



**MINUTES OF THE DISTRICT 10
LOCAL EMERGENCY PLANNING COMMITTEE (LEPC)
FOR HAZARDOUS MATERIALS
February 6, 2014**

Committee Members

Nelson, Joseph, Chair
Anderson, Mark
Brown, Kenton
Carberry, Edward
Engel, Norm
Geier, Mike
Guertin, Stephanie
Hausam, Jeremy
Heffernan, Maura
Herndon, Kevin
Holman, John
Jones, Derrell
Koener, David, Alternate
Long, Jeff
Lux, Harry
Murphy, Michelle (Mary), Alternate
Mayer, Timothy
McCartt, Jack
Norris, Peter
Perkins, Richard
Rawicz, Dave
Thompson, Greg
Valle, Carlos
Vogt, Charles, Alternate
Zabel, Dennis

Occupational Category

Firefighting (Palm Beach County Fire Rescue)
Firefighting (Palm Beach County Fire Rescue)
Local Environmental (FL Dept. of Environmental Protection)
Transportation (Sysco Southeast Florida, LLC)
Firefighting (City of Boca Raton Fire Rescue)
Emergency Management (Palm Beach County)
Health (Martin Memorial Health Systems)
Health (Syngenta Crop Protection)
Firefighting (Pratt & Whitney)
Firefighting (St. Lucie County)
Law Enforcement (City of Port St. Lucie Police Department)
Law Enforcement (Palm Beach)
Health (St. Lucie County Health Department)
Health (Syngenta Crop Protection)
Interested Citizen (Hazardous Materials & Safety Solutions, Inc.)
Firefighting (Boca Raton Fire Rescue)
Health (Palm Beach County Health Department)
Interested Citizen (Dania Beach Fire Rescue)
Facility Owner and Operator (Scripps Research Institute)
Facility Operator (City of Port St. Lucie Utility Systems)
Facility Operator (Cheney Brothers, Inc.)
Interested Citizen (Sun Sentinel)
Firefighting (Pratt & Whitney)
Health (Indian River County Health Department)
Local Environmental (Harbor Branch Oceanographic Institute)

Excused

LoPresti, Etta
McCaughy, Debra
Ortado, Derek
Seldes, Paul

Occupational

Emergency Management (Indian River County)
Emergency Management (Martin County)
Law Enforcement (City of Stuart)
Interested Citizen (ntb Group, LLC)

Absent

Daly, Tom
Dunn, Cheryl
Laryea, Nicholas
Meding, Paul
Passanesi, Joseph
Peterson, Vince
Phillips, Tom
Sanders, Nick
Sperber, Clint
Stewart, Barry
Waite, Sally
Wilson-Davis, Lisa
Wouters, Dan

Occupational Category

Emergency Management (St. Lucie County)
Health (Indian River County Health Department)
Facility Operator (Indiantown Cogeneration L.P.)
Facility Operator (Cliff Berry, Inc.)
Law Enforcement (Martin County Sheriff’s Office)
Emergency Management (Tropicana Products, Inc.)
Interested Citizen
Hospital (Select Specialty Hospital Palm Beach)
Health (St. Lucie County Health Department)
Local Environmental (Zenith Environmental)
Emergency Management (Palm Beach County)
Non-Elected Local Official (City of Boca Raton)
Firefighting (Martin County Fire Rescue)

Staff

Kathryn Boer
Kim Koho

TCRPC/LEPC District 10, Coordinator
TCRPC/LEPC District 10, Staff

Visitors

Crowe, David

Eastmond, Condell
Luher, Laurie

Region 5, Regional Domestic Security Task Force Health Co-Chair,
Department of Health
Occupational Safety and Health Administration (OSHA)
Enforcement (Florida Fish & Wildlife Conservation
Commission)

APPROVAL OF AGENDA OF FEBRUARY 6, 2014 MEETING

Mr. Thompson moved approval of the agenda. Mr. Rawicz seconded the motion, which carried unanimously. **Motion**

APPROVAL OF MEETING MINUTES – AUGUST 1, 2014

Mr. Thompson moved approval of the minutes. Mr. Rawicz seconded the motion, which carried unanimously. **Motion**

NEW BUSINESS

State Emergency Response Commission Meeting -Hazardous Materials Incident Reports

Ms. Boer reviewed the attached Tables and Graphs. She stated they provide information on hazardous materials incident reports received by the State Watch Office (SWO) for the period from December 1, 2012 through November 30, 2013. Table 1 lists incidents that are potential Section 304 Investigations at fixed facilities by district. Table 2 records evacuations, injuries, and deaths. Table 3 lists transportation related incidents at fixed facilities.

