Sign-In Sheet for HSERC Members  
Or their Voting Representatives  
December 5, 1996

Dr. Bruce Anderson  
Deputy Director, Environmental Health  
Department of Health  
Department of Health  

Joseph Blackburn  
Maui Representative/LEPC Chair  
Maui Fire Department  
Maui Representative  

Robert A. Boesch  
Pesticides Program Manager  
Pesticides Branch, Department of Agriculture  
Board of Agriculture  

Mr. Russel Charlton  
Manager  
Occupational Health Branch  
Department of Labor and Industrial Relations  

Gilbert S. Coloma-Agaran  
Deputy to the Chairperson  
Department of Land and Natural Resources  
Department of Land and Natural Resources  

Capt. Carter Davis  
Honolulu Representative/LEPC Chair  
Honolulu Fire Department  
Honolulu Representative  

Mr. Gary Gill  
Director  
Environmental Quality Control Office  
Environmental Quality Control Office  

Dr. John Harrison  
Environmental Coordinator  
UH Environmental Center  

University of Hawaii Environmental Center
Sign-In Sheet for HSERC Members
Or their Voting Representatives

December 5, 1996

Mr. Clifford Ikeda
Kauai Representative/LEPC Chair
Kauai Civil Defense
Kauai Representative

Mr. Glen Lockwood
Manager, Emergency Services
American Red Cross
American Red Cross

Prema Menon
Faculty
University of Hawaii, School of Public Health
School of Public Health, University of Hawaii

Mr. Roy C. Price, Sr.
Vice Director
Civil Defense Division
Department of Defense

Mr. Jay Sasan
Hawaii Representative
Industrial Safety Division
Hawaii Representative

Thomas J. Smyth
Business Services Division
Dept. of Business, Economic Dev. & Tourism
Department of Business, Economic Development & T

Chris Takeno
Hazardous Materials Officer
Department of Transportation
Department of Transportation
# Sign-In Sheet for the June 20, 1997 HSERC Meeting

<table>
<thead>
<tr>
<th>Name</th>
<th>Organization</th>
<th>Phone</th>
<th>Fax</th>
<th>E-mail</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leland Nakao</td>
<td>Honolulu LEPC</td>
<td>527-5397</td>
<td>527-3439</td>
<td>eua0002@co.</td>
</tr>
<tr>
<td>Jim Vinten</td>
<td>BHP Hawaii</td>
<td>547-3414</td>
<td></td>
<td></td>
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<tr>
<td>Norma Moore</td>
<td>DOH-EMS</td>
<td>733-8210</td>
<td>733-8332</td>
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<tr>
<td>Ralph Froncekowski</td>
<td>STATE C.D.</td>
<td>733-4300</td>
<td>733-4387</td>
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<tr>
<td>Russell Carter</td>
<td>HI OSHA</td>
<td>586-4010</td>
<td>586-9104</td>
<td></td>
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<tr>
<td>Cynthia Pang</td>
<td>COMNAVBASE Pearl</td>
<td>471-9786</td>
<td>474-2328</td>
<td></td>
</tr>
<tr>
<td>Alan Sugihara</td>
<td>NAVSTA Pearl</td>
<td>471-5130</td>
<td>474-5773</td>
<td>sugihara@navy.</td>
</tr>
<tr>
<td>Ken Hertler</td>
<td>USCG, MSHO</td>
<td>522-8254</td>
<td>522-8270</td>
<td></td>
</tr>
<tr>
<td>Wayne Nakano</td>
<td>DOH/Exam</td>
<td>586-4253</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

CFO FRANK TRELK
USCG MSHO HONO
PANNING DEPT 522-8264/144 522 8270@cunau, uscg.mil
MEMORANDUM

TO: DARGS, Automotive Management Division
    Parking Control Branch    Phone: 586-0344    Fax: 686-0354

FROM: Health/Env. Health Admin./HEER Office
       Fax: 586-4444
       DEPT., DIVISION

SUBJECT: REQUEST FOR SPECIAL FUNCTION PARKING

PURPOSE: Hawaii State Emergency Response Commission Meeting

No. of Permits Requested: 15    Preferred Parking Lot: WA

Date(s) of Function: June 20, 1997    Time: 9:00 a.m. to 12:00 p.m.

