



RECAP OF THE JULY 19, 2019 STATE EMERGENCY RESPONSE COMMISSION MEETING

The July 19, 2019 State Emergency Response Commission (SERC) meeting was held at the Hyatt Regency Sarasota in Sarasota, FL. The Recap presented below was enhanced by discussions/dialogues which ensued at the July 18th meetings of SERC's Training Task Force and the LEPC Staff & Chairs. The SERC meeting was chaired by Deputy Director of the Florida Division of Emergency Management (FDEM)/SERT Chief Kevin Guthrie. The meeting was punctually called to order at 9:00 a.m. and proceeded with the Pledge of Allegiance and a roll call of SERC members.

Chair Guthrie advised that he will deviate from the Agenda slightly to allow Ms. Erica White to introduce herself. Ms. White advised that she is the newly-assigned representative from the U.S. Environmental Protection Agency (USEPA)/Region 4 and currently serves the eight SERCs in the southeast U.S. However, she did acknowledge that this role is only temporary since she is about to be promoted. USEPA will designate another individual to this position. USEPA's EPCRA compliance section will remain under their enforcement section.

APPROVAL OF MINUTES

Following no requests for modification(s), Chair Guthrie solicited a motion to approve the *Minutes* from the April 19, 2019 SERC meeting held at the at the St. Augustine Historic District Hilton Double Tree Hotel. With such motion provided and seconded, the *Minutes* were approved unanimously upon voice vote.

NEW BUSINESS

- **LOCAL EMERGENCY PLANNING COMMITTEES APPOINTMENTS** - Chair Guthrie indicated that the LEPC membership modifications being requested by the LEPCs are/were included in the SERC packet. Following a motion and a second made by SERC members, all LEPC membership changes were approved unanimously upon voice vote. [The membership changes for the Tampa Bay LEPC approved during the quarter were the redesignation of Primaries/Alternates for the Florida Department of Environmental Protection/Office of Emergency Response (*Jamie Arleo/Lindsay Brantley*), St. Petersburg Fire Rescue (*Robert Bassett/Randall Kahle*), Florida Department of Health (FDOH)/Pinellas County (*Scott Fryberger/Ashley Hoskins*), U.S. Coast Guard/Sector St. Petersburg (*Matthew Merial/Darrina Willis*), Hillsborough County Sheriff's Office (*Stephen Crowe/William "Marty" Prickett*), the addition of a new "Interested Citizen" (*Gary Frank*) [former "Primary" LEPC representative from FDOH/Pinellas County], as well as the redesignation of Alternates from Yara North America (*Jeff Gentner*). One former Interested Citizen (*Charles Crowther*) was removed from the LEPC membership at his request due to "time commitments."]

REPORTS

- **SERC TRAINING TASK FORCE (TTF) REPORT** - The following highlights of the July 18th meeting were identified by TTF member Scott Ehlers:

- **Standard Operating Guidelines (SOGs)/Standard Operating Procedures (SOPs).** Capt. Frank DeFrancesco did advise that the next four SOGs/SOPs topics (of 18) have recently been finalized by Subject Matter Experts regarding each of the following respective topics and are ready for SERC's approval prior to distribution. Those topics were: *Gas Cylinders & Containers*; *Radiological*; *Safety & Health for Hazmat*; and *Emergencies involving Corrosives*. In addition, Capt. DeFrancesco did recognize anticipation that the remaining seven topics can and should be completed in advance of the October 2019 SERC meetings.

Scott Ehlers asked that these updates be approved by SERC in association with the current meeting (i.e. July 19th) so that they can be distributed and circulated. Chair Guthrie proceeded to solicit and motion and a second. However, SERC member Mark Tumlin (Agriculture Industry) suggested the SERC members need to be provided copies of the documents in advance of the meeting for their review. For this reason and without receipt of a motion and a second, it was announced that these updated topics will be "tabled" until the next SERC meeting. It was affirmed that these documents will be transmitted to SERC members for their review in advance of the next meeting.

It is hereby stated that the updates of seven other SOGs/SOPs topics (i.e. *Hazmat Medical Support*; *Field Analysis of Unidentified Potentially Hazardous Materials*; *Flaring of Liquefied Petroleum Gases (LPG)*; *Toxic Materials, Poisons & Pesticides*; *Drums & Abandoned Containers*; *Biomedical or Biological Waste*; and *Hazardous Materials Incident Timeline*) were previously approved in association with the April 19, 2019 SERC meeting and were subsequently distributed/circulated.