Ms. Boer continued, saying Graph 1 reflects the total number of hazardous materials incidents per year reported to the SWO. Graph II compares incidents that occurred at fixed facilities to those involving transpiration-related incidents and represents Hazardous Materials Incident Reports by LEPC District.

The Tables and Graphs are not complete; there are usually nine or ten pages to each one. The pages included in the Tables and Graphs shown are the ones in LEPC Region 10.

Mr. Brown stated that there had been a spill of Hydrochloric Acid at a plant in Ft. Pierce, there were no injuries.

Ms. Boer stated the next SERC meeting is scheduled for April 2014.

2013 Thomas Yatabe Award and Certificates of Appreciation

Ms. Boer stated that the 2013 Thomas Yatabe Award was awarded to the District 10 LEPC's former Chairman, Christopher Bushman. He was not able to attend to receive the award, but it has been sent to him.

Every year Certificates of Appreciation are awarded to the LEPC members who go above and beyond normal duties. This year they were awarded to:

- Mr. Mike Geier, Palm Beach County Emergency Management
- Mr. Joseph Nelson, LEPC Vice Chair, Palm Beach County Fire Rescue
- Mr. Frank Lasaga, City of Stuart Emergency Management
- Mr. Steven Graff, City of Stuart Police Department
- Mr. Michael Graves, St. Lucie County Sheriff's Office
- Ms. Sonji Hawkins, St. Lucie County Department of Health

Local Emergency Planning Committee Chairs Meeting Update

Ms. Boer stated the LEPC Chairs and Staff meeting was held on January 21, 2014 in Daytona Beach. The meeting is held the day before the SERC meeting so any issues can be brought before the SERC. Chairman Captain Nelson said that the LEPC Chairs meeting update report was tabled and asked Ms. Boer to explain. Ms. Boer said that a work group had been set up because there had been issues of hazards analysis reporting being completed in a timely manner. The Hazards Analysis Workgroup was created to help streamline the scope of work to help the counties and State improve efficiency in review of data. CAMEO is software that first responders use to get accurate and up-to-date information regarding a facility they maybe responding to and provides information on the facilities such as maps, storage locations and quantities, and types of hazardous materials. The Florida Division of Emergency Management (FDEM) has suggested that the Regional Planning Councils provide a proposal to conduct the Hazards Analysis Program.

Mr. Geier stated that Palm Beach County would be doing 105 site visits this year. Ms. Boer clarified for the members that the requirement for site visits was 50 percent of the sites in a county per year, so in fact there were 210 sites in Palm Beach. Mr. Geier said that the feedback for Tier II's from E-Plan was very good. He added that the largest area for improvement in reporting was with the agricultural sites and sited an example of a hazardous fungicide that has to be reported for spillage or exposure, yet it is applied to the land intentionally. Mr. Geier also referred to risk base type of application for batteries, sulfuric acid, which carries a very minimal risk adding that there needs to be some rationalism applied to this inspection process as the task is enormous.

Ms. Boer provided background information regarding sulfuric acid in batteries. She said the State looked at the battery issue because there are batteries everywhere as in cars, golf carts, and cell phone towers. Sulfuric acid is an EHS if over the EPCRA reporting threshold of 500 lbs. If the substance is reported than an initial site visit is required. The State did make one revision to the policy that allows a site, once it has been inspected then the compliance visit can be a call to the EHS manager or facility to confirm there have been no changes since the original site visit. Therefore, sulfuric acid sites only have to be visited once, unless changes are made. If changes are made, then the site must be revisited.

