

**MEETING SUMMARY OF THE STATE  
EMERGENCY RESPONSE COMMISSION  
(SERC)**

**APRIL 10, 2015**



The State Emergency Response Commission (SERC) met on April 10, 2015 at the Betty Easley Conference Center in Tallahassee. The meeting summary below was the result of discussions and dialogues ensued at both the April 9, 2015 meetings of SERC's Training Task Force and the LEPC Staff and Chairs. The SERC meeting was chaired by FDEM Director, Bryan Koon. The meeting was called to order at 10:01 a.m., then the Pledge of Allegiance and roll call of SERC members was conducted. Introductions of the audience immediately followed.

Mr. Koon recognized and welcomed Mark Cruze as the new SERC appointee who was designated by the Office of the Governor.

**Approval of the January 21, 2015 Meeting Minutes**

A SERC member noted that there was a misspelling of a member's last name. The meeting minutes of the January 21, 2015 SERC meeting was then approved as amended.

**New Business**

**Local Emergency Planning Committee Appointments:** Ms. Kate McMillian requested approval of membership updates recognized for each LEPC. The requested membership changes for LEPC District 9 were:

1. Primary Member - Todd Norcross, Cheney Brothers
2. Alternate Member - Mike Jaquette, Cheney Brothers (Todd Norcross)
3. Alternate Member - John Hughes, Parker Hannifin Corp. (Kristen Chardo)

**Audit/Inspection Work Plan for Risk Management Plan (RMP) Program for FY 2015-16:** Mr. Grant Harvey advised that the RMP schedule had been established for FY15-16. The schedule of facilities to be inspected/audited for FY15-16 includes the following facility within LEPC District 9.

DATE	COUNTY	FACILITY
March 2016	Glades	City of Moore Haven WTP

At this time, Chair Koon noted that the agenda would be amended to move up the “Supplemental Environmental Project Database Update” due to Mr. Richard Butgereit, FDEM GIS Department having a schedule conflict.

**Supplemental Environmental Project Database Update:** Mr. Butgereit identified that the SEP database/website is or will be:

- ✓ beneficial to communities when settling an enforcement action;
- ✓ the website [www.floridadisaster.org/sep](http://www.floridadisaster.org/sep) would be up and running. However, at this time the website is offline due to the final enhancements being made;
- ✓ each entry/project is tied to a primary and secondary agency contact; and
- ✓ project can satisfy in lieu of up to 75% of the assessed fine value.

Chief Mike Murphy suggested completing the database as soon as possible in order to ensure proposals are immediately incorporated within the two Districts which the recent incidents had occurred.

Chris Stevens stated that he estimated that on an average approximately 3-5 facilities were subject to EPA fines annually within Florida. The ranges of fines typically vary considerable, so he emphasized how important it was to determine projects of varying implementation costs.

### **Reports:**

**Report from SERC’s Training Task Force (TTF):** The following highlights of the January 20, 2015 TTF meeting were identified by Subcommittee Member Chief Mike Murphy.

Lt. Jonathan Lamm of the Clay County Fire Department announced that there were 193 in attendance at the 2<sup>nd</sup> Annual HazMat Symposium that was held in Daytona Beach this January. This was an increase of approximately 35% over last year and approximately 36% of those in attendance were from District 6. A total of 14 attended from District 8. Lt. Lamm then recognized and extended thanks to Volusia County Training Grounds for the use of their facility. Eight teams competed in the Hazmat Competition of which four teams were from District 6. The District’s 6 Teams placed first, second and third in the competition.

Mr. Richard Stilp advised everyone that EREC contracted with FDEM to develop new Competency Assessment Checkoff and Training Guidelines under the new NFPA Section 472 & 473. EREC is currently reviewing public comments received for possible incorporation; the final is due on April 14. The competencies associated with the 2002 NFPA Section 472 contained 287 competencies. The 2013 NFPA 472 contained 344 competencies. He then stated that either the development and/or modification of all Hazmat Training Guidelines for all levels and/or disciplines, including Incident Commander, EMS, Public Health and Hospital, Intro, Purpose of Guideline, Responder Role Definition, etc. needed to be done.

