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**PRELIMINARY AGENDA
NORTH CENTRAL FLORIDA (DISTRICT 3)
LOCAL EMERGENCY PLANNING COMMITTEE**

Dixie County Emergency Operations
Center, Cross City, Florida

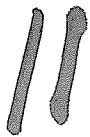
Thursday, 16 February 2012
10:00 a.m.

- I. INTRODUCTIONS AND CHAIRMAN'S REPORT**
- II. APPROVAL OF 8 DECEMBER 2011, MEETING MINUTES**
- **III. LEPC BUSINESS ITEMS**
 - a) LEPC Biennial Hazmat Exercise - 27 March 2012
 - b) SERC Agreement with LEPCs and Fire Departments on Electronic Tier 2 Data
 - c) 2012 Update of LEPC Emergency Response Plan
- IV. PUBLIC INFORMATION ISSUES**
 - a) 2012 Hazardous Materials Awareness Week Report
 - b) Membership Appointments for July 2012 - June 2014 LEPC Term
 - c) LEPC Webpage Updates
 - d) Other Public Information Issues
- V. FIRST RESPONDER ISSUES**
 - a) Training Program Update
 - b) Regional Hazmat Team Update - Meeting today at 1:00 pm
 - c) SERC Training Task Force Issues
 - d) Pipeline and Hazardous Materials Safety Technical Assistance Grants
(<http://primis.phmsa.dot.gov/comm/DamagePreventionGrantsToStates.htm>)
- VI. OTHER BUSINESS AND INFORMATION REQUESTS**
- VII. NEXT MEETING DATE AND LOCATION**

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17600 SE Highway 19
Cross City, FL 32628



**NORTH CENTRAL FLORIDA LOCAL EMERGENCY
PLANNING COMMITTEE MINUTES**

SiVance/Milliken
Gainesville, Florida

Thursday, 8 December, 2011
10:00 a.m.

MEMBERS PRESENT

Ron Mills, Chair
William Careccia
Clint Daugherty
Scott Garner
Scott Holowasko
Michael Heeder for
 Brian Johns
Paul Kremer
Shayne Morgan
John Mousa
Edye Rowell
Alton Scott
Dan Smith for
 Donald Sessions
Ed Ward

MEMBERS ABSENT

Frank Armijo
Mike Brimeyer
Tom Cisco
Jerry Combass
David Donnelly
Billy DuCoeur
Bill Ellis
Gracie Kennedy
Keith Godwin
Carl Glebowski
John Hudson
Sylvia Ifft
Melissa Jones
Erica Kight
David Meurer
Jennifer Paris
Kimberly Thomas
Verne Riggall
Casey Schmelz
Steve Truluck
Megan Wetherington

GUESTS PRESENT

Hank Rossell

STAFF PRESENT

Dwayne Mundy

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The meeting was called to order at 10:05 a.m.

I. CHAIRMAN’S REPORT AND INTRODUCTIONS

Chair Ron Mills welcomed everyone and asked that they introduce themselves. Ron thanked Paul Kremer and SiVance for hosting today’s meeting. Chair Mills discussed FEPA events, the last SERC meeting and a class held on Using Electronic Data class in Bell. Paul Kremer welcomed everyone to SiVance and reported that it was recently purchased by Milliken Chemical.

II. APPROVAL OF 11 AUGUST 2011, LEPC MEETING MINUTES

Action: **It was moved by Scott Garner and seconded by Shayne Morgan to adopt the minutes of the 11 August, 2011, LEPC meeting as written. The motion passed unanimously.**

III. LEPC BUSINESS ITEMS

The committee discussed the 2011 update of the LEPC Response Plan. Dwayne Mundy reported that a main priority for this year was the updating of the communications chapter. Mr. Mundy said that the draft was submitted on June 30th and that it was approved by the State Emergency Response Commission in October. The plan update was approved by acclamation.

The group discussed its proposed new potential HMEP planning project for the upcoming year. It was noted that less projects were available as possible choices this year. It was decided to conduct a full scale exercise with a transportation based scenario. It was also decided to hold the LEPC hazmat exercise concurrently with the combined Region 2 and 3 Regional Domestic Security Task Force interoperable communications exercise currently targeting March 2012.