Mr. Brown referred to an explosion at a chemical plant in Jacksonville six or seven years ago. There were several types of chemicals that had not been reported because they were under the threshold. None of the first responders knew what chemicals were at this plant and it made for a very threatening situation. Ms. Boer agreed. Chairman Nelson said that the President, under the Executive Order, would be looking at those types of situations.

Chairman Nelson stated that LEPC, District 1, reiterated the need to update the FDEM How to Comply manual. The LEPC chairs and staff agreed to review and provide needed update information to the FDEM.

Chairman Nelson announced that there has been a 60 percent increase in online payment for E-plan, which means E-plan is being accepted and used. The State paid for some enhancements to E-plan, including being able to pay online. They have had fewer problems managing their data.

Ms. Boer discussed the increased attendance at the 2nd Annual HAZMAT Symposium. Chairman Nelson recapped the Trophies given at this year's Hazmat Competition which were overall award, best leak control, and best risk assessment. They also handed out some individual best efforts for responders for leak control. He anticipates a larger attendance of teams at the next competition. Ms. Boer clarified that the 1st Annual HAZMAT Symposium did not have a HAZMAT team competition. She stated that this Symposium was very operations oriented verses awareness oriented. Mr. Jonathan Lamb, LEPC District 4, did a fantastic job working with the State and various volunteers to put the Symposium together. Ms. Boer is hoping that District 10 will have a team in the competition next year. Chief Murphy pointed out that all three teams made mistakes with regards to bonding and grounding on transfers. Chief Murphy said that the City of Boca Raton stresses that in their teachings and she felt that if they had a team, they would excel. Ms. Boer said that she would welcome Boca and District 10 bringing home a lot of the trophies. Chairman Nelson said that District 10 LEPC definitely needs to field some teams for the next competition.

Training Task Force Update – Chairman Nelson

Chairman Nelson updated the LEPC with regards to the State Emergency Response Commission (SERC), and the Fire Rescue East Conference, 2nd Annual Hazardous Materials Symposium. He reviewed the State Training Task Force Agenda. The main area of discussion was the 2nd Annual Symposium. The first year there were about 130 attendees. This year there were over 260 registered, and were a significant portion of the attendees for the overall conference. The SERC voted to organize the event for a third year. This year included a competition that involved three teams and three trophies. Chairman Nelson noted that the City of Orlando did not go home with a trophy. The competition went well and included about six different events. Chairman Nelson felt that next year there would be an increase in the participation in the competition.

The second item discussed was the State Homeland Security Grant Program funding for enhanced Hazardous Materials and Weapons of Mass Destruction, HAZMAT/WMD, teams. The Domestic Security Oversight Council (DSOC) responsible for issuing guidance and recommendations regarding the disbursement of federal DSOC grant funding within the State of Florida, voted to curtail funding for the current 28 HAZMAT teams in the State. There will be 18 funded teams for the State, with 3 teams from each region and if a region does not currently have three teams, they will not be allowed to start any additional ones. The SERC was going to send a letter to the Governor and State Legislature regarding the reduction of teams, but the Chairman of the SERC, Mr. Koon, is also the Vice Chair of DSOC. Mr. Koon felt it would be a conflict of interest and was recused. The SERC then voted to send a letter from the individual members of the SERC and not from the SERC as a governing body. The members who voted in favor of the letter were to sign it. Chairman Nelson added that even though a few abstained from voting, no member voted against sending it.

The issue regarding the reduction of funding for the teams is about \$15,000 per team. Teams have very expensive machinery that needs to be maintained and if they use their own funds to maintain the equipment, they forfeit the ability to obtain future federal monies since local monies cannot be supplanted with federal monies, and March 15, 2014, is the deadline for this action. Delray/Boca is the only funded team on the entire east coast of Florida. Ms. Boer wanted to make the LEPC aware that when this decision was made, an analysis of vulnerabilities with regards to population had not been done and that is what the SERC is requesting. Chairman Nelson said the SERC pointed out that the current system goes back to 1993 and it was based on an analysis done by the SERC.

Chief Anderson said that many other fire prevention and emergency responders groups have also sent, or will be sending letters to the Governor's office asking that DSOC's decision be reevaluated based on current analysis. The biggest loss is not the money, but the potential loss of effective standard care. Ms. Boer said that it is a very tough situation for anyone who is trying to maintain a high level of service. If one dollar of local funds is used to maintain the equipment, they will lose all future federal funding.