- **Potential Conflict of Interest Interpretation.** Mr. Erik Sayler was introduced as the new Legal Counsel for the Florida Division of Emergency Management. Mr. Sayler identified that a potential issue was raised regarding a potential appearance of a Conflict of Interest with Chapter 112.313, F.S. if member(s) of SERC's Training Task Force (TTF) may stand a chance of a financial benefit/gain if they (or their associated company) serve as compensated instructors for training which may be recommended by the TTF and ultimately endorsed by the SERC. Mr. Sayler acknowledged that he is currently working with the Commission on Ethics (COE) on making this determination. It may be required that all TTF members submit a *Financial Disclosure Statement* in order to determine whether or not such conflict of interest is present in their particular case. Mr. Sayler indicated that he will advise of this determination once made by the COE.

Mr. Sayler additionally identified that this issue may also be applicable to ALL Local Emergency Planning Committee members statewide. This determination will also need to be made by the Commission on Ethics.

- **(Future) Marine Firefighting Training.** Acknowledging that NOVA Southeastern University (NSU) in Ft. Lauderdale did previously receive grant funds, it was previously suggested that a letter be prepared and transmitted to NSU requesting their solicitation of additional grant funds for the purposes of developing a maritime curriculum/program to provide maritime hazmat response training for applicable teams as well as to determine the associated applicable criteria. In addition, Mr. Forest Willis of the U.S. Coast Guard indicated that the USCG will be adding an Appendix to all Coast Guard *Area Contingency Plans* to address local hazmat response.
- **Hazmat Team Assessments in FY 2019-20.** FDEM has recently acquired a temporary employee (J.W. Scott III) to conduct assessments of ALL hazmat teams statewide during FY 2019-20. The

primary purpose of this initiative is to ensure consistency of the administered assessments. Following completion of this task, it is understood that the LEPCs will/may be responsible for maintaining and/or administering such assessments in future with the exception of when such assessments are administered by “third-party” personnel which are currently anticipated every 3-5 years. Mr. Scott may also assist in determining Team Typing (i.e. Type I/Type II Hazmat Teams).

- **Responders Safety Initiative/Pesticide.** Mr. Bert McKee identified that, in partnership with various agencies, the Florida Department of Agriculture and Consumer services recently developed a program known as “*Operation Clean Sweep.*” The program is describes as “*a mobile pesticide collection program that provides a safe way to dispose of cancelled, suspended and/or unusable pesticides*” in the quantities of 1,000 pounds or less. The program enables private sector industries (e.g. Farms/Groves, Greenhouses, Nurseries, Golf Courses and Pest Control Service companies) or public sector facilities to simply call 1-877-851-5285 to schedule a FREE pickup of applicable product(s) so that they can be disposed of in a responsible and appropriate manner. More information on the program is available by contacting cleansweep@freshfromflorida.com. (A link to the *Operation Cleansweep Flyer* was subsequently posted to the Tampa Bay LEPC website, as requested.)
- **EPA’s List-of-Lists.** Robert Dietrich announced that EPA recently updated their “*List-of-Lists*” for the first time since 2015. The List identifies the reporting requirements and thresholds associated with more than 500,000 chemicals. The State’s *EPCRA How-to-Comply Manual* will be revised to reflect this update. In addition and shortly following this update, Mr. Bert McKee did compile a six-page document simply identifying the requirements and thresholds associated with pesticides only, including the slang terms for the chemicals, primarily for the benefit of those involved in the Pesticide application industry.
- **Future TTF Conference Calls.** The next TTF conference calls have were scheduled for August 14th & September 18th, each starting at 1:30 PM EST.
- **HAZARDS ANALYSIS WORKING GROUP (HAWG) REPORT.** Robert Dietrich identified the current HAWG initiative remains to develop and standardize a Hazards Analysis (HA) guidance document to advise personnel conducting the analyses as well as to inform facilities as to how/why the Hazards Analysis process was developed as well as provide an explanation of how the information is utilized. While taking a “more active” role in the mission of the HAWG, FDEM is soliciting ideas for improvement of the HA program with a desire/goal for the program data/outcome to be more relevant to first responders.
- **UPDATE ON LEPC ACTIVITIES.** Chief Richard Knoff provided the following highlights of yesterday’s meeting of the LEPC Staff/Chairs:
 - **2020 Emergency Response Guidebooks.** Robert Dietrich advised that the U.S. Department of Transportation is moving forward with the publishing of the *2020 Emergency Response Guidebooks* (ERGs) although electronic downloads (for computers, laptops & smart phones) remain their preferred means of product delivery. The ERGs are typically updated every four years. FDEM indicated that the LEPCs should receive similar quantities, at minimum, to those received when the document was last published in 2016. Once the printing of the 2020 ERGs in completed, ALL Florida-bound hard copies will be delivered to the State Logistics Response Center (SLRC)