Place of Function: AAEES Building, 919 Aie Montana Blvd., 5th Floor

Participants arriving from: Downtown Honolulu

Contact Person: Adriana Akana    Phone: 586-4248

SUBMITTED BY: Steven S. Arman, Acting Manager, FHA/HEER Office

Account No. to charge: 9.011 H.371 HTH 849

APPROVED FOR DIRECTOR:

NOTE: 1) SUBMIT ONE REQUEST FOR EACH FUNCTION.
       2) REQUESTS MUST BE RECEIVED BY PARKING CONTROL AT
          LEAST THREE (3) WORKING DAYS, BUT NO MORE THAN 30
          DAYS PRIOR TO THE DATE OF THE FUNCTION.
       3) PARTICIPANTS WHO ARE ISSUED SPECIAL FUNCTION
          PERMITS MUST BE ARRIVING FROM LOCATIONS OUTSIDE
          THE STATE CAPITAL COMPLEX.
       4) THIS SPECIAL FUNCTION PERMIT SHALL BE PROMINENTLY
          DISPLAYED, FACED UP, ON YOUR DASHBOARD ON THE
          DRIVER'S SIDE.

PARKING CONTROL USE ONLY

DATE RECO: JUN 1, 1997 APPROVED BY: 
LOT AUTHORIZED: 15 - WAY METER

No. of Validated Tickets: 
AMD-PC-001
REV. 8/92
File: 27AGENDA
Type: FAX
Phone #: 94742328
User ID:
Name: Cynthia Pang
Time: 7:04 PM
Date: 6/12/97
Pages: 0
Duration: 0:00
Speed:
Status: No Answer

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Phone #: 14157441916
User ID:
Name: Kathleen Shimman
Time: 7:03 PM
Date: 6/12/97
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Duration: 0:00
Speed:
Status: No Answer

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Type: FAX
Phone #: 14157441796
User ID: 1 415 744 1796
Name: Mike Ardito
Time: 6:41 PM
Date: 6/12/97
Pages: 2
Duration: 1:21
Speed: 14400
Status: Sent

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Phone #: 8085276675
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Name: James N. Vinton
Time: 6:39 PM
Date: 6/12/97
Pages: 2
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Phone #: 8085411216
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Name: Ron Walker
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Date: 6/12/97
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Name: Donna Maiava
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Phone #: 8085873077
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Name: Kathy Ho
Time: 6:33 PM
User ID: 5873833
Name: Thomas J. Smyth
Time: 6:24 PM
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Pages: 2
Duration: 1:39
Speed: 9600
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Name: Senator Rod Tam
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Name: Sean O'Keefe
Time: 5:56 PM
User ID: 18008358417
Name: Captain Joe Blackburn
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Date: 6/2/97
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Phone #: 8089739418
User ID: 33
Name: Bob Boesch
Time: 4:22 PM
Date: 6/2/97
Pages: 1
Duration: 0:49
Speed: 9600
Status: Sent

File: (Coversheet)
Type: FAX
Phone #: 8087334287
User ID:
Name: Roy C. Price, Sr.
Time: 4:20 PM
Date: 6/2/97
Pages: 1
Duration: 0:54
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File: (Coversheet)
Type: FAX
Phone #: 8085864444
User ID: 8085864444
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Date: 6/2/97
Pages: 1
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Name: HEER Hawaii DOH
Time: 4:09 PM
Date: 6/2/97
Pages: 1
Duration: 0:54
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Type: FAX
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User ID: 808 524 3439
Name: Leland Nakai
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Memo: The next meeting of the Hawaii State Emergency Response Commission (HSERC) is scheduled for Friday June 20, 1997 from 9:00 in the morning to noon. Agenda follows. Please contact me at 586-4249 (or 586-7537 Fax) if you have any questions.
HAWAII STATE EMERGENCY RESPONSE COMMISSION
MEETING #27

Friday, June 20, 1997 from 9:00 a.m. to 12:00 noon.