Both Mr. John Kohnke and Chief Mike Murphy asked if the guidelines were sent to the Law Enforcement agencies and the Public Works/Utility agencies. Ms. Theresa Newsome confirmed that Law Enforcement and Public Works/Utility entities received a draft copy of the proposed guidelines for their review.

Lt. Matt Marshall of the City of Cape Coral Fire Department asked as to whether or not there should be competency check offs for Awareness and Operations. Also, should the standards for Assessment level training be developed? Chief Murphy explained that it should not be “overwhelming,” but simply a page or two for entry level personnel. Lt. Marshall said that he agreed that the competencies should be applicable to all disciplines. Mr. Stilp indicated that there needed to be unified firefighting training guidelines.

Mr. Paul Wotherspoon of FDEM explained that a statewide vulnerability and gap analysis was initiated in 2012 and is nearing completion. The working group was composed of fire, emergency management, law enforcement, health, agricultural, etc. The data was currently being compiled for a presentation to FDEM and will be followed up with presentations to the various regions of the State. Projects shall be completed by June 30<sup>th</sup> and the following constitutes the FAQs associated with the analysis, as posted on FDEM’s website at [http://www.floridadisaster.org/Preparedness/NaturalHazards/riskassessment\\_gapanalysis\\_FAQ.htm](http://www.floridadisaster.org/Preparedness/NaturalHazards/riskassessment_gapanalysis_FAQ.htm)

### *When is this project going to be completed?*

The anticipated date of completion is April 30, 2015; however, we are looking to push back this date in order to prevent having a product that is rushed and of poor quality.

### *When did this process begin?*

The initial email from the Division soliciting assistance from each of the funding committees was sent in February, 2014. The initial meeting of this multi-discipline working group was in March, 2014. Procurement was completed in October, 2014, with contractor work beginning immediately thereafter with Phase 1 of the project (literary review).

### *What disciplines are represented on the working group?*

Please keep in mind that the disciplines represented on the working group were individuals that responded to requests to participate in this project.

#### **Disciplines:**

Critical Infrastructure, Health, Law Enforcement (Response), Emergency Management, Law Enforcement (Prevention), Agriculture, and Fire along with a single representative from the Florida Department of Environmental Protection and the Florida Department of Law Enforcement.

### *How will the results of the Risk Assessment affect my county/region?*

The risk assessment will determine the capabilities and gaps ***of each region***. These results will be used as a reference to guide resource decisions, requests, and future funding allocations. **EY will not be making recommendations based on the results of the risk assessment; they are only conducting the risk assessment and producing the results for senior leadership.**

### *There are several people that have already had a chance to speak with the contractors, why haven't I been asked to contribute?*

When this project began, a multi-discipline working group was developed. Each discipline-specific representative was tasked with providing the contacts of the SMEs within their discipline to the contractors to contact. Although this is a DEM funded project, DEM was not responsible for suggesting additional contacts within each discipline.

At this time, EY has just concluded their state-level interviews. They will now move forward with the project and begin their interviews within each region. Please look out for additional information as to when these meetings will take place. After the regional interviews are concluded, there will not be any additional interviews taking place.

***I've heard that people have provided EY with documents and other written information on their discipline; however, I have not been able to share critical information from my county.***

EY at this time has only received and reviewed documents from the disciplines at the state-level. As the regional interviews begin, counties are welcome to share any documents/information they feel is critical to understanding the capabilities and gaps of their county.

***How will Ernst & Young conduct the regional interviews and assessments?***

EY will be conducting the regional interviews in conjunction with the regional assessments. They will begin this process in Region 4 (the pilot region). Before they move forward to the remaining regions, they will assess how the process went and work out any issues they had in order to make this process as beneficial as possible. Once they move forward with the remaining regions, they will adjust the process as needed for each region.

