedures.
  - After discussion by committee members, Motion by Mr. Bundek seconded Mr. Leonetti that the Committee support the Medical/Fire Priority Dispatch Response Guide for DECON dispatch and have Committee Members contact the County Fire Chief Associations and County Call Boards. Motion passed
- Funding request for the Kent County DECON team submitted by Little Creek Fire Company Presentation by Mr. Strouse and Mr. Bundek detailing the reasons for the request and the need for the vehicle. A discussion by the members of the committee followed.
  - Motion by Mr. Mick, seconded by Scott Bundek to approve the submitted request and forward to the Working Group. Motion passed

The next Meeting will be, April 6, 2011 – 10:00 a.m., the Delaware State Fire School.

#### **Information and Technology Committee** – Mr. Arthur D. Paul

The Committee has been without a Chairman since Mr. Bill Betts term with the Fire Prevention Commission expired. Mr. Steve Owens has graciously agreed to serve as chair. In accordance with the SERC Bylaws, the SERC Chair will appoint each standing committee chair with SERC approval. A motion was made, seconded, and approved that Mr. Steve Owens serves as Chairman of the Information and Technology Committee. The Committee will meet and report to the Commission at the next meeting.

### **LOCAL EMERGENCY PLANNING COMMITTEE REPORTS**

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

- Meeting Notes – The January 10, 2011 Steering Committee meeting conducted by Committee Chairman Bob Barrish was hosted by the DuPont Edge Moor Site. Highlights: Reviewed D. Irwin and J. Murabito's 2010 accomplishments. Discussed and agreed to endorse the proposed FY 2012 Budget. Discussed and agreed to endorse the proposed FY 2012 Work Plan. Discussed and agreed to recommend to members the approval of retaining Irwin and Murabito for FY 2012 at the FY2011 funding level. Committee recommended that Irwin and Murabito obtain TWIC cards  
The regular meeting of the LEPC was held on January 10, 2011 and hosted by the DuPont Edge Moor Site, 104 Hay Road, Edge Moor, DE 19809. Twenty-eight individuals attended.  
Highlights: Ms. Wendy Smith welcomed the group to DuPont Edge Moor Site. Tushar Durve kicked off the meeting with some snow safety tips that the DuPont group developed. Ray Beaudry, E. I. DuPont, Corporate Director for Emergency Response gave a presentation on DuPont's Emergency Response Capability. The presentation consisted of DuPont's emergency response vision, their global emergency response capabilities, how they help others during incidents, their emergency flow process, and the training of their integrated emergency response teams. Mr. Beaudry also arranged an equipment display of a Trans Load Trailer, Response Truck and Command Vehicle for participants to tour after the meeting. Finance Report was given by D.

Irwin. Training Committee Chairman M. Dolan reported no NCCIHMRA training has been conducted for the period November 9, 2010 through January 10, 2011. IT Committee Chairman Bill McCracken reported that they are still moving forward to enable each Fire Chief to access Tier II data for their respective fire district. DNREC is still working on verifying the accuracy of the relevant data. Transportation Committee Chairman Bruce Galloway reported on an article about Static Hazards Using Flexible Intermediate Bulk Containers for Powder Handling. The article may be accessed at <http://crohmiq.com/static-hazards-using-flexible-intermediate-bulk-containers-for-powder-handling-005.html>.

TRANSCAER 2011 Training Tour – report given by George Giles. Train Derailment in New Castle County was discussed by George Giles. Delaware City Refinery – PBF Energy – Todd Bretz briefed the group that the start-up of the company has an April timeframe.