Chairman Nelson said that two Requests for Proposals (RFP's) were being released by FDEM, one for an update of the Public Safety Training Guidelines, which are the guidelines on how to train HAZMAT responders and the second one for Guidelines for Operational Responders.

Chairman Nelson continued by saying that under Executive Order 13650, Improving Chemical Facility Safety and Security, the President of the United State will be holding listening sessions around the country including conference calls and live meetings. The purpose of the Executive Order 13650 is to look at Hazardous Materials regulations, communications and response and how to change what is currently being done. There could be large shifts in how things are enforced. One of the catalysts for this process was a recent leak in a West Virginia plant, of a material that was not regulated. There was not a lot of information available to the responders about the leaking chemical. Chairman Nelson said it sounded like there was a possibility that the list of regulated chemicals would expand under the Executive Order. Chairman Nelson encouraged anyone interested in providing input, or obtain additional information about the listening seminars and webinars, to visit the website, www.osha.gov/chemicalexecutiveorder. The Executive Oder is due out May of 2014.

Mr. Geier asked if the SERC would be making any official comments. Chairman Nelson said the SERC would be providing a letter of support for EPCRA with broad outlines supporting the existing regime.

Chairman Nelson stated that the TransCAER Training for Ammonia Chlorine was done in Fort Lauderdale, February, 4th and 5th, 2014, and was capped at 200 participates. Chief Anderson said that it

was a great training class and asked if it was going to be brought to the north area of Region 10. Chairman Nelson said it has been requested. Ms. Boer thanked the FDEM for providing all of the tables and chairs, and other items for the training. The LEPC is looking to have another TransCAER event in Region 10 in the near future.

Chairman Nelson said that a representative from the United States Coast Guard (USCG) attended the SERC meeting and discussion ensued regarding HAZMAT technicians assisting with oil spill cleanup. Previously, HAZMAT teams were only allowed to pick up tar balls on the beach. The USCG was supportive of offering online training modules to certify local HAZMAT teams for future coastal cleanups. They have a Federal Response Team that is not always immediately available and it was suggested that maybe local HAZMAT teams could provide assistance. The USCG and SERC discussed drafting a Memorandum of Understanding that would allow local HAZMAT teams to provide assistance. It was suggested that the Captain of the Port be contacted since they have local jurisdiction. Chairman Nelson said that the SERC was working on that initiative and would report back to the LEPC with any updates.

Chairman Nelson said that the WMD enhanced team typing was changed from two and three to align itself with Federal team typing of one and two, and the change was adopted by the SERC.

Chairman Nelson noted that there would be a reduction of thirty percent in Aspergram funding which is used by hospitals to pay for WMD response capabilities, and by the health department's use for antidotes that responders receive.

REPORTS

Planning Subcommittee

Ms. Boer stated that the planning subcommittee updates the District 10 Hazardous Material Regional Response Plan annually. She asked if she could send it out to all of the members and have them do a quick review of their perspective counties. She reminded them that the Response Plan is not a coagulated operational plan but a grouping of how each county handles their response operations. She said that she will send instructions and would appreciate all feedback.

Ms. Boer stated the District 10 LEPC Biennial Exercise will not be conducted again until next year, but she is planning on using the 2012/2013 Biennial Tabletop Exercise, using the same team players, as a model to create a functional exercise. She received positive feedback from those who attended. Again, she stressed the importance of receiving feedback to close gaps. Ms. Boer stated that it was important to show the link between chemical safety and transportation entities.

Public Information Exchange

Ms. Boer asked if there was any information that needed to be shared on the website. Ms. Heffernan said that the Spill Petroleum Prevention Counter Measures plan, SPPC, would be doing inspections at Pratt and Whitney at the end of the month if anyone was interested.

Mr. McCart stated that the NPA 472 Committee was looking at adding Chapter 8 to 472, which is basically HAZMAT special competencies, permission specific related competencies. He stated the document was currently available for review and comments. Chairman Nelson asked if it was on the

FPUA website, and Mr. McCart believed that it was. Mr. McCart stated that it would have a significant impact on HAZMAT teams.