Department of Health
919 Ala Moana Boulevard, 5th Floor Conference Room
Honolulu, Hawaii 96814

AGENDA

1) 9:00  Call to Order
       Opening Remarks and Discussion
       Approval of Minutes from Mtg #26
       Bruce Anderson, DOH, Env. Health Admin.

2) 9:15  Legislative Update
       Steve Armann, HEER Office

3) 9:45  Update on LEPC/HSERC Homepage
       Marsha Graf, HEER Office

4) 10:00 Equipment Funding
    Steve Armann, HEER Office

5) 10:15 Terrorism Exercise Report
    Pacific Disaster Center (PDC) Restructuring
    Roy Price, State Civil Defense

10:45 Break

6) 11:00 LEPC Updates and Membership Changes
    Jay Sasan, Hawaii LEPC Representative
    Clifford Ikeda, Kauai LEPC Representative
    Carter Davis, Oahu LEPC Representative
    Joe Blackburn, Maui LEPC Representative

7) 11:30 Federal Coastal HazMat Plan
    Lt. Cmdr. Ken Hertzler, USCG MSO
    Chief Fran Prekel, USCG MSO

8) 11:45 Other Business

9) 11:55 Schedule next HSERC meeting
BRIEF

HAWAII STATE EMERGENCY RESPONSE COMMISSION
MEETING

FRIDAY, JUNE 20, 1997 from 9:00 p.m. to 12:00 p.m.

Department of Health
919 Ala Moana Boulevard, 5th Floor Conference Room
Honolulu, Hawaii 96814

AGENDA

(DR. BRUCE ANDERSON, CHAIR)

▼ (CHECK FOR A QUORUM)

1  **9:00** Call to Order

▼ THE MEETING WILL PLEASE COME TO ORDER.  

Time: _______

Welcome

I'D LIKE TO WELCOME MEMBERS, SPEAKERS AND OTHERS WHO ARE ATTENDING.

Opening Remarks

TODAY'S MEETING IS LARGELY INFORMATIONAL. THE ONLY ITEMS UP FOR VOTE ARE MINUTES AND MEMBERSHIP CHANGES.

Discussion/Approval of Minutes from Meeting #26.

THERE ARE COPIES OF THE MINUTES ON THE TABLE AT THE ENTRANCE. PLEASE TAKE SOME TIME TO REVIEW THE DRAFT MINUTES.

▼DO I HEAR A MOTION TO ACCEPT THE MINUTES?

▼DOES ANYONE WANT TO SECOND THE MOTION?

▼ THE MOTION TO ACCEPT THE MINUTES HAS BEEN SECONDED. IT'S NOW
OPEN TO DISCUSSION. ARE THERE ANY CHANGES?

▼THE CHAIR RECOGNIZES...

▼THOSE IN FAVOR OF ACCEPTING THE MINUTES AS PRINTED/WITH THE CHANGES DISCUSSED SAY YES. (PAUSE FOR THE YES VOTES) THOSE OPPOSED SAY NO.

THE MOTION IS CARRIED. THE MINUTES ARE ACCEPTED.


3) 9:45 NEXT, Marsha Graf (formerly Marsha Mealey) WILL PRESENT AN UPDATE ON THE HSERC WEBPAGE PROJECT.

4) 10:00 Steve WILL UPDATE US ON THE PROGRESS OF THE $10,000 EQUIPMENT FUNDING FOR THE LEPCs.


10:45 A BREAK IS SCHEDULED FROM 10:45 TO 11:00.