- Facility Visits – Conducted 3 Plan reviews and Site Assessments at the following facilities: 1. Fisher Scientific, 2. PBF Energy, Christiana Care. Conducted follow-up visit to Burris Refrigeration, 3. Continue to schedule site visits
- HazMat Plan Status – No Report
- Exercise Status – Functional Exercise Status – 1. Exercise facilitator identified and engaged, O'Brien's Response Management Inc. 2. Host Fire Company identified and engaged, Claymont Fire Company 3. Industrial partner identified and engaged, Sunoco 4. Date and time for exercise has been agreed, June 4, 2011 from 9:00 am to noon. 5. Planning committee is in the process of being formed and will be operational by March 31<sup>st</sup>.
- HazMat Incidents – No incidents since the last SERC meeting required activation of NCCIHMRA
- Comments – Outreach Initiatives – Christiana School District agreed to distribute 17,000 Emergency Preparedness Guidelines to 25 district schools, Sent informational letter to all Fire Companies located in NCC explaining LEPC willingness to participate in Fire Company sponsored community outreach events, Attended Delaware City CAER meeting, Attended two Community Advisory Council meetings, Dow and Croda, Attended two Christiana Care Medical Reserve Corps meetings, Attended Coast Guard Sector Delaware Bay Security Committee meeting, Attended Coast Guard Sector Delaware Bay Pollution Committee meeting, Represented LEPC at DEMA sponsored Fisker Automotive information exchange meeting, Attended NCC Fire Chiefs meeting to promote HAZMAT Conference, Joined the DOW CAP.

Additional Staff Activities: Successfully led efforts to obtain EMS CEU's for HAZMAT Conference attendees, Participated in the DEMA led planning sessions for the June 22-23, 2011 TRANSCAER Training Tour, Recruited sponsor companies and needed instructors for Delaware specific TRANSCAER training sessions, Conducted CERT HAZMAT/Shelter-in-Place training for NCC OEM, Attended meeting with DNREC personnel to enhance Tier II system skills, Working with DNREC personnel to verify Tier II EHS facility information, Attended NCCIHMRA Training Committee meeting, Attended two Kent County LEPC meetings, Attended one Sussex County LEPC meeting, LEPC staff obtained TWIC cards, Served as technical resource to three companies and one hospital, Identified potential ADC map availability problem

The next LEPC meeting will be May 9<sup>th</sup> – Crode at 2:30 p.m.

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

- Meeting Notes – The LEPC staff meeting was held on January 14, the meeting was called to order by Chairman Joe DiPinto. The minutes were approved in e-mail and written form. Co-chair G. Giles thanked Noramco for their donation to the Wilmington LEPC. He said the money will be used for the lunch/meeting with the 1<sup>st</sup>. responders and DeLEASI sometime in March. LEPC budget Co-chair G. Giles reported that the budget is on line adding that most of the money is used for M. Williams's salary but that the rest of the money is available for training etc. Please let us know if your company's need our help. HMEP Grant FY2011 funding was approved. We are in the process of more detailed follow up paperwork from us.

- Facility Visits – Completed. Al Ostrand said Magellan was the last and they received thumbs up for their operation. De/Easi, the EHS sites, and 1<sup>st</sup> responders will meet in March to discuss reports.
- HazMat Plan Status – No Report
- Exercise Status – In September we held an Area Command tabletop exercise involving several agencies. The results for a multi-jurisdiction event were not good. We found out that each jurisdiction went into their own procedures and request through fireboard most of the request being the same at the same time. On 2/8 we will meet for Area Command IC training and try to develop a better plan that will suit all Jurisdictions. One incident can involve many areas and we have to be able to prioritize requested needs.
- HazMat Incidents – There was a suspicious package incident with a person opening finding a foul odor; the outcome proved to be nothing. Second incident involved a tank car right outside city limits. A call was received 2 hrs later to 911. There was no leakage. Mr. Giles said we have to work on better communication with Norfolk Southern. He and Dave Carpenter from the County are going to work with DNREC to address the situation.
- Comments: Chairman DiPinto wanted to know if there was radiological equipment at the Port of Wilmington. They have radiological drive thru as well as hand held equipment. Most of the departments are not trained except for the initial response and then DNREC is called. DNREC carries several pieces of equipment and are trained. Dr. Llewellyn said that Public Health has a beta gamma meter on truck and also equipment to x-ray in offices. Co-Chair Giles wanted to know if DPH is trained to sweep buildings and Dr. Llewellyn stated level “A”. Education & Outreach - We continue to do several all hazard presentations. Co-chair Giles said that he has stepped down as lead for Delaware with TransCAER due to added responsibilities with the elimination of our Public Safety Director.