The HMEP funded planning project for the previous fiscal year was the quality control review of submitted Tier 2 chemical inventory data. Work has been completed and the results were reviewed by the Committee. The LEPC has 326 facilities on its master Tier 2 facility list.

The Quality Control review indicated that 8% contained minor errors and 6% contained major errors. Florida HMIS was used to submit 14% of the Tier 2 forms and the U.S. EPA software Tier 2 Submit for an additional 5%. Tier 2 Submit had the least number of errors due to built-in error checking. Facilities are contacted regarding correcting their errors, supplying missing forms and being invited to upcoming How-to-Comply seminars. It is anticipated that Hazardous Waste How-to-Comply information will be presented after the EPCRA How-to-Comply seminars.

It was noted that facilities were required last year to submit Tier 2 information to local fire departments and the LEPC directly and not exclusively through the Florida HMIS data submission portal. It was reported that State Emergency Response Commission has approved a memorandum of understanding for both LEPCs and fire departments agreeing that all will access data through E-Plan. If anyone objects, then they have the opportunity to opt out and facilities will be required to submit paper copies. It was reported that it is unknown when this MOU will be mailed out by the SERC.

V. PUBLIC INFORMATION ISSUES

Vice Chairman of Public Information, Shayne Morgan reported on the status of the Public Information Programs. He reported that the Hazardous Materials Awareness Week theme this year was Mercury Safety. It was decided to hold How-to-Comply seminars in the following cities: Gainesville, Bell, Lake City, Starke and Perry. The

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results of the Tier 2 Quality Control project will be used to target facilities that are recommended to attend a How-to-Comply seminar. John Mousa discussed coordination of the LEPC seminars with afternoon hazardous waste management seminars. The group also discussed possible media events relating to Mercury safety.

Shayne Morgan also reported that on the status of membership at the LEPC and noted that all categories were currently filled. It was decided that Florida Gas should become a member and to let us know if anyone knows of an elected official that would be interested in serving on the LEPC. The group was reminded that nominations for the July 2012 - June 2014 LEPC term would be started at the next meeting.

V. THE FIRST RESPONDERS ISSUES

Regional Hazmat team update status was discussed. It was announced the Policy Board will meet in the afternoon following lunch at the same location.

Dwayne Mundy reported that the 2011 - 2012 Hazards Analysis update for Columbia, Dixie, Gilchrist, Hamilton, Lafayette and Taylor Counties have been started.

During last fiscal year's HMEP training program, the LEPC conducted 22 hazmat classes attended by 266 students. A total of 5,388 hours of training were documented. The Division of Emergency Management provided additional training funds to conduct additional classes, including Hands-On Technician Refresher and "Using Electronic Data for Identifying and Responding to Chemicals Transported in Your County."

In January 2012, the LEPC is offering the 160 hour International Association of Fire Fighters Hazardous Materials Technician class in Bell. The LEPC reviewed qualifications from potential instructors and selected Dan Smith and Donnie Sessions as lead instructors and Hank Rossell as an assistant instructor for field operations.

It was reported that the State Emergency Response Commission Training Task Force is working on a Field Operations Guide for Florida Hazardous Materials Response Teams. Issues with the HazMedic standards were also discussed.

VI. OTHER BUSINESS AND INFORMATION REQUESTS

On November 22, 2011, the LEPC conducted a conference call to develop comments on the U.S. Department of Homeland Security proposed rule on an Ammonium Nitrate Security Program. The LEPC concluded that greater security can be achieved through local, regional and state efforts rather than the creation of a complex and expensive federal registration program to check if an estimated 75,000 farmers are contained in the Federal Terrorist Database.

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A second conclusion concerned that proposed rule's treatment of low concentration ammonium nitrate blends that may result in a number of additional facilities being regulated which likely pose a minimal threat as a potential source of explosive materials.