warehouse in Orlando. Robert Dietrich affirmed that he will attempt to make arrangements for further delivery to the local LEPCs, if necessary. *[John Meyer subsequently provided Robert Dietrich with the names and addresses of the two local sites in which the ERGs were delivered in 2016 [i.e. FDOT Pinellas Operations Center (5211 Ulmerton Road, Clearwater, FL 33760) for Hillsborough/Manatee/Pinellas allocations & FDOT/Brooksville Operations Center (16411 Springhill Drive, Brooksville, FL 34604) for Pasco/Hernando/Citrus allocations], as well as contact information associated with the local FDOT representative.*

- **Hazmat Reports.** Chief Knoff indicated that each of the LEPCs prepare *Hazmat* reports for their respective Districts. The Reports reflect the activities and initiatives conducted within their own Districts over the past quarter, including identification of trainings which have occurred, meetings held/attended and, if applicable, exercises administered. Each of these Reports are provided quarterly as part of the SERC meeting Agenda materials.

The following was identified for the Tampa Bay LEPC District for the period of April - June 2019 within the Agenda materials:

- Tampa Bay LEPC staff was involved in a number of activities during the quarter. LEPC staff and Chair attended the April 18-19, 2019 SERC quarterly meetings held at the Hilton Double Tree in St. Augustine. The quarterly meeting of the Tampa Bay LEPC meeting was held on May 22nd at the offices of the Tampa Bay Regional Planning Council.
- The Tampa Bay LEPC's HMEP Training Subcommittee also met on May 22nd. The main objective of this meeting was to further refine the training courses to be pursued during the remainder of the FY 2018-19 HMEP Training Contract and to initiate and promote identification of training needs and expenditures associated with the FY 2019-20 HMEP Training Contract.
- The following training expenses were incurred by the Tampa Bay LEPC during this quarter: sponsored four Hernando County Fire Rescue students to attend the 160-Hr. *Hazmat Technician Certification* course held at the Florida State Fire College (February 11 - April 1) and arranged for the conduct of a 40-Hr. *Marine Firefighting for Land-Based Firefighters* course for six Hillsborough County Fire Rescue and four Tampa Fire Rescue students. The first three days was classroom instruction provided by the trainer at the Hillsborough County Public Safety Complex (June 10-12) and the remaining two days was the Hands-On component held at the Resolve Maritime Academy in Ft. Lauderdale (June 13-14).
- The following HMEP-funded courses have been approved, scheduled and will be conducted next quarter: three 8-Hr. *Hazmat Technician Capabilities Evaluations* courses for a total of 60 Manatee/Hillsborough/Pasco County students (i.e. July 29-31); a 40-Hr. *Hazmat Medic* course for 30 Pinellas County students (i.e. August 19-23); and three 8-Hr. *Hazmat Technician Capabilities Evaluations* courses for a total of 90 Pinellas County students (i.e. August 27-29). In addition, either three 8-Hr. *Hazmat IQ - "Above-the-Line/Below-the-Line"* courses for the northern reaches of our District (i.e. Citrus/Hernando/Pasco County) OR an alternate course(s), to be identified by our HMEP Training Subcommittee, will be coordinated and conducted next quarter, accounting for all remaining funds associated with Tampa Bay LEPC's FY 2018-19 HMEP grant program.
- The LEPC recently had to say "farewell" to the member with the most tenure of our existing membership (Jeff Tobergte). As a token of our gratitude for his 23 years of service to the Tampa Bay LEPC, he was recognized and provided a Certificate of Appreciation. While Mr. Tobergte will actually be retiring in July, he had admirably represented the Florida Department of Environmental Protection/Office of Emergency Response since his initial appointment to the Tampa Bay LEPC in 1996. Mr. Tobergte had served multiple stints as Vice Chair of the LEPC, remained part of the LEPC's Nominating & Awards Committee, assisted with numerous LEPC exercises administered during his tenure and even volunteered to help collect data in association with the *Commodity Flow Study* conducted by the Tampa Bay LEPC in 2015.