When EY comes to your region, it is anticipated that they will meet with all of the available county EM directors in one meeting. They will then conduct smaller interviews with discipline-specific representatives whose names were provided by the state-level representative(s) of their discipline.

EY will provide questions to the region prior to the beginning of the interviews, however these may be adjusted in each region, as some questions may not be applicable.

**It is crucial to remember that these questions only serve as icebreakers, and additional discussion will be encouraged.**

***When will Ernst & Young conduct the regional assessments?***

EY will be conducting the pilot regional assessment (Region 4) during the week of March 30. The remaining regional assessments are tentatively set for late April; however, this may be pushed back depending on the results of the Region 4 pilot assessment and any changes or revisions that may be required prior to the completion of the remaining regional assessments.

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Updated:  
March 27, 2015 16:18

Mr. Forest Willis of the USGS gave an overview of the Marine Firefighting initiative regarding the integration of local hazmat teams with the USGS in responding to maritime incidents. There was a productive meeting held at the State EOC in October 2014, which identified the resources, capabilities that each can bring to the table. Initially, it was determined that the local hazmat teams could be quicker to the scene and could initiate recon. However, their assistance in mitigation and responding to the incident is additionally being contemplated.

**Hazards Analysis Working Group Report:** Mr. Dwayne Mundy of the Northeast Florida LEPC identified that the Hazard Analysis Working Group met on March 19 and it was noted that there were difficulties being experienced within the review process. Training is needed to improve consistent work product. FEPA Interim Elect, Paul Womble, suggested providing training at the FEPA Conference, since most parties would be in attendance. There are size limitations of the State's upload portal; whereby, large file cannot be transmitted. Critical facilities inventories are now available for download. Progress made towards getting HAs into GATOR. Currently, everything is in the testing phase of identifying State defined lands. Mr. Womble stated that he hoped to have a draft available by the next SERC meeting.

**Financial Status Report:** Mr. Wotherspoon explained that the SERC agenda materials contained numerous tables and graphs depicting program revenues and expenditures over the last several years and the revenues have remained relatively steady. The following reports were included as part of the Agenda materials:

1. Revenues received by the month for RMP and EPCRA programs since mid-FY12-13; and
2. Breakdown of General Appropriations and Expenditures by Category for the Hazardous Materials Planning Program and Risk Management Program for FY 2012-13 and FY 2013-14 (through to February 2015).

Mr. Wotherspoon said that he believed that there are 12,500 hazardous materials facilities within the State and there are currently approximately 11,100+ facilities that have registered, which is approximately 10% more.

Ms. Keenan of FDEP explained the importance of coordination and communication between the State and local agencies, including fire departments when responding to hazardous materials incidents. Mr. Wotherspoon suggested that more responders should register to use the E-Plan.

**Hazardous Materials Incidents Reports:** Mr. Stevens explained 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 December 1, 2014 and February 28, 2015. Such reports included documentation of these incidents and portrayed the number of persons evacuated, injured or deceased down to the LEPC District and ultimately county levels.

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

County	Date Released	Type	Chemical	Amount Released (lbs.)	Business Type	# Evacuated	# Injured	# Fatalities
Charlotte	No Incidents Recorded During This Reporting Period (12/1/2014 Thru 2/28/2015)							
Collier	No Incidents Recorded During This Reporting Period (12/1/2014 Thru 2/28/2015)							
Glades	No Incidents Recorded During This Reporting Period (12/1/2014 Thru 2/28/2015)							
Hendry	No Incidents Recorded During This Reporting Period (12/1/2014 Thru 2/28/2015)							
Lee	12/23/2014	TR	Diesel Fuel	740	Traffic Accident	0	2	0
	12/27/2014	FF	Gasoline	Unknown	Marina	0	2	0
Sarasota	02/06/2015	FF	Mercury	1	School	0	0	0

