



# FACILITY DISASTER PLANNING SUBCOMMITTEE

## **RECAP**

**January 19, 2012 Meeting**

**LEPC District VIII, 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782 - 727/570-5151, Staff Contact: John Meyer**

**Attendees (Present)** - Chet Klinger (Meeting Chair), Gary Weiss (A-C-T/SERC Member), Denise Lynch (CSX), Thea Dunmire (ENLAR), Stephanie McDannold (Unified Recovery Group), Mark Delapena (AT&T), Jennifer Garwood (Progress Energy), Mark Hendrickson (American Red Cross), Betti Johnson (TBRPC) & John Meyer (LEPC 8 Staff/TBRPC)

Please note that text appearing as **red** symbolizes an action item.

### **1. DISCUSSION OF ITEMS ASSOCIATED WITH LAST FACILITY DISASTER PLANNING SUBCOMMITTEE MEETING (i.e. OCTOBER 20, 2011)**

Mr. John Meyer characterized the highlights of the October Subcommittee meeting to be:

- overview of the September 7<sup>th</sup> *Facility Disaster Preparedness Forum* facilitated by Mr. Chet Klinger and involved participation from the private and public sector as well as response personnel;
- discussion of potential future Subcommittee initiatives (e.g. re-undertake Tier II quality-control review, expansion of e-mail list by contacting Tier II facilities, and Hazardous Materials Awareness Week promotional ideas);
- gather a listing of recommendations regarding *Florida Business Disaster Survival Kit*;
- identification of “Tidal Surge” and “DHS capabilities to assist Facilities with identifying Vulnerabilities” as potential themes for future workshops that could be arranged by the Subcommittee staff; and
- scheduled the dates for 2012 Subcommittee meetings.

### **2. RECOMMENDATIONS FOR THE FLORIDA BUSINESS DISASTER SURVIVAL KIT.**

Ms. Betti Johnson advised the Subcommittee members that TBRPC has contracted with FDEM to assist them in the development of an SOP for ESF 18 (Business and Industry). As part of that contract, Mr. John Cherry (FDEM staff) would like to incorporate the *Florida Business Disaster Survival Kit* (FBDSK), including the interactive business continuity planning template, on the State’s “[www.floridadisaster.org](http://www.floridadisaster.org)” website. The State has funds (approximately \$100,000) to enhance the BCP template and incorporate recommendations to improve user interface. As part of the contract, TBRPC - along with the LEPC’s Facility Disaster Planning Subcommittee and the Business Continuity Planning Committee will provide FDEM with a comprehensive list of recommendations for the site. It is assumed these recommendations will be included in the State’s RFP for contractual support to enhance the FBDSK site. (However, by conceding this action, the Tampa Bay Regional Planning Council will forfeit control of the FBDSK site.). FDEM has not provided a timeline for the RFP.

Ms. Denise Lynch mentioned that facility plans are not updated as often as they should be and that key facility staff is not always familiar with the key components of their Plans.

Ms. Thea Dunmire reminded Ms. Johnson that the LEPC's Facility Disaster Planning Subcommittee (FDPS) previously evaluated the Kit and determined that significant information pertaining to hazardous materials was lacking and difficulties with the utilization of the site's "wizard" to assist in the creation of Facility Plans. **John Meyer agreed to provide the recommended revisions that may have been recognized in prior FDPS Recaps to Ms. Johnson.** Ms. Dunmire and other members emphasized the importance of assuring that a facility's data is secure and "unsearchable" by others.

Ms. Johnson noted that the timeline for recommended Kit revisions or improvements is within "the next month (or so)." She added that she will be resurrecting her former BCP Subcommittee that was formulated to assist in the creation of the FBDSK initially (in 2008) for their guidance and suggestions... **Ms. Johnson agreed to notify John Meyer of her future Subcommittee meeting date so that such notification can be further disseminated to interested Facility Disaster Planning Subcommittee members.**

Mr. Mark Henderson (American Red Cross) advised Subcommittee members that the American Red Cross is currently "teaming up" with St. Petersburg College to develop an on-line, web-based training program for Business Continuity Planning that will soon be made available free of charge.

Mr. Chet Klinger added that the adequacy of facility's Business Continuity Planning efforts would/could be put to test in the event of a hazardous materials incident.