Mr. Rawicz discussed the updating of Material Safety Data Sheets (MSDS's). Discussion about the MSDS's then ensued among the members.

Mr. Condell Eastmond introduced himself; saying that he was with Occupational Safety and Health Administration of the United States Department of Labor(OSHA/DOL). He has been recently installed as the OSHA Area Director since July of 2012. He knows that his predecessor did attend meetings, but was not able to attend them consistently. He will be trying to attend on a more regular basis so that information can be shared and received since there are several subject matters that would be mutually beneficial in terms of defining the LEPC and OSHA's roles. He brought up the prior discussion of SDS's and compliance in terms of the old standard and the new standards being implemented by 2015. The manufacturing employers are supposed to have the safety data sheet in, but if they are still under the old standards, OSHA is giving them time to comply with the new standards. He would be happy to provide any additional information upon request. Ms. Boer thanked him, and apologized for not recognizing him earlier. Mr. Eastmond appreciated the opportunity to attend and share information. She invited him to join the LEPC membership, and Mr. Eastmond thanks her for the welcome.

Chief Murphy said she talked to Matt Marshall regarding the documentation of E-plan saying there were currently there are two different formats available, but when it becomes law, there will be only one format standard format. Additional discussion ensued among the members regarding E-plan.

Ms. Boer asked if there were any additional events or training that should be posted to the LEPC website and Mr. Engle said Region 7 has an RDSTF drill coming up March 5 through March 10.

Local Emergency Planning Committee Activities

Ms. Boer said staff attended the following meetings:

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| November 8 | Staff participated in the conference calls in preparation for the TransCAER Chlorine training in Fort Lauderdale. |
| December 17 | Staff participated in the conference call on TransCAER Chlorine training for statewide coordination with LEPC districts. |
| January 21 | The District 10 LEPC Training Task Force representative attended the LEPC Chairs and staff meeting and the State Training Task Force in Daytona Beach, Florida. |
| January 22 | The District 10 LEPC Training Task Force representative attended State Emergency Response Commission meeting in Daytona Beach, Florida. |
| January 23-24 | District 10 LEPC members and fire rescue personnel were sponsored to attend the 2 nd Annual Hazardous Materials Symposium, Daytona Beach, Florida |

Staff also attended the regional coordination meeting with other regional planning council's LEPC staff to discuss coordination of current and future contacts.

Contract Activities Update

Training

Ms. Boer explained the process of updating the CAMEO data base and stated that it would be sent to the State of Florida Division of Emergency Management (FDEM) for approval. She continued by saying that since it is approved, a CD would be sent to Emergency Management Directors and HAZMAT team members. The 2013/2014 Hazardous materials Emergency Preparedness grant began July 1, 2013. The grant provides annual funding for hazardous materials related training to the region's first responders and for planning projects.

Planning

The planning project for the 2013/2014 grant cycle is Option 5 – Facility Outreach. The LEPC is looking at doing a responder E-plan training, as well as an operational responder E-plan training, and facility operator outreach training placing them strategically throughout the entire region. Ms. Boer said she will send out notifications when the training becomes available. She stated it would provide a better understanding of E-plan. She stated that it was a great tool and it is getting easier to use. The biggest challenge in this region is making sure the data in E-plan is correct. Ms. Boer reminded everyone that all hazards need to be reported in pounds. She added that conversions could easily be made on the truck, but the data needs to be reported in pounds.

Mr. Geier stated that E-plan has more current and up to date data than CAMEO. Ms. Boer said the great thing about E-plan was that a facility could make updates at any time. Mr. Geier pointed out that CAMEO updates were only done every three years. Ms. Boer agreed, but added that if a facility didn't look at data for a year, they would still be a year behind, because facilities are reporting on the chemicals they had last year. Ms. Boer felt that E-Plan was a useful tool if the outreach to the people doing the reporting is done correctly. The purpose of the outreach is to train as many as possible and in that way, the data would be the most accurate that it could be because they would know how to comply.