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

**Update on Staff Activities and Reports by Section:** Mr. Wotherspoon explained that various graphics were provided within the SERC Agenda materials to depict various staff functions and initiatives. These included:

- ✓ Annual enumeration of statewide *Hazardous Materials Incident Reports* since 2001;
- ✓ Breakdown of statewide *Hazardous Materials Incident Reports* by type (i.e., Fixed Facility with Petroleum, Fixed Facility without Petroleum, Transportation with Petroleum and Transportation without Petroleum) from March 1, 2014 to February 2015;
- ✓ Monthly enumeration of *Hazardous Materials Incident Reports* from January 2005 to the present;
- ✓ Quantification of *E-Plan Filings* for 2014 by LEPC District (as of February 28, 2015);
- ✓ Monthly quantification of *Technical Assistance* calls received from March 2014 to February 2015; and
- ✓ Annual enumeration of *Tier 2 Data in E-Plan* since 2010 in terms of the number of statewide facilities and number of chemicals as of March 12, 2015.

Mr. Wortherspoon added that EPA staff recently accompanied FDEM's Risk Management (RMP) staff on a couple of RMP audits/inspections.

**Update on LEPC Activities:** SERC member, Jennifer Hobbs, noted that the same topics were discussed at the LEPC Staff & Chairs Meeting held on April 9<sup>th</sup>. Ms. Hobbs announced that Mr. John Gibbons, former staff member to the Southwest Florida LEPC - District 9 recently retired after many years of public service. The LEPC Staff & Chairs unanimously agreed to suggest that the SERC provide a plaque to recognize Mr. Gibbons for his many years of service at the next SERC meeting. A motion was provided and seconded by SERC members to acquire/provide the plaque and was approved unanimously upon voice vote. Ms. Hobbs then proceeded to introduce Mr. Gibbon's replacement, Ms. Nichole Gwinnett. Ms. Gwinnett introduced herself to the SERC and advised that she already had 24 years of service with the Southwest Florida Regional Planning Council.

Ms. Hobbs did recognize that all the LEPC's recently held their EPCRA How-To-Comply workshops in their respective Districts and that FDEM staff assisted in providing the E-Plan filing component at most, if not all, of the workshops. Ms. Hobbs concluded by encouraging SERC members to review the *Hazmatters* reports contained in the agenda materials to see what is happening within their Districts and throughout the State.

Ms. Hobbs recognized that Brad Martin provided a presentation on the Sunshine 811 system. Mr. Martin announced that it was "National Safe Digging Month" and that Chapter 556, F.S. administers underground utilities. He explained that one must notify [www.sunshine811.com](http://www.sunshine811.com) two full business days prior to digging. All public utilities must participate in the system. Exemptions do exist for homeowners on private property, as long as it does not encroach right-of-way property. Sunshine 811 is always seeking assistance from law enforcement and code enforcement to ensure appropriate authorizations and timelines were adhered to. The agency can/will share the potentially sensitive locations of any/all utilities/amenities with relevant agencies on an "as needed to know" basis.

Chair Koon requested that Ms. Hobbs prepare a report to summarize the "changes" to the LEPCs as a result of the 2015 Legislative Session. The following are the tasks identified by LEPC District 9 staff for the period of December 2014 to February 2015:

- Administrative matters involved recognition of departing members who served on the Southwest Florida Local Emergency Planning Committee. Plaques were presented to Retired Fire Chief Dennis Didio and Retired Captain Doug Wolfe for their years of service on the Southwest Florida Local Emergency Planning Committee.