6) 11:00 THE NEXT ITEM ON THE AGENDA ARE THE PRESENTATIONS BY THE LEPCS.

    Jay Sasan, Hawaii
    Clifford Ikeda, Kauai
    Carter Davis, Oahu
    Joe Blackburn, Maui

7) 11:30 I'D LIKE TO PRESENT Chief Frank Prekel OF THE US COAST GUARD WHO WILL UPDATE THE SERC ON THE PROGRESS OF THE FEDERAL COASTAL HAZMAT PLAN.
8) **11:45** OTHER BUSINESS WILL INCLUDE A TALK BY Jim Vinton OF BHP ON CLEAN ACTIVITIES.

IS THERE ANY OTHER BUSINESS TO DISCUSS?

9  **11:55** Schedule next HSERC meeting

THE CHAIR PROPOSES THAT THE NEXT MEETING BE HELD ON TUESDAY, AUGUST 26th SO THAT WE CAN SCHEDULE MIKE ARDITO FOR AN UPDATE FROM THE EPA.

▼DO I HEAR A MOTION TO SCHEDULE THE NEXT HSERC MEETING IN AUGUST?

▼DOES ANYONE WANT TO SECOND THE MOTION?

▼THE MOTION HAS BEEN SECONDED.

▼THOSE IN FAVOR SAY YES. (PAUSE FOR THE YES VOTES)

▼THOSE OPPOSED SAY NO.

▼THE MOTION IS CARRIED.

———

▼DO I HEAR A MOTION TO ADJOURN THE MEETING?

▼DOES ANYONE WANT TO SECOND THE MOTION?

▼THE MOTION TO ADJOURN HAS BEEN SECONDED.

▼THOSE IN FAVOR SAY YES. (PAUSE FOR THE YES VOTES)

▼THOSE OPPOSED SAY NO.

▼THE MOTION IS CARRIED. THE MEETING IS ADJOURNED UNTIL FEBRUARY.

Time: _______
DRAFT MEETING SUMMARY
HAWAII STATE EMERGENCY RESPONSE COMMISSION
MEETING #27

Friday, June 20, 1997 from 9:00 a.m. to 12:00 noon.

Department of Health
919 Ala Moana Boulevard, 5th Floor Conference Room
Honolulu, Hawaii 96814

Attendees
Voting

Dr. Bruce Anderson, Chair, Department of Health, Environmental Health
Joseph Blackburn, Maui LEPC Representative
Russell Charlton, Department of Labor and Industry
Sterling Yong, Department of Land and Natural Resources
Capt. Carter Davis, Oahu LEPC Representative
Gary Gill, Environmental Quality Control Office
Dr. John Harrison, University of Hawaii Environmental Center
Clifford Ikeda, Kauai LEPC Representative
Roy Price, State Civil Defense
Jay Sasan, Hawaii LEPC Representative
Chris Takeno, Department of Transportation

Non Voting
Leland Nakai, Oahu Civil Defense
Jim Vinton, BHP Hawaii
Kathy Ho, Attorney Generals Office
Donna Maiava, Department of Health EMS
Steve Armann, Department of Health, Hazard Evaluation and Emergency Response Office
Marsha Graf, Department of Health, Hazard Evaluation and Emergency Response Office
Bryce Hataoka, Department of Health, Hazard Evaluation and Emergency Response Office
Ralph Fronczkowski, State Civil Defense
Cynthia Pang, COMNAVBASE Pearl Harbor
Alan Sugihara, NAVSTA Pearl Harbor
Ken Herzler, USCG MSO Honolulu
CPO Frank Prekel, USCG MSO Honolulu, Planning Office

1) The meeting was called to order at 9:15 by Bruce Anderson, DOH, Env. Health Admin.
1.1 Opening Remarks and Discussion
1.2 The minutes from meeting #26 were unanimously approved without changes.