The next meeting will be March 11, 2011, 10:00 a.m. at the 22 S. Heald Street Emergency Operation Center.

### **Kent County** – Mr. Dave Mick

- Meeting Notes – There have been two LEPC meeting since the last SERC meeting; however, the report for the March 8<sup>th</sup> meeting was not completed for this March 9<sup>th</sup> SERC meeting. The January 11<sup>th</sup>, 2011 meeting was called to order by Dave Mick at 10:00 a.m. There were 23 members in attendance. All attendees introduced themselves. The minutes of the November meeting were approved.  
 Dave Mick – Decon – No responses. – No calls since the last meeting. Provided a couple standbys for large gatherings. DECON User Group met and is in good shape for maintenance. Currently working on a replacement program for the trailers. Hartly Fire Co. turned in unit and it is now at Little Creek. Working on finding out if another company would like to house it. Technical Rescue Group had four members attend a 80 hour structure collapse advance course. Working on joint exercise in the Spring with Kent County and New Castle County.  
 Tier II Reporting – Bob Pritchett – General Program Related Items: We have hired a candidate to fill our vacant Environmental Scientist position (formerly filled by Shannon Splittorff). Kristoffer Gontkovsky will be starting with our program on January 18, 2011. Tier II Reporting: Our annual notices to facilities, reminding them of the March 1, 2011 deadline for the calendar year 2010 Tier II reports, were distributed on January 3, 2011. Notification was done primarily by e-mail through the Tier II Manager System. (We used this approach last year to cut printing and postage costs, and it proved effective.) Notifications were sent to approximately 1836 facilities. For the handful of facilities (34) that reported on paper last year, we mailed them a hardcopy notification (and instructions encouraging them to switch to on-line reporting). Tier II Manager System: The GIS support person in our Department is continuing to work part time with the project to plot all Tier II facilities on a GIS layer for loading within Tier II Manager. The lat/longs provided by the 911

Dispatch Center reps from each county last year are being used in this project. Toxics Release Inventory (TRI): The 2009 Delaware TRI report was publicly released on November 18, 2010. Statewide, TRI total on-site releases reported in Delaware for 2009 were lower by 44 percent compared to 2008. For 2009, reported on-site releases totaled 5.31 million pounds, down from the 9.52 million pounds reported for 2008, and down 55 percent from the 11.86 million pounds reported for 1998. Anti-pollution efforts as well as economic factors contributed to the reductions. The press release is available on the DNREC news archive page at

<http://www.dnrec.delaware.gov/News/Pages/newsarchive.aspx> under the date of 11/18/2010. The reports (detail version and summary) are available for review and downloading at

<http://www.serc.delaware.gov/reports>. We have a limited number of reports available on CDs.

Art Paul: – Last SERC meeting was on December 8<sup>th</sup>. Committees reports were given.

Presentation on Accidental Release. DENS – First call came in and conducted some training.

System was upgraded to a web base system with more available capabilities.

- Facility Visits – Four visits conducted since last meeting. Nineteen done year to date. Will have a path forward to present at the next LEPC meeting. Most, if not all, the high risk facilities have been visited in the last three years. Second half of 2011 will be re-visits.
- HazMat Plan Status – Not Reported
- Exercise Status – Not Reported
- HazMat Incidents – Not Reported
- Comments: Dave Mick – FY10 Budget – Continue to operate as normal. No increases in next budget.

Charles Stevenson – Sussex County LEPC nothing to report. Our next meeting is on Thursday at 10:00 am at the Georgetown Fire Hall. Presentation was given by the American Red Cross.

Dave Mick – Exercise Program – The collapse table top exercise improvement plan has been drafted. Will be using this plan as the basis for a joint exercise currently being planned.

Art Paul – 2010 Statewide Hazmat Conference – Friday night will be a dinner with Charlie Wright as the speaker. Saturday will consist of 14 to 15 breakout sessions. This conference gives you six hours of continuing education for medics and Hazmat refresher training. This conference is FREE!