- In terms of miscellany, LEPC staff and/or members additionally: submitted Plan of Instruction (POI) to FDEM for the proposed conduct of aforementioned *Hazmat Technician Capabilities Evaluations* courses (April 3); submitted FY 2018-19 HMEP *Mid-Term Performance Report* to FDEM (April 3); provided listing of LEPC Activities/Initiatives to TBRPC members in association with their April 8 meeting; facilitated the (nearly) monthly meeting of the Pinellas Police Standards Council (April 10 & June 12); submitted POI to FDEM for the proposed conduct of aforementioned *Hazmat Medic* course (April 10); submitted the LEPC Staff Services & HMEP quarterly reports along with associated materials to FDEM (April 11); attended the bi-monthly meeting of Ammonia Handlers/Operators (April 16 & June 13); although scheduling conflicts precluded my personal attendance, multiple LEPC members attended the annual *Port Tampa Bay Safety & Risk Mitigation Summit* (April 17); facilitated the (nearly) quarterly meeting of the Preventative Radiological Nuclear Detection Committee meeting (April 18); attended the Final Planning Meeting associated with the Tampa Bay LEPC's *Operation Double Stack* hazmat exercise (April 25); assisted with conduct/facilitation of the LEPC's *Operation Double Stack* hazmat exercise (May 1); prepared and provided listings of discrepancies associated with Section 302 facilities in Citrus, Hernando, Hillsborough, Manatee, Pasco and Pinellas Counties to FDEM for review and potential action (May 2); participated in the *After-Action Report/Improvement Plan* meeting held in association with the *Operation Double Stack* hazmat exercise (May 6); prepared Flyers for the upcoming *Hazmat Technician Capabilities Evaluations & Hazmat Medic* courses for distribution and promotion (May 8); provided listing of LEPC Activities/Initiatives & copy of SERC Recap to TBRPC members in association with their May 13 meeting; delivered six boxes (240 copies) of the 2012/2016 Emergency Response Guidebooks to the Florida Highway Patrol in Tampa (May 14); attended the bi-monthly meeting of the Tampa Bay Spill Committee (May 14); participated in the SERC's Training Task Force teleconferences (May 15 & April 12); coordinated with FDEM regarding request for Chief Scott Ehlers (Tampa Bay LEPC Chair) to become the sole authorizing entity for E-Plan access within the Tampa Bay LEPC District (May 22); as requested by a FDEM staff member, provided all POIs of HMEP projects funded by the Tampa Bay LEPC from FY 2016-17 to current (May 23); coordinated with the local newspapers for the EPCRA Public Availability of Information notice to be published in mid-June (May 31); provided listing of LEPC Activities/Initiatives & copy of LEPC Recap to TBRPC members in association with their June 10 meeting; provided *Hazmatters* report (June 5) and Tampa Bay LEPC membership change requests (June 11) to FDEM for inclusion with the July 2019 SERC Agenda materials; attended the Risk Management Audits/Inspections conducted by FDEM staff for Brenntag Mid-South/Tampa (June 18), Kinder Morgan CFPL - Tampa Terminal (June 19) and Tampa LP Terminal/Tampa (June 20).

- **FINANCIAL STATUS REPORT.** As informational, Mr. Robert Dietrich indicated that the SERC Agenda materials contained numerous tables and graphs depicting program revenues over the past three years and expenditures over the past two years.