2) A legislative update was made by Steve Arman of the HEER Office. Three bills were summarized.
   2.1 House Bill 1837
       2.1.1 Filing fees collected for March 1, 1998 will be deposited into the Environmental Response Revolving Fund (ERRF).
       2.1.2 All money in the ERRF can be used for oil or for other chemicals.
       2.1.3 Previously, the HEER Office could only access what was budgeted. Now, the Governor may raise the ceiling.
       2.1.4 Attempts have been made since 1993 to make the change for the filing fees.
       2.1.5 If the filing fees collected amount to $80,000, then HEER will request to raise the budget by $80,000, then HEER can make purchases and sign them over to the LEPCs.
       2.1.6 An allocation ratio for the fees collected will need to be determined.
       2.1.7 (Discussion occurred between item 2.3.1 and 2.3.2.) JB requested that proposals for budgets be submitted before the next legislative session. The fee money could be allocated on merit, proportionately or for a projects centralized and beneficial to all LEPCs. To help determine the distribution scheme, BA asked that the LEPCs meet. A motion was made and carried to form a subcommittee of the LEPCs for this purpose.

   2.2 House Bill 1250-Oil Pipeline Safety Committee
       2.2.1 A formal committee attached to the DOH.
       2.2.2 The Committee must report annually to the legislature.
       2.2.3 HEER is an ex officio member which will provide oversight.
       2.2.4 Members will include BWS, Navy (Chair), Chevron and BHP.
       2.2.5 This is a trial. If there is no activity, we will see more strict legislation.
       2.2.6 Military has sovereign immunity.
       2.2.7 Roy Price offered the IMIS natural gas and liquid pipeline maps for use by the committee.
       2.2.8 The IMIS system should satisfy the provision to maintain a central repository of all pipeline maps as public information.
       2.2.9 The committee will determine if the off shore tanker terminal is covered by their committee.
       2.2.10 The members of the HSERC will review the charter.
       2.2.11 Although the legislature didn't approve HSERC oversight, a motion was made and carried to have the pipeline committee report routinely to the HSERC.
       2.2.12 The overall goal of the committee is to coordinate cathodic protection.

   2.3 Senate Bill 1581- Voluntary Clean Up
       2.3.1 The bill provides a process and incentive for developers to clean contaminated sites.
       2.3.2 Two years ago the "Asset Conservation Liability Act" was passed. Hawaii legislation adopted this by reference. The state owner/operator definition mirrors the federal definition. Therefore the lender liability issue is the same as federal. The state needed to make this definition consistent with the federal definition so that banks could use it.

Citizens for a Better Environment sued Chicago Steel for not reporting under EPCRA. Chicago Steel filed their Tier II forms and asked a lower court to dismiss, which the court did. The Citizens group refiled to sue for the historical non filing. This case is in the Supreme Court now.

BA mentioned that field citations may be an available tool for enforcement in the future. The department is considering using them for HEPCRA reporting violations, dust emissions, cess polls and
UST rule violations. This proposal will be brought before the HSERC as it is furthered.

CD requested by letter to Lawrence Miike that the state develop an enforcement program. Again tickets may be useful. Please see the copy of the letter included with the minutes.

It was also suggested that a speaker from the EPA attend the next HSERC meeting to help establish enforcement policy.

3) An update on the LEPC/HSERC Homepage project was made by Marsha Graf of the HEER Office.
   3.1 Since this is a reimbursable grant and Operation Kokua drained the budget until the fiscal year beginning on July 1997, the purchase order for the Web Site Project will be cut between the beginning of July and the end of September when the funds must be obligated.
   3.2 The finished web site will be posted on the PDC server at the State Civil Defense.
   3.3 KH suggests including a disclaimer, dates of posting and good through dates, and a contact number on the web pages.
   3.4 Each of the County Civil Defense agencies have the capability to hook up 5 computers to the State Civil Defense Server.