Dave Irwin – New Castle County LEPC – Industry driven. Meetings are hosted by various facilities in New Castle County. Last meeting was hosted by Dupont.

Art Paul – Planning and Training Committee – Last meeting a point was stressed that LEPC's need to attend each other's meetings or at least review each other's minutes.

New Business: Charlie Boyer – How to get help on Tier II reporting – call Bob Pritchett at 739-9402. Art Paul – Free training on June 20 & 21 at Wilmington Amtrak Yard. This will be a tri-state effort. Dave Mick – Chemical Suicide is happening close enough to home that attending the session at the Hazmat Conference would be very beneficial. Have been training our medics on this issue and talking with them coming up with ideas on how to respond to this type of situation.

Bob Barrish – Year End Facility Dinner – Should start planning now and open this dinner to all facilities and have a presentation. Plan to have a date determined by our next LEPC meeting.

The next meeting will be, March 08, 2011, 10:00 a.m. at the Kent County Emergency Services Building.

### Sussex County – Mr. Charles Stevenson

- Meeting Notes – There has been one LEPC meetings since the last SERC meeting. The January 13<sup>th</sup> meeting there was 18 members/guests in attendance, the meeting was called to order by Chip Stevenson at 10:00 a.m. Topic Covered: Bob Pritchett from DNREC-EPCRA submitted a written report. EPCRA Reporting Program Update – January 6, 2011. General Program Related Items: We have hired a candidate to fill our vacant Environmental Scientist position (formerly filled by Shannon Splittorff). Kristoffer Gontkovsky will be starting with our program on January 18.

**Tier II Reporting:** Our annual notices to facilities, reminding them of the March 1, 2011 deadline for the calendar year 2010 Tier II reports, were distributed on January 3, 2011. Notification was done primarily by e-mail through the Tier II Manager System. (We used this approach last year to cut printing and postage costs, and it proved effective.) Notifications were sent to approximately 1836 facilities. For the handful of facilities (34) that reported on paper last year, we mailed them a hardcopy notification (and instructions encouraging them to switch to on-line reporting).

**Tier II Manager System:** The GIS support person in our Department is continuing to work part time with the project to plot all Tier II facilities on a GIS layer for loading within Tier II Manager. The lat/longs provided by the 911 Dispatch Center reps from each county last year are being used in this project.

**Toxics Release Inventory (TRI):** The 2009 Delaware TRI report was publicly released on November 18, 2010. Statewide, TRI total on-site releases reported in Delaware for 2009 were lower by 44 percent compared to 2008. For 2009, reported on-site releases totaled 5.31 million pounds, down from the 9.52 million pounds reported for 2008, and down 55 percent from the 11.86 million pounds reported for 1998. Anti-pollution efforts as well as economic factors contributed to the reductions. The press release is available on the DNREC news archive page at <http://www.dnrec.delaware.gov/News/Pages/newsarchive.aspx> under the date of 11/18/2010.

The reports (detail version and summary) are available for review and downloading at

<http://www.serc.delaware.gov/reports>. We have a limited number of reports available on CDs.

Eric Huovinen was introduced to the group as the new representative from the Sussex County Paramedics to the Local Emergency Planning Committee. He will be taking Tim Cooper's position. Eric Huovinen reported no activations on the Sussex County DECON trailer. There was a partial activation of the Sussex County HazMat Team on December 16, 2010 at Mountaire in Selbyville for an ammonia leak. DEMA Updates - Art Paul from DEMA provided a report on the 4<sup>th</sup> Annual Delaware Hazardous Material Conference April 1 & 2<sup>nd</sup>, 2011. The last SERC meeting was held on Wednesday, December 8, 2010 at DSFS-Dover. The paperwork for the HMEP Grant has been completed. Dave Mick, Co-Chairman of the Decon Trailer User's group and Tim Cooper, the Sussex County representative for the group, gave a joint report. They reported that the group is still working on a solution to relocate a Field Decon Unit to the Lewes Fire Company.