- Thomas Yatabe Certificates of Appreciation were awarded to:
  1. Tracy McMillian, Lee County Fire Academy
  2. Brett Slocum, Florida Department of Health
  3. LaTosha Reiss, Glades County Emergency Management
  4. Celeste Fournier, Lee County Emergency Management
  5. Patrick Fuller, Florida Division of Emergency Management
  6. Meredith Mitchell, BJ's Wholesale Club
  
- The SWFRPC's Executive Director, Margaret Wuerstle, announced that John Gibbons had officially retired from the SWFRPC in February. She then introduced Nichole Gwinnett, who would be the SWFRPC's staff contact for the LEPC.
  
- Following discussion regarding the HMEP Planning Project options and State Hazards Analysis Work Group update, the LEPC agreed to recommend the following to the Florida Division of Emergency Management for consideration.
  - Commodity Flow Study for the Punta Gorda Weigh in Motion (WIM) Station for FY14-15
  - Ethylene Oxide Exercise for FY15-16
  
- The LEPC also created a training subcommittee to discuss and recommend training projects to the LEPC.
  
- The LEPC held a joint LEPC EPCRA and DEM E-Plan Compliance Workshop on February 12, 2015 with over 40 attendees.
  
- After discussion, the LEPC recommended that a policy be created where all facilities must submit their Tier II reports through E-Plan.

**OTHER BUSINESS:**

**Decision on Kids in Danger Zones:** LEPC District 4 Staff, Eric Anderson, gave a presentation on a recently completed study entitled "*Kids in Danger Zones.*" Mr. Anderson's presentation included recognition that the five schools (K-12), excluding colleges and universities, within Florida that are located within the most vulnerable locations are all located within Tampa. The study also revealed that the five companies causing the most vulnerability within the State are all located in south Florida. Three of these facilities are wastewater treatment plants. There has been a recent move to replace the more toxic chemicals with less toxic alternatives. As a future initiative of the LEPCs, it may be appropriate to tailor the results to the local District level and provide to the School District Administrators.

Realizing the vulnerabilities of schools and students, Chair Koon inquired how a representative of the Florida Department of Education (DOE) can be added to the SERC. Mr. Wotherspoon responded that this would require a modification to the Executive Order enacted by the Governor. Following a motion and a second by SERC members, the motion to see a DOE representative on SERC was approved unanimously.

**Site Plan Requirement on E-Plan:** Mr. Wotherspoon indicated that Facility Site Plans are not currently required within E-Plan. FDEM staff is contemplating initiating procedures to make them a requirement.

Additionally, Mr. Wotherspoon recognized that more than 94% of all facilities statewide filed their reporting electronically through E-Plan this past year. At this success rate, SERC could make a motion to mandate the use of E-Plan for filing; however, it would need to be recognized under the Statutes. A specific recommendation to accomplish this will be brought before the SERC at the next meeting.

Mr. Wotherspoon also mentioned that the E-Plan program allows up to eight “state-defined” questions specific to Florida registrants. Those potential data inquiries are being coordinated by others. SERC will be advised as those questions are determined.

**Executive Order 13650:** Mr. Wotherspoon identified that he is part of Subcommittee responsible for the implementation of EO. One of the important components of Order is the requirement to address necessary communication amongst agencies and private sector facilities through, perhaps, one unified database. E-Plan could serve as this forum. It is the belief that the communication aspect should be addressed in all Standard Operating Procedures. To demonstrate communication/coordination amongst agencies, FDEM’s Risk Management Plan (RMP) program staff recently invited both DHS and OSHA to jointly accompany them on RMP site audits/visits.

**Comments and Adjournment:** Chair Koon announced the retirement of Henry Turner after 31 years as staff to the DEM. In addition, after three “attempts,” Mike DeLorenzo is finally retiring. Mr. DeLorenzo is/was Deputy Director of DEM.

**Next Meeting:** It was announced that the next SERC meeting was scheduled for July 17, 2015 at a location to be determined. The location of the following meeting, October 9, 2015, has also not been identified, but is presumed to be Tallahassee.

**Adjournment:** The SERC meeting was adjourned at 12:01 p.m.