4) HazMat Response Equipment Funding through the "1997-1998 Superfund Core/PASI Combined Grant" was discussed by Steve Armann of the HEER Office.
   4.1 This $10,000 from the US EPA is allocated for equipment to be used during HazMat responses.
   4.2 $2500 will go to each county.
   4.3 Maui requested a laptop computer for their hazmat rig.
   Oahu requested a laptop computer for their hazmat rig.
   Kauai requested a weather station.
   Hawaii requested assorted basic equipment such as overpak, adsorbants, boots, etc.
   4.4 The HEER Office will procure the items and sign them over to the LEPCs. The LEPC Chair and the Fire Department will sign receipts for the items. The HEER Office manager will be responsible for the inventory.
   4.5 DM says that the process used for them to transfer equipment to the counties is different for each county. On Oahu, a resolution is made in the county council to receive the goods. In Maui, they sign for it.

5) Reports on Terrorism Exercise at Tripler and the Pacific Disaster Center (PDC) Restructuring were made by Roy Price of the State Civil Defense.
   5.1 Tripler ran this table top exercise to prepare for response against terrorist activities using nuclear, biological or chemical weapons of mass destruction.
   5.1.1 The "Emergency Medical Response Team" was originally developed to support demilitarization on Johnston Atoll.
   5.1.2 Now, Tripler intends to make available and exercise this team for use after possible terrorist activities.
   5.1.3 There were three scenarios.
   Scenario 1 A Claymore with BX (a nerve agent) explodes at the Neil Blaisdale Center. Good issues were brought out and discussed during this scenario.
   Scenario 2 A plague release in Hilo. Found that response for biologicals is limited.
   Scenario 3 Airborne Plutonium or a rogue nuclear weapon. Didn't get to this scenario.
   5.1.4 The following issues were brought out.
   Issue 1 Who determines that it is a terrorist attack? This will depend on intelligence because injuries sustained in an NBC attack may look initially like a fire or explosion involving only common materials. Once it is established that it is terrorism, the FBI is in charge and FEMA has situation control. Ultimate
decision at that point are made in Washington.
Issue 2 How do we protect first responders? Basic recognition training is needed for them because it may not be immediately obvious that NBC is involved.
Issue 3 How should contaminated Emergency Rooms be dealt with. This was not answered during the exercise.
Issue 4 The military Emergency Medical Response Team needs an MOA with the state to provide technical assistance. DM is drafting this and initiating the cooperation.
Issue 5 Federal teams need to be pre-staged to be really effective.
Issue 6 Current instrumentation for chemical agents is 75% false positive.
Issue 7 Under the Nunn-Leuger Act, Federal seed money is coming to Honolulu. Initial assessment is set for July 7th and 8th. The mayor has sent a proposal to establish an EHSS. RP comments that there is a problem with the approach. Its like we're going to war, but it needs to be integrated with the everyday hazmat response to be effective.
Issue 8 DM points out that the federal government wants the state to stockpile antidotes but we already have tunnels full of 1940 supplies. It is difficult and expensive to keep antidotes which are within their expiration dates.
Issue 9 RP reminded the commission (as discussed during HSERC Meeting #25) that the federal program that supplied the radiation detection units to the state is now unfunded. RP will maintain some detectors, calibrate them and train on them if the remaining units are kept on active availability by emergency response personnel, and not stored in warehouses. RP has sent a letter to the Civil Defense Administrator at each county informing them of this situation. State Civil Defense will not drive this process any longer, the HSERC must. CD pointed out that Noise and Radiation will be maintained at the current level.

5.2 PDC Imaging has a 1.8 million dollar budget. Use this resource.

A break was taken between 10:55 and 11:00.