- Facility Visits – There have been no facility visits since the last SERC Meeting
- HazMat Plan Status – The process for the yearly review of the Sussex County HazMat response Plan has been started.
- Exercise Status – The LEPC Chairman is still organizing a progressive training exercise at the Georgetown Perdue plant.
- HazMat Incidents – DRNEC's emergency Response Branch is now e-mailing the Sussex LEPC a quarterly listing of the incident responses. In the fourth quarter of 2011, there were 15 incidents reported.
- Comments: Presentations - Barbara Shufelt, Administrator of Emergency Services for the American Red Cross of the Delmarva Peninsula, discussed with the group that organization's disaster relief services and response capabilities. Other LEPC activities include: Attended the Kent County LEPC meeting on January 11<sup>th</sup>, 2011 and March 8<sup>th</sup>, 2011. Attended the Decon User's Group Committee meeting on February 23<sup>rd</sup>, 2011. Attended the SERC Planning & Training meeting of February 24<sup>th</sup>, 2011.

The next Sussex County LEPC meeting is scheduled for March 10<sup>th</sup>, 2010 at 10 a.m. at the Sussex County EOC.

#### **DNREC REPORT – Ms. Ellen Malenfant**

Statistics for the fourth quarter 2010 show the DNREC Emergency Response Team (ERT) responded to 61 incidents. This is compared to 70 responses in the 3rd quarter of 2010. The largest number of responses this quarter was transportation incidents with 15 responses. Of the 15 transportation incidents, all involved fuel from the vehicle fuel systems, the second highest number of responses this

quarter was to residential heating fuel spills with 10 incidents reported. Spills and sheens in waterways represented the 3<sup>rd</sup> highest number of responses this quarter with 9 incidents reported to DNREC.

EPCRA Activities: The EPCRA 2011 Tier II reporting ended March 1, 2011. The vacant Environmental Scientist III position was filled. Kristoffer Gontkovsky began working in the EPCRA program effective January 16, 2011.

DNREC ERT Activities: The United States Coast Guard Sector Delaware Bay (SDB) Philadelphia mailed the Delaware River and Bay Oil Spill Advisory Committee final report to Governor Markell on February 11, 2011. The SDB Area Committee will be working on implementing recommendations in the report in the coming months. The ERT represents DNREC on the Area Committee.

DNREC ERT participated in several outreach activities during the 4<sup>th</sup> quarter including: October 2—the Community Fire Prevention outreach event at the Marydel Fire Company. October 4—the Port of Wilmington Port-Alert table top exercise held at the New Castle County, Department of Public Safety office. October 11—the Fire Prevention Day at the Felton Community Fire Company (Station 48).

DNREC ERT was among several first responder agencies featured in a Department of Safety and Homeland Security promotion “Citizens Protecting the Hometown Security, Report Suspicious Activity, See Something, Say Something” campaign. On November 4, a DNREC Emergency Response Team representative attended the Delmarva Oil Spill Workshop in Chincoteague, Virginia to discuss development of a regional oil spill response plan for the Delmarva Peninsula Atlantic Ocean coast. Currently, no plan exists for addressing an offshore incident of large magnitude for the Delmarva Peninsula Atlantic Ocean area. The Delmarva Peninsula has three States with jurisdiction and two USCG Sectors (Delaware Bay and Hampton Roads) that have the responsibility to respond to an incident. On December 4, DNREC ERT participated in a Tabletop Exercise (TTX) in Middletown entitled Operation Silver Cloud. The scenario for the exercise involved a large scale train derailment and release of hazardous material (formaldehyde) to the surrounding area in Middletown. The main purpose of the TTX was for the State of Delaware's Incident Management Team (IMT) to practice "standing up" for an incident. The participants included Fire Service, State and County Emergency Services Agencies.

