

State Emergency Response Commission  
for  
Hazardous Materials

Betty Easley Conference Center  
Southwood Campus, Room 166  
4075 Esplanade Way  
Tallahassee, Florida 32399

April 3, 2009

The State Emergency Response Commission (SERC) for Hazardous Materials met April 3, 2009 in Tallahassee, Florida.

Those members present were:

Michael Murphy, Acting Chairman  
Cindy Gennell  
Greg Lee  
John Sherry  
Mark Tumlin  
Gary Weiss  
John Terry

Eric Hamilton  
Michael Jacobs  
Kenn Carr  
Nancy Stephens  
Rick Ward

Mr. Michael Murphy called the meeting to order with the Pledge of Allegiance. Mr. Murphy then addressed the first item on the agenda, the approval of the January 9, 2009 meeting minutes. A motion was made to approve the minutes as presented, seconded and passed unanimously.

The second item on the agenda was the approval of the new member and alternate member appointments to the Local Emergency Planning Committees. Mr. Gene Davis referred the Commission to Memorandum #01-09 and all related materials. He stated that all nominees met the Commission's guidelines and approval was recommended. A motion was made that all nominations be approved. The motion was passed unanimously.

The third item on the agenda was the report from the State Emergency Response Commission Subcommittee on Training (SERC SOT). Mr. Michael Murphy provided an update on the SOT project chart. Mr. Murphy reports the assessment of Hazardous Materials (HazMat) Teams is completed. The Subcommittee has completed its' HazMat Medical Care Protocols draft. The draft is being routed to Dr. Joe Nelson and the State of Florida Medical Advisors for review. A tentative conference call is being scheduled with State of Florida Medical Advisors on April 30, 2009, to discuss any revisions to the Medical Protocols.

Mr. Murphy commended Mr. David Rogers and the Liquid Petroleum Gas Natural Gas (LPG/NG) Industry for being proactive in educating staff, and their integration into the fire service. The LPG/NG industry is now a partner of the Incident Command System and understands the operational procedures of the Incident Command Post. The goal is to implement a program statewide that defines terminology, equipment standards, training standards, safety standards and incident command procedures, so there is clear communication between emergency responders and the LPG/NG industry. The Subcommittee on Training is also partnering with Department of Health to set-up conference calls with hazardous materials (HazMat) teams. Mr. Murphy stated the SERC has proposed that a motion be made to have the subcommittee on training draft a memo to the Transportation Security Administration (TSA). The SERC would like to participate in the plume modeling studies on Chlorine that are currently being conducted by the TSA. A motion was made and carried unanimously.

Mr. Murphy informed the SERC there is new federal legislation pending on secure transfer of hazardous materials in U. S. railroad cars. Mr. Murphy also stated that President Barak Obama has placed on his agenda possible implementation of additional federal guidelines to closer monitor and secure chemical facilities in the United States. A motion was made to have the SERC monitor federal legislation and pending legislation, for new developments which could impact State of Florida chemical facilities. The motion passed and was carried unanimously.

It was also noted the Subcommittee on Training recommended that membership guidelines go before the SERC for approval in July 2009.

The SERC is establishing a joint partnership with the Florida Department of Education (FDOE) to increase student educational awareness of chemistry, and careers in the chemical industry. Ms. Sally Sanders with the Florida Department of Education was present and spoke briefly on state and federal initiatives, and ways to improve math and science education in State of Florida schools. Ms. Sanders stated she would like to establish a statewide database of chemical industry professionals. Ms. Sanders would like to have industry professionals go into classrooms to give lectures, and also provide career guidance to students. Ms. Sanders also stated it would be very beneficial for teachers and students to have professional training on proper use and storage of chemicals in the classroom. Mr. Michael Murphy suggested that a conference call be set-up for May 12, 2009, at 2:00 pm, to have an open discussion on the chemistry education initiative. Mr. John Gibbons asked the SERC to add "proper clean-up of mercury spills" to the conference call agenda. Mr. Gibbons will also draft a white paper on decontamination of mercury spills, and submit the paper to SERC for review. The final white paper will be sent to the FDOE for subsequent release.

Ms. Shanti Smith reported on the use of E-Plan. Mrs. Smith stated that all Local Emergency Planning Committees (LEPCs) and HazMat Teams are signed on to E-Plan, and are active users. Two-thirds of the county emergency managers are signed on to E-Plan and approximately 50% of emergency managers are active users. Ms. Smith estimates an additional 300 people statewide have logged on as secure users. Latitude and Longitude data is continuing to be updated in E-Plan. Ms. Smith also stated Palm Beach County Emergency Management is developing a software program for use in 911 dispatch centers. The software program will screen addresses and link to E-Plan

geographic information to generate caution alerts. Emergency call takers will then notify first responders of potential dangerous hazmat situations. Palm Beach, Volusia, Flagler, Manatee and Lee counties will test the software program. Ms. Smith stated she is working with Palm Beach County staff to gradually integrate the software program into 911 dispatch centers in Florida. Ms. Smith will also be speaking on E-Plan Use at the Florida Governor's Hurricane Conference on May 15, 2009, at 10:30 am.