Membership

On January 22, 2014, the State Emergency Response Commission (SERC) met to consider the Local Emergency Planning Committee (LEPC) nominations for membership. The District 10 LEPC submitted for appointment one new nomination for alternate member. The SERC approved and appointed the following new alternate member; Ms. Maura Heffernan, alternate for Mr. Carlos Valle, Pratt & Whitney, Occupational Category: Firefighting.

Chairman Nelson and Ms. Boer welcomed aboard Ms. Heffernan. Chairman Nelson stated that District 10 has a very strong and active LEPC but added that there were a few members who were not very active. He continued by stating it is stated in the bylaws that if a member has three unexcused absences, they could be removed from the LEPC. He said the LEPC did not want to push anyone off of the Committee but included they would be reaching out to those members who are members in name only. If members cannot participate, then they should move on so that others who are interested in participating and serving would have the opportunity to do so. Chairman Nelson concluded the discussion by saying that if you get an email regarding membership, to remember no one is being singled out individually, the information is just being sent out in general.

Chairman Nelson said that there have always been categories of membership that the LEPC has not had good participation in the area of elected officials and media. Chairman Nelson stated that the LEPC did not need members in the elected official and media positions just for the sake of filling those categories, but if any member knows of someone who wants to serve and are in those categories, have them contact Ms. Boer. Ms. Boer included that she would be sending out a list of categories that would be beneficial to fill.

Ms. Boer also wanted to remind the members that it is important that members have alternates. She noted that at today's meeting, many of the alternates were in attendance along with the member and she thanked everyone for coming.

COMMENTS FROM THE CHAIR AND STAFF

No Comments.

COMMENTS FROM COMMITTEE MEMBERS

Chairman Nelson asked for committee comments and Ms. Boer asked if there were any announcements that needed posting.

Mr. Geier said Natural Gas Pipeline responses are very popular and they have an outreach program which offers training. Ms. Boer commented that she and Mr. Geier attended a training that was offered in West Palm last year. She added that there had been training in the past at the St. Lucie County Health Department. Ms. Boer said she would work on trying to get one in the northern end of the region. Chief Engel discussed the problem with old county and city maps not depicting the correct locations of natural gas pipelines. He said that updating the mapping process in some areas required approval of the County or City's legal departments, which can cause a lot of red tape. Ms. Boer stated that she understood the need for updated transmission and gas line maps since the LEPC does not get sent updated maps from counties or cities and Mr. Geier asked if that was something the LEPC could request. Ms. Boer said that it would depend on who you ask as there is no consistency them and included that cities and counties are required under Chapter 119, because providing maps is a matter of public safety. Ms. Boer suggested that the LEPC draft a letter iterating the importance of the provision of up-to-date maps for first responders and planners. Discussion ensued among the members as to how the LEPC could get involved in a dialogue regarding the updating of maps to improve everyone's operational capabilities.

Ms. Boer asked if updated maps had to be provided to the state and suggested the LEPC approach the state. Chairman Nelson suggested a presentation regarding the location of gas lines. Chief Murphy said that Tim Butters would be the contact person and will forward the contact information to staff.

PUBLIC COMMENT

Mr. Crowe, Region 5, Regional Domestic Security Task Force Health Co-Chair, Department of Health, introduced himself. He discussed the problem of Fentanyl, which has been developing up north and is filtering down into South Florida through the I-95 corridor. Fentanyl reacts like drugs in the morphine category and can cause death. They are cutting Heroin with Fentanyl and wrapping the bags in packets with covers such as Theraflu. First responders need to be very careful when dealing with these packets. He suggested leaving them alone for law enforcement to deal with. Ms. Boer agreed and said that it has been causing many deaths among users. Ms. Luher agreed that it was a problem and said that off shoots

of these synthetic drugs are hard to detect when doing a chemical analysis for the purpose of drug identification.

NEXT MEETING

The next LEPC meeting is scheduled for Thursday, May 1, 2014. The meeting dates for 2014 are noted below. Ms. Boer invited LEPC members to volunteer to host the next LEPC meeting.

May 1, 2014
August 7, 2014
November 6, 2014

ADJOURNMENT

Mr. Hausum moved for adjournment of the meeting. Chief Herndon seconded the motion, which carried unanimously.

Motion

The meeting was adjourned at 11:35 a.m.