It was decided that area Florida Division of Emergency Management Area Coordinators should be encouraged to attend LEPC meetings. The problem of disposing of meth lab hazardous waste was discussed.

VII. NEXT MEETING DATE AND LOCATION

The next meeting was tentatively scheduled for 16 February 2012 in Cross City at the Dixie County Emergency Operations Center. It was discussed that the May meeting will be held at PCS Phosphate and the new Gainesville Regional Utilities East Side Operations Center was offered for August.

It was moved and the meeting was adjourned at 11:35 a.m.

Chairman

Date

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STATE OF FLORIDA
DIVISION OF EMERGENCY MANAGEMENT

RICK SCOTT
Governor

BRYAN W. KOON
Director

March 18, 2011

MEMORANDUM - #08-11

TO: Members of the State Emergency Response Commission
(SERC) for Hazardous Materials

FROM: Bryan W. Koon, Alternate Chair *Bry W K*

SUBJECT: Memorandum of Understanding (MOU) to Enable a Single Reporting Point for
the Tier II Annual Report

SUMMARY: During the 2009 Tier II reporting year, it was determined that the State of Florida had sufficient rules and policies to allow for the online Tier II filing to meet the requirements of notification to Local Emergency Planning Committees (LEPCs) and local fire departments. Recent guidance from the United State Environmental Protection Agency (EPA) and a subsequent internal policy review has placed this determination in doubt. The guidance from the EPA specifies that in order to utilize an online sharing partnership to facilitate a single point of electronic submittal, a formal agreement is necessary between the SERC, LEPCs, and fire departments. Upon legal review, it was determined that a MOU between these agencies would be sufficient to cover this requirement and that it would appropriate to notify regulated facilities of the MOU in the annual mail out of the change. Attached is a draft example of a MOU for the SERC's consideration. Under the heading "Reporting Options for Sections 311 and 312 and Interpretations" at <http://www.epa.gov/ceppo/web/content/epcra>, you may find EPA's guidance on this issue.

RECOMMENDATION: It is recommended that the SERC direct staff to facilitate a discussion to compose a MOU to enable a single point of reporting and bring the MOU forward for the SERC's approval.

BK/dk

Attachments

11

**FLORIDA STATE EMERGENCY RESPONSE COMMISSION
TIER II HAZARDOUS MATERIAL INVENTORY REPORTS
DATA USE MEMORANDUM OF UNDERSTANDING**

THIS DATA USE MEMORANDUM OF UNDERSTANDING (“MOU”), is issued by the Florida State Emergency Response Commission for Hazardous Materials, (“SERC”), whose administrative office address is 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, on behalf of Florida’s Local Emergency Planning Committees and all Florida’s local fire departments, as follows:

WHEREAS, On March 1 of each year, facilities that are subject to the Emergency Planning and Community Right-to-Know Act are required to file Tier II Hazardous Material Inventory Reports (“Tier II Reports”) on the regulated hazardous materials that were located on-site during the previous calendar year; and

WHEREAS, these reports are required to be filed with the SERC and a regulated facility’s Local Emergency Planning Committee (LEPC) and the local fire department; and

WHEREAS, the Division of Emergency Management serves as staff to the SERC and maintains the data in an informational database; and

WHEREAS, in an effort to alleviate this duplicative paperwork submittal and provide the data management necessary at LEPCs and local fire departments, the SERC directed the development of FloridaHMIS.org, an on-line Tier II reporting system, and authorized the use of the E-Plan, a Hazardous Materials Emergency Management Information System, as the official means for sharing all chemical inventories collected by the SERC; and

WHEREAS, after these actions, the U. S. Environmental Protection Agency (EPA) published a clarifying interpretation in the Federal Register (75 FR 39852, 39855) which states that a formal agreement should be developed between a State’s SERC, its LEPCs and its local fire departments if the State desires to implement a information sharing program.