Next on the agenda was Financial Status Reports. Ms. Shanti Smith presented the Financial Status Report on the Emergency Planning and Community Right-to-Know Act (EPCRA), and the Risk Management Planning (RMP) programs for the current fiscal year 2008 – 2009. Ms. Smith referred to Memorandum #04-09 and accompanying Tables 1-3, which outline revenues and expenditures. Ms. Smith reported the state operating trust fund is projected to perform well due to annual reporting fees and continued expansion of outreach to new facilities. The state operating trust fund will not be subject to a 4% hold back this fiscal year.

Mr. Sam Brackett reported on Concentrated Animal Feeding Operations (CAFOs). Mr. Brackett stated the U.S. Environmental Protection Agency (EPA) implemented a final rule providing exemptions for reporting continuous air releases of hazardous substances from animal waste at farms to the federal government. A final ruling by EPA requires large CAFOs to notify the SERC and LEPC on Hydrogen Sulfide and Ammonia emissions if they reach a certain threshold with a 24-hour period. Such facilities must follow a three step process to report continuous releases. Staff currently recommends that the SERC not implement a filing fee for CAFO reporting. Mr. Brackett stated he is continuing outreach to agricultural facilities that may not be aware of this new reporting requirement.

Mr. Sam Brackett reported on Hazardous Materials Incidents. The data reflects hazardous materials incidents reports received by the State Warning Point. The incident reports are reviewed by Hazardous Materials Planning staff on a daily basis for compliance verification. The information is used for identifying potential Section 304 violators, and facilities which may have an obligation to report under other sections of the EPCRA / RMP program. Mr. Brackett noted that Tables 1 & 2 will no longer reflect traffic incidents reported, however, Compliance Planning will continue to track the data.

Ms. Shanti Smith reported on the Risk Management Plan Audit Schedule. Ms. Smith referred the SERC to Memorandum #07-09, and stated the Risk Management Planning staff has worked diligently and has almost completed the 2007 – 2008 audit work plan. Ms. Smith stated the audit work plans reflect 5% of total active facilities. The 5% audit ratio is consistent with EPA requirements. An audit work plan for fiscal year 2009 – 2010 was submitted to the SERC for review and approval. A motion was made to adopt the fiscal year 2009 – 2010 audit work plan. The motion was carried unanimously.

Next on the agenda, Mr. Sam Brackett referred everyone to Memorandum #08-09, an update of Staff Activities and a breakdown of EPCRA, Florida Accidental Release Prevention and Risk Management Planning activity reports and charts. New employee Mr. Lou Ritter was introduced to the SERC. Mr. Ritter works in the Technological Hazards Section, with Tim Date.

Next item on the agenda was a report on the Local Emergency Planning Committee activities. Acting Chair, Ms. Jennifer Hobbs, reports the Local Emergency Planning Committee discussed Hazardous Materials Awareness Week. Mercury was used as a theme for all LEPCs. Ms. Hobbs also reports the LEPC is planning to expand their membership occupational categories to better suit each district's diverse professional make up. A report of new membership category changes will be submitted to the SERC for review and approval in July 2009. The LEPC is also requesting the SERC write a letter to the U.S. Environmental Protection Agency urging the agency to update the "occupational category" to 21<sup>st</sup> century terminology. Ms. Hobbs referred the SERC to the Hazmatters reports for updates on each districts' activities. A motion was made to write a letter to EPA representative, Mr. Chris Russell. Mr. Russell will follow-up on the occupational category terminology matter and report back to the SERC. The motion was carried unanimously.

Mr. Greg Lee noted that Department of Environmental Protection (DEP) has a webpage dedicated solely to disposal, proper use and storage of chemicals in schools. Additionally, DEP has website information on mercury disposal and pesticide disposal.

Ms. Jennifer Hobbs acknowledged Ms. Cindy Gennell for her years of dedicated service on behalf of all LEPC chairs and staff. Mr. Greg Lee will be retiring in July 2009 and Mr. Major Ken Carr will be retiring in June 2009. Mr. Lee and Mr. Carr will no longer be a member of the SERC after their retirements.

Mr. Michael Murphy stated Mr. Craig Fugate has been nominated to serve as Federal Emergency Management Agency, Director. The SERC acknowledged Mr. Fugate for his accomplishments.

The last item of business was scheduling of the next SERC meeting. The meeting will be held on July 10, 2009, in Tallahassee, Florida at the Betty Easley Center.

There was no further business or discussion. A motion to adjourn the meeting was made and passed unanimously.