DNREC ERT Responses of Note: On October 1, 2010, DNREC ERT responded to a basement collapse and heating fuel spill caused by heavy rains in New Castle County. DNREC ERT performed special duty functions as part of a multi-agency Joint Hazards Assessment Team (JHAT) at the following events during the 4<sup>th</sup> quarter: On September 20, 21 and 22 for the Dover International Speedway NASCAR events. On October 15, during President Obama's and Vice President Biden's visit to Wilmington. Response and decontamination assets included the Elsmere and Cranston Heights Fire Companies New Castle County DECON unit, the Delaware National Guard Civil Support Team, the Kent County DECON unit. The purpose of the Hazardous Materials Branch during the presidential and vice presidential visit was to protect the public from possible incidents. No problems were found. On November 4, during for Return Day events in Georgetown. The Joint Hazards Assessment Team JHAT included personnel from the Delaware State Police Explosive Ordinance Disposal Team, the Delaware National Guard 31<sup>st</sup> Civil Support Team, and members of the New Castle, Kent, & Sussex County Decontamination Teams. The JHAT mission was to provide on-site response to any potential incidents involving explosive/chemical/biological/radiological/nuclear hazards during the Return Day events. No incidents of note occurred during this event. On November 16 during Vice President Biden's visit to the Chase Center in Wilmington. The DNREC ERT assisted Wilmington Police and Fire Departments. No problems were found. On December 24 DNREC ERT responded to a chlorine railcar derailment in Wilmington. No release of chlorine occurred during the incident.

**OLD BUSINESS** – None

**NEW BUSINESS –**

SERC Budget Approval - Mr. Robert Newnam, SERC Finance and Budget Committee Chairman presented the following Committee recommendations for the Fiscal Year 2012 budget. The Committee used the “Finance Committee Guidelines for Budget Requests” to review the budgets separately, comparing each to the previous year’s budgets. The recommendations are made as a motion

1. The City of Wilmington Local Emergency Planning Committee (LEPC) requested \$53,439.20, minimal growth. There was no carryover from last year. The Committee recommends approving \$53,439.20 for the City of Wilmington LEPC Budget.
2. The New Castle County LEPC requested \$93,716.00, a reduction in salary line. There is a carryover of \$19,533.65. The Committee recommends approving the amount requested, less the carryover. The Committee recommends funding of \$74,182.35 for the NCC LEPC Budget.
3. The Kent County LEPC requested \$53,200.00, minimal growth. There is carryover from last year of \$1,393.37. The Committee recommends removal of the Professional Service request of \$6,400.00 (covered by HMEP) and approving \$45,406.63 for the Kent County LEPC budget.
4. The Sussex County LEPC requested \$68,199.74, an increase in salary line. There was no carryover from last year. The Committee recommends approving \$68,199.74 for the Sussex County LEPC budget.
5. The Decon Trailer Committee is not requesting funds for the replenishing of the Maintenance and Equipment Account for FY12. The Decon Trailer Replacement Account, as approved at the February 2003 SERC meeting recommends that 10% of the fees collected be set aside for replacement. The committee recommends that a total of \$59,000.00 be placed into the account which includes additional funding to supplement no fees set aside in FY11. 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 \$4,590.00 to support annual maintenance/support for the Tier II Manager System and for the cost of the LEPC toll free numbers used by industry to satisfy emergency notification requirements. The Committee recommends approval of the requested amount.
7. The DNREC Division of Air and Waste Management requests \$17,290.00 to sustain the Emergency Planning and Community Right-to-Know Act (EPCRA) Reporting Program. The Committee recommends approval of the requested amount.
8. The committee also recommends that the agency that is collecting the fees (DNREC) disburse the funds directly to the approved agencies before July 1, 2011.

A recommendation were approved as presented pending review by the Controller General (and/or Office of Management and Budget). Motion was made by Mr. Turner and seconded by Mr. Newnam approved by the Commission.

**PRESENTATION –** Chemical Facility Anti-Terrorism Standards (CFATS) – Roger Minner and Lisa Dunaway, Inspections & Enforcement Branch Infrastructure Security Compliance Division, US Dept. of Homeland Security, gave a briefing on their program and responsibilities.

**CLOSING COMMENTS –**

The next meeting is June 8, 2011. The meeting was adjourned at approximately 10:30 a.m.