The following reports were included as part of the Agenda materials:

- Monthly RMP & EPCRA program revenue allocations since mid-FY 2016-17; and
- Breakdown of General Appropriations and Expenditures by Category for the Hazardous Materials Planning and the Risk Management Planning Programs during FY 2017-18 and 2018-19 (through May 31, 2019).
- **HAZARDOUS MATERIALS INCIDENTS REPORT.** As informational, Mr. Robert Dietrich indicated that detailed listings of Section 304 investigations, fixed facility and transportation-related hazardous materials incidents were prepared and included with the Agenda materials to describe incidents occurring between the period of March 1 - May 31, 2019. Such Reports included documentation of these incidents and portrayed the number of persons evacuated, injured or deceased down to LEPC District and ultimately County levels, to the extent known and/or available. These are all incidents reported to the State Watch Office. Mr. Dietrich did indicate that there were no major releases or anything catastrophic nor seeing any upticks/increases or recent trends. These Reports are routinely shared with the LEPCs, EPA and the SERC.

The following constitutes a consolidation of data associated with “*Transportation Incidents with Evacuations, Injuries and Deaths; Hazardous Materials Incidents with Evacuations, Injuries and Deaths [at fixed facilities]; and Potential Section 304 Investigations*” for the Tampa Bay LEPC District:

County	Date Released	Type	Chemical	Amount Released (Lbs.)	Business Type	# Evacuated	# Injured	# Fatalities
Citrus	NONE							
Hernando	5/18/19	FF	Gasoline	248	Gas Station	0	1	0
Hillsborough	3/05/19	TR	Gasoline	Unknown	Traffic Accident	0	1	1
	3/12/19	TR	Diesel Fuel	185	Traffic Accident	0	2	0
	3/25/19	TR/304	Hydrogen Sulfide	Unknown	Transportation/Private Vehicle	0	0	1
	4/04/19	304	Sodium Hypochlorite	2	Bottled Water/Soft Drink Manufacturing	N/A	N/A	N/A
	4/06/19	FF	Natural Gas	Unknown	Apartment Complex	1	0	0
	4/14/19	FF	Natural Gas	Unknown	Private Residence	3	0	0
	4/25/19	304	Acetone	Unknown	Private Residence/Construction	N/A	N/A	N/A
	4/30/19	TR	Diesel Fuel	814	Traffic Accident	0	0	1
	5/07/19	TR	Natural Gas	Unknown	Pipeline/Construction	8	0	0
	5/15/19	FF	Natural Gas	Unknown	Private Residence/Construction	2	0	0
	5/17/19	FF/304	Propane	Unknown	Deli & Supermarket	1	0	0
	5/28/19	304	Hydrochloric Acid	4,988	Chemical & Allied Products Merchant Wholesale	N/A	N/A	N/A
Manatee	4/19/19	TR	Diesel Fuel or Gasoline	925 or 800	Traffic Accident	0	0	1
Pasco	3/12/19	304	Sodium Hydroxide	4,843	Water Supply & Irrigation Systems	N/A	N/A	N/A
	4/17/19	TR	Natural Gas	Unknown	Retail Sales/Pipeline	1	0	0
Pinellas	5/30/19	304	Hydrogen Peroxide/Lithium/Sodium Potassium	Unknown	School	N/A	N/A	N/A
TOTAL →						16	4	4

KEY: FF = Fixed Facility incident / TR - Transportation-related incident / 304 - Section 304 Investigation Launched

Robert Dietrich identified that when the reportable quantity has not been reached or cannot be determined, the amount is typically specified as “unknown.”

- **STAFF ACTIVITIES & REPORT BY SECTION.** Mr. Robert Dietrich previously provided an overview of: what the FDEM/Technological Hazards Unit does, including descriptions of Tier II, RMP, TRI-Toxic Inventory (TRI) and the Radiological Emergency Preparedness Programs; the role of the SERCs and LEPCs; the purpose of the *Emergency Planning and Community Right to Know Act (EPCRA)*; applicable Statutory references; and

funding revenues. Mr. Dietrich had also discussed the E-Plan filing program and recognized that the University of Texas at Dallas (UTD) maintains the E-Plan database. The E-Plan program has been designed for the convenience of chemical facilities to simply upload their annual hazardous materials inventories and information annually and for the benefit of the first responders who would gain instantaneous access to this data. The E-Plan data does include facility contact information as well as identification/quantification of all chemicals stored in excess of reporting thresholds at chemical facilities located statewide. This does inevitably save lives and property by enabling more efficient and appropriate responses to future chemical incidents. The data contained in E-Plan certainly benefits all those that are tasked with response to a hazmat incident at any chemical facility statewide that is mandated to report.