### 3. HAZARDOUS MATERIALS AWARENESS WEEK

Mr. John Meyer advised Subcommittee members that January 22-28, 2012 has been proclaimed as "Hazardous Materials Awareness Week" (HMAW). This year's theme is *Mercury Awareness & Dangers*. With this theme in mind, Mr. Meyer shared the Mercury informational resources he has gathered (i.e. electronic images of Florida Department of Health and ACT/LEPC District 7 brochures as well as links to an EPA Public Service Announcement and a Florida Department of Environmental Protection video) with the Subcommittee. **Mr. Meyer indicated his intentions to transmit links of these resources via e-mail to his distribution lists early next week, to coincide with HMAW, as well as place the links to these resources on the LEPC website.**

No other promotional ideas were identified by Subcommittee members.

### 4. UPDATES REGARDING ELECTRONIC FILING

Mr. Meyer advised that:

- approximately 47 of all Tier II facilities statewide provided their reporting electronically last year;
- the SERC has yet to enter into a Memorandum of Understanding with the 11 LEPCs and

450+ fire departments precluding facilities from the requirement of providing the local fire departments **and** LEPCs with hard copies of all reporting, regardless of whether or not their reporting was filed electronically’

- FDEM staff has indicated that the following improvements have been incorporated into the FloridaHMIS.org program this year:
  - better integration with electronic payment site (i.e. Bank of America);
  - alleviation of some conflicts with “Pop-Up Blocker(s)”; and
  - addition of more “Wizards” and instructions for users
- New or revised regulations now govern Ammonium Nitrate and Mineral Oil; and
- FDEM has recently submitted a grant application to the U.S. Environmental Protection Agency. If awarded, significant improvements to the FloridaHMIS system would/could be anticipated including the ability for a facility to prepare their reporting through the more simplistic “Tier 2 Submit” software program and then *upload* the records to the State’s system. A dramatic increase in electronic filing participation would be expected, if implemented.

Mr. Meyer advised members that when a facility populates the FloridaHMIS with their facility data, that data needs to be transferred to E-Plan, an action executed by FDEM staff. Having timely, current and accurate information available to first responders is vital and critical, as attested to by Mr. Gary Weiss.

Ms. Jennifer Garwood indicated her discontent with recent correspondences from FDEM/SERC. Acknowledging her responsibility for submitting the consolidated Tier II Reports for all Progress Energy’s facilities throughout the State, FDEM staff recently transmitted PE’s **Master Account Number and Password** to all of her individual facility contacts and requested their updates. As understood from Ms. Garwood, each of these representatives was previously provided their own account number and password which would limit their ability to provide input and update solely to their facility. If these representatives were to utilize the **Master** account, it likely could have unintended consequences.

Ms. Garwood additionally mentioned that she recently received a Memo from SERC dated January 13, 2012 and entitled “2011 Annual Registration Filing Deadline.” The Memo did not say that hard copies of Tier II Reports continue to be required and must be transmitted to the LEPCs if filed electronically, contrary to the remarks identified above.

As for hard copy transmittals, Mr. Meyer apologized for the confusion and affirmed that hard copies of the Tier II records still need to be provided to the local fire departments and the LEPCs for at least for one more year. In regard to the notification of Master Account Number and Password, Mr. Meyer indicated that many companies have various facilities located throughout the State and may have the same concern (e.g. AT&, Verizon...) **Mr. Meyer agreed to communicate with Ms. Garwood shortly following the meeting and immediately prepare a correspondence accurately describing her concerns to FDEM staff.** As a SERC member, Mr. Weiss confirmed Mr. Meyer’s remarks and acknowledged Ms. Garwood’s concerns.

***[UPDATE: FOLLOWING THE REFERENCED COORDINATION WITH MS. GARWOOD, A CORRESPONDENCE DOCUMENTING THESE CONCERNS WAS TRANSMITTED TO APPROPRIATE FDEM STAFF THAT AFTERNOON]***

**5. UPDATE ON SERC/EPA “MEMORANDUM OF UNDERSTANDING” (MOU) REGARDING SUPPLEMENTAL ENVIRONMENTAL PROJECT(S)**

Mr. Gary Weiss advised that the SERC has embarked on entering into a MOU with the U.S. Environmental Protection Agency to allow facilities found to be in violation of Emergency Planning and Community Right to Know regulations to fund a “Supplemental Environmental Project” (SEP) in lieu of paying a potentially lucrative fine that may otherwise be imposed on that facility. Mr. Weiss added that a similar agreement had previously been in effect but expired in 1999. Discussion regarding potential renewal of this agreement had not occurred until recently. If approved, SEPs are designed to keep the resulting training of first responders local to that facility. In times of dwindling training funds, any additional funds could certainly be put to good use by the individuals/agencies responsible for responding to an incident at that facility.