Therefore, this MOU formalizes the relationships necessary to allow the Tier II data that is entered into the SERC’s on-line reporting system to sufficiently cover a facility’s reporting responsibilities to the LEPC and local fire department. The SERC hereby determines the following:

1. Pursuant to Section 119.07(2)(a), Florida Statutes, the SERC is authorized to provide access to public records by remote electronic means, provided exempt or confidential information is not disclosed.
2. The SERC will continue to provide regulated facilities the ability to submit Tier II Reports via the SERC’s FloridaHMIS.org system and provide the updated data to EPA’s E-Plan system on a monthly basis or more frequently when necessary.

3. The Tier II Reports may be accessed directly from the EPA's E-Plan by LEPCs and local fire departments. This access to E-Plan relieves a regulated facility's requirement to report an additional copy of the Tier II Report to the LEPCs and local fire departments. The Tier II Reports contains the hazardous material related information utilized by first responders, emergency planners and the general public to determine the possible hazards located in their communities.
4. The SERC will have no responsibility to provide any formal training with respect to accessing and utilizing E-Plan. However, on-line training and technical assistance will be provided from the SERC and EPA.
5. Access to E-Plan will supervised by the SERC. Local emergency management directors, fire department chiefs and LEPC Chairpersons will be given the opportunity to delegate that jurisdiction's master approval account. This account would then be granted the ability to approve any users to access E-Plan as they deemed appropriate.
6. If a LEPCs or local fire department wishes to opt out of this MOU, they shall advise the SERC in writing prior to November 1 of each reporting year.
7. This MOU does not preclude a local fire marshal or other authority from imposing stricter reporting requirements which fall under their regulatory authorities.
8. Pursuant to Section 119.07(2)(c), Florida Statutes, the SERC may charge a fee for remote electronic access including the direct and indirect costs of providing such access. However, since the LEPCs and local fire departments are public agencies, no fee will be charged pursuant to this MOU.
9. This MOU is non-exclusive and nothing herein shall be deemed to limit the ability of the SERC to provide the data referenced herein to other parties.
10. The LEPCs and local fire departments are permitted to share the information obtained from E-Plan data provided under this MOU, however they are prohibited from entering into MOU s that preclude any other party from entering into an MOU with the SERC.
11. The SERC will continue to respond to public information requests for Tier II chemical inventory data in accordance with Chapter 119, Florida Statutes.
12. All notices, communications and determinations between the parties hereto and those required by this MOU, including, but not limited to, changes to the notification addresses set forth below, shall be in writing and shall be sufficient if mailed by regular United States mail, postage prepaid, to the parties at the following address:

Florida Division of Emergency Management
Technical Hazards Section Chief
2555 Shumard Oak Boulevard

Tallahassee, Florida 32399-2100

13. This MOU embodies the whole understanding of the parties with respect to the Tier II Reports. There are no promises, terms, conditions, or obligations other than those contained herein, and this MOU shall supersede all previous communications, representations, or MOUs, either verbal or written, issued by the SERC.
14. It is understood and agreed by the parties hereto that if any part, term, or provision of this MOU is by the courts held to be illegal or in conflict with any law of the State of Florida, the validity of the remaining portions or provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the MOU did not contain the particular part, term, or provision held to be invalid.
15. Any questions or matters arising under this MOU as to validity, construction, enforcement, performance, or otherwise, shall be determined in accordance with the laws of the State of Florida.
16. Venue for any and all actions arising out of or in any way related to the interpretation, validity, performance or breach of this MOU shall lie exclusively in a state court of appropriate jurisdiction in Leon County, Florida.
17. A modification or waiver of any of the provisions of this MOU shall be effective only if made in writing and issued by the SERC.