Information was provided in the Agenda materials to portray:

- breakdown of statewide *Hazardous Materials Incident Reports* by LEPC District and type from March 1 - May 31, 2019;
- sum of annual Hazmat Releases from 2002 to present;
- monthly enumeration of Hazardous Materials Incident Reports from January 2009 to present;
- quantification of *E-Plan Filings* for Year 2018 by LEPC District (2,014 filings within the Tampa Bay LEPC District and 12,304 total filings Statewide as of June 2, 2019);
- monthly quantification of EPCRA Filing/Technical Assistance calls received from January 1 - December 21, 2018; and
- annual enumeration of Chemical Data in E-Plan since 2012 in terms of the # of statewide facilities and # of chemicals as of May 31, 2019. Reporting Year 2018 Chemical data presently denotes 12,304 facilities in Florida with a total of 34,720 chemicals as compared to the 12,279 facilities and 34,340 chemicals reported for 2017; and
- annual quantification of EPCRA (i.e. Tier II, RMP & TRI combined) Filing Fees received electronically (“online”) since 2010. With the exception of a small decrease in number of online payments received between 2010 and 2011, the number of online payments received has grown annually and exponentially from 2011 (394) to 2018 (3,092). This constitutes more than a 684% increase over this time period.

OTHER BUSINESS

- **Statewide Hazmat Supply Chain Trends.** Mr. David Willauer currently serves as the Chairman of Transportation Research Board (TRB) on Transportation of Hazardous Materials. In addition, as an employee of Cambridge Systematics, Mr. Willauer presented an overview of a study recently-completed by their company regarding concentrations of chemicals and transportation method (i.e. truck, rail...) for all RMP, TRI & Tier II facilities in the State of Nevada. The primary purpose of the study was to determine the percentage of these facilities transporting their product(s) by truck and the most vulnerable roadway segments. Facility personnel are generally reluctant to share/provide chemical data for fear of it potentially being disclosed to the public. Any chemical information provided or obtained must remain secure and confidential and a secure portal is needed to control access to the data. Observations of the Study included the fact that Crude oil and Natural Gas are on the rise in the State and the transport of these products has a big impact on the roadways and transportation systems. It was identified that due to the corrosive properties of Ethanol, this product must be transported by truck or rail, not via pipeline.

COMMENTS

- **Hazmat Incidents.** Chair Guthrie provided his observation that hazmat response-related injuries are often caused by department/agency personnel NOT following their own agency standards and protocols. Be careful! Chief Mike Murphy suggested that all within the fire service profession should be periodically retrained on the implementation of best practices.
- **2020 Hazmat Symposium.** Chief Jonathan Lamm identified that there is no update to provide regarding the 2020 Hazmat Symposium other than recognizing that it is progressing well. Chief Lamm identified that he and Michelle Cechowski (East Central Florida LEPC Coordinator) did recently attend a Natural Gas Industry Conference in Orlando and provided presentations on the Hazmat Symposium and Florida Pipeline Emergency Response Initiative (PERI). The presentations were well received. Chief Lamm closed his remarks by suggesting that, perhaps in conjunction with the next SERC meeting, Michelle Cechowski can provide an overview of the scope of services that will be administered in association with a grant they were recently awarded from the Pipeline and Hazardous Materials Safety Administration.
- **Dwayne Mundy.** Chief Mike Murphy recognized and thanked Dwayne Mundy for his numerous years of service and contributions to this group and all hazardous materials planning efforts throughout the State. Chief Murphy added that while Mr. Mundy *“had recently battled an illness but is back now”* and is present in the audience. All applauded and welcomed him back! It is hereby stated that Mr. Mundy does have more tenure than any other LEPC Coordinator in the State.
- **Kevin Guthrie.** Chief Mike Murphy provided kudos to Kevin Guthrie for his numerous actions he has taken, in short time, regarding improvements associated with the fire service and hazmat teams. Mr. Guthrie added that the State will now cover all *“Federally -declared”* Mutual Aid costs as long as in line with FEMA.

ADJOURNMENT

Upon identification of no more issues to be brought before the SERC, Chair Guthrie adjourned the meeting at 10:27 P.M. and announced that the next SERC meeting will be held on October 18, 2019 in San Destin/Miramar Beach, FL.