**6. UPDATE ON POTENTIAL FOR “UNIVERSAL CREDENTIALING”**

Ms. Stephanie McDannold recognized that a working group is currently being formulated to discuss this (and other) issues. The Subcommittee may meet as early as mid-February. Ms. McDannold did acknowledge the difficulties will include getting “buy-in” from all and to identify the single implementing agency. It is not anticipated that any possible measure will overcome all roadblocks, and therefore, may preclude some facility emergency response personnel from accessing their potentially impacted site(s). Mr. Chet Klinger added that having pre-arranged agreements with such agencies (e.g. local fire departments) could prevent such delays and appropriate emergency response personnel may even accompany you to your facility.

**7. OTHER ISSUES/COMMENTS**

**Prior Tier II quality control Comparison** - Ms. Thea Dunmire inquired what were the biggest discrepancies of State vs. LEPC records that were detected when conducting the prior comparison of Tier II records? Mr. Chet Klinger identified the following:

- Many of the chemical types and quantities varied between the two data sources.
- Numerous “SERC only” facilities are farms, hospitals, golf courses, car dealers, marinas, or oil change/lube companies.
- Many of the “LEPC only” records involve facilities with the most recent record being 2007 (or earlier). No record of facility closure received by LEPC.
- Numerous chemicals under thresholds were reported in Tier IIs.
- Facility contact information was often consulting firm completing Report or out-of-state representative(s).
- Although not required, e-mail addresses provided for about 10-15% of facilities.
- Container information appeared to be occasionally transposed.
- Some facilities continue to recognize “Range Codes” rather than pounds for their “Maximum Daily Amounts.”
- A significant number of Tier Reports in LEPC records appear without corresponding 311 notices when new facility reports appear for the first time or when new chemicals are added subsequent to previous annual reports.

Acknowledging the numerous inconsistencies in data identified, Ms. Dunmire asked how many letters went out to notify these facilities of their missing and/or incorrect data? Mr. Klinger replied that only a “few” of the facilities were notified of the discrepancies due to time constraints.

However, most of the discrepancies were between the two data sets (i.e. State's electronic records vs. Tier II forms). Mr. Meyer echoed Mr. Klinger's sentiments that notifying all facilities of discrepancies would be very labor intensive.

Noting that Tier II Reports are public records and the extent of time involved with the conducting the last comparison, Ms. Dunmire inquired as to whether high school students could be used to assist with performing such an analysis in the future if deemed appropriate and/or necessary? Mr. Meyer confirmed that such Reports are public records and was not aware of anything that would preclude them from participation.

Mr. Gary Weiss added that pursuing such discrepancies now or the immediate future would be relatively moot considering the State's intention to have 90% of all facilities report electronically by the March 1, 2013 reporting deadline through the allowance of alternative electronic filing procedures. In addition, the SERC anticipates exemption from the current requirement to provide hard copy of all Tier II records to the LEPC and local fire departments for all but those facilities that do not file electronically.

**Ms. Dunmire suggested preparing a "Press Release" for distribution to the local newspapers and Tampa Bay Business Journal advising local facilities of the March 1<sup>st</sup> reporting deadline, identifying some of the discrepancies previously detected, and notifying them of the How-to-Comply workshops to be held locally.**

**Scarabeo 9.** Mr. Meyer showed a brief video of Scarabeo 9 which recently departed Trinidad to off the coast from Cuba. This oil rig, which was approved to drill in international waters, may commence operations as early as late January. In the event of an oil spill, very few models project any significant impact to the West Coast, provided and the path of the Gulf Stream.

**Communication amongst Agencies.** Mr. Klinger provided a brief presentation on the vital (and necessary) relationships between: the Local Emergency Planning Committees and local fire departments; the Local Emergency Planning Committee and facilities; and facilities and their local fire departments. Each of these relationships is unique but all share one common bond - protecting and informing the local communities and facility personnel. Strengthening these relationships can be achieved by working together and determining how one can assist the other.

Established relations would/could inevitably result in:

- better accuracy of EPCRA reporting and real information on hand
- cross-Training and awareness
- resource sharing
- EPCRA awareness – closing the gaps
- familiarity and awareness during and after an area-wide disaster
- faster, smoother emergency response
- faster, safer business recovery

**Subcommittee Chair.** Subcommittee member Thea Dunmire was nominated and agreed to serve as "Acting Chair" through the remainder of 2012. No other members volunteered or were nominated.

The meeting was adjourned at 1:10 p.m.