Local Emergency Planning Committees Occupational Categories

* Indicates request for expansion

Top Row = Current Total

Bottom Row = Total Previously Approved



| DISTRICT | D1 | D2 | D3 | D4 | D5 | D6 | D7 | D8 | D9 | D10 | D11 | TOTAL |
|-----------------------------------|-----|----|----|----|----|-----|----|----|----|-----|-----|-------|
| Elected State and Local Officials | 0 | 1 | 1 | 0 | 1 | 1 | 0 | 0 | 1 | 0 | 0 | 5 |
| | 0 | 1 | 1 | 0 | 1 | 1 | 0 | 0 | 1 | 0 | 0 | 5 |
| Emergency Management | 8 | 8 | 8 | 4 | 4 | 11* | 5 | 4 | 8 | 6 | 5 | 71 |
| | 8 | 8 | 8 | 4 | 5 | 10 | 5 | 4 | 8 | 6 | 5 | 71 |
| Firefighting | 5 | 2 | 4 | 7 | 9 | 7 | 4 | 4 | 9 | 5 | 3 | 59 |
| | 5 | 2 | 4 | 7 | 10 | 7 | 4 | 4 | 9 | 7 | 4 | 63 |
| First Aid | 0 | 2 | 1 | 0 | 1 | 1 | 0 | 3 | 6 | 0 | 0 | 14 |
| | 0 | 2 | 1 | 0 | 3 | 1 | 0 | 3 | 6 | 0 | 0 | 16 |
| Health | 1 | 4 | 3 | 1 | 3 | 1 | 4 | 3 | 1 | 4 | 2 | 27 |
| | 1 | 4 | 3 | 1 | 3 | 1 | 4 | 3 | 1 | 4 | 3 | 28 |
| Law Enforcement | 3 | 2 | 1 | 2 | 2 | 2 | 2 | 2 | 3 | 3 | 3 | 25 |
| | 3 | 3 | 1 | 2 | 2 | 2 | 1 | 2 | 3 | 3 | 3 | 25 |
| Local Environmental | 3 | 3 | 3 | 4 | 3 | 3 | 3 | 3 | 4 | 3 | 5 | 37 |
| | 2 | 3 | 3 | 4 | 4 | 3 | 3 | 3 | 4 | 3 | 5 | 37 |
| Hospital | 1 | 1 | 1 | 2 | 2 | 2 | 1 | 1 | 4 | 0 | 1 | 16 |
| | 1 | 1 | 1 | 2 | 2 | 2 | 1 | 1 | 4 | 0 | 1 | 16 |
| Transportation | 0 | 2 | 3 | 2 | 1 | 1 | 0 | 4 | 0 | 1 | 1 | 15 |
| | 0 | 2 | 3 | 2 | 1 | 1 | 0 | 4 | 0 | 1 | 1 | 15 |
| Broadcast and Print Media | 0 | 0 | 2 | 0 | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 4 |
| | 0 | 0 | 2 | 0 | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 4 |
| Community Groups | 1 | 1 | 1 | 0 | 0 | 1 | 0 | 3 | 0 | 0 | 0 | 7 |
| | 1 | 1 | 1 | 0 | 0 | 1 | 0 | 3 | 0 | 1 | 0 | 8 |
| Facility Owners and Operators | 5 | 2 | 6 | 3 | 4 | 8* | 6 | 4 | 5 | 4 | 6 | 53 |
| | 5 | 2 | 6 | 3 | 4 | 7 | 5 | 4 | 5 | 4 | 5 | 50 |
| Non-Elected Local Official | 0 | 0 | 2 | 1 | 1 | 1 | 0 | 2 | 0 | 1 | 1 | 9 |
| | 0 | 0 | 2 | 1 | 1 | 1 | 0 | 2 | 0 | 1 | 1 | 9 |
| Interested Citizen | 4 | 0 | 1 | 2 | 5 | 1 | 2 | 4 | 4 | 4 | 4 | 31 |
| | 4 | 0 | 1 | 1 | 5 | 1 | 2 | 4 | 4 | 5 | 4 | 31 |
| Water Management District | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 2 |
| | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 2 |
| Local Option | 0 | 0 | 1 | 0 | 0 | 0 | 2 | 1 | 1 | 0 | 0 | 5 |
| | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 1 | 1 | 0 | 0 | 4 |
| TOTAL MEMBERS | 31* | 28 | 39 | 28 | 36 | 41* | 29 | 40 | 46 | 31 | 31 | 380 |
| | 30 | 29 | 39 | 27 | 41 | 39 | 26 | 40 | 46 | 35 | 32 | 384 |

Effective Dec 6, 2011