6) LEPC Updates and Membership Changes were presented.
Jay Sasan, Hawaii LEPC Representative
   (Please see the handout in the meeting minutes.) The HazMat vehicle was received and some training was performed.
Clifford Ikeda, Kauai LEPC Representative
   There were no significant HazMat spills since the last report.
Carter Davis, Oahu LEPC Representative
   1 Another environmental crimes task force meeting was held. Mark Rectenwald of the Attorney Generals Office, has the lead. If there are issues to be discussed, contact Mark and he can convene a meeting.
   2 CLEAN's networking efforts have been good.
   3 A full scale hazmat exercise on H# will be held on August 20, 1997 and will be followed by an ESF 10 exercise the next day.
   4 CD sent a letter to the Director of Health requesting the development of an enforcement program as discussed in item 2 above.
   5 A training plan is being drafted and will be brought to Leighton Au Cook, State Civil Defense's Training Director.
   6 Three fire department personnel have taken the National Fire Academy's Train the Trainer Course on Weapons of Mass Destruction. Two are on Oahu and 1 is on Maui.
   7 Honolulu Fire has trained all Captains on HazMat Incident Command. Training is in progress for relief captains.
   8 CAMEO was received and installed.
   9 City and County of Honolulu Tier II hazmat inventory is entered into CAMEO and is up to date.
There are 506 facilities, 33 are new, 66 from before did not report.

10 The Mayor is sponsoring family day on July 4th. HazMat will have a display.

11 The next meeting of the Oahu LEPC will be in September or October.

**Note For 128E rulemaking**-Include a stipulation that facilities notify HSERC, LEPC and Fire when they will no longer be reporting.

Joe Blackburn, Maui LEPC Representative

1 Maui has a working draft of their Emergency Operations Plan. Richard Hawking, Managing Director, is reviewing the plan. It will be signed by the Mayor as a draft.

2 Can run CAMEO again.

3 Mike Cripps has been helpful in his capacity as OSC for Maui county.

4 Grant applications are needed early enough to give time to reply.

5 County and private pools still use chlorine. Methyl Bromide is in heavy use.

7) An Update on Federal Coastal HazMat Plan activities was given by Lt. Cmdr. Ken Hertzler and CPO Frank Prekel of the USCG Marine Safety Office.

7.1 They are working on an addition to the Area Contingency Plan. It originally concentrated on oil but the MSO has been mandated to come up to speed on HazMat by 1998.

7.2 The Area Contingency Plan is generated by a committee headed by Whipple. A HazMat subcommittee has been meeting regularly.

7.3 The subcommittee has identified three goals: Conduct County Hazard Assessments, identify response assets, and drill the response plan.

7.4 Generating a list of response references is a new objective.

7.5 The committee is considering using the NFPA fire diamond to rank threats. JB suggests IDLH. CD suggests IDLH/vp.

7.6 HEPCRA exempts agricultural use chemicals but CD indicates they have found that there is a black market for pesticides. It was suggested that CD address the next meeting on this topic.

8) Other Business

8.1 An update on CLEAN activities was presented by Jim Vinton of BHP.

8.1.1 Numbered copies of the Emergency Management Plan have been distributed.

8.1.2 The Community Participation Subcommittee is meeting regularly.

They will evaluate the plan and present recommendations on September 18, 1997.

How can smaller businesses be heard? Perhaps through a "Business Participation Subcommittee."

8.1.3 A Project Team is being formed, targeting July. At that time they will look into early **warning and education** systems.

8.1.4 Copies of the CLEAN plan were requested for neighbor island LEPCs. CD has the CLEAN plan on the HazMat truck.

8.2 City and County recently held a meeting on warning systems.

8.3 A motion was made and carried to write a letter from HSERC to CLEAN commending their efforts.

8.4 A motion was made and carried to write a letter from HSERC to Steve Armann commending his efforts as he leaves the HEER Office to join EPA Region IX RCRA.

8.5 CD acknowledges Cynthia Pang of COMNAVBASE for working closely with the LEPC to strengthen community/federal facility ties.

9) A motion was made and carried to schedule the next HSERC meeting on August 26, 1997 when Mike Ardito will be able to make a presentation.

The meeting was adjourned at 11:57.
March 31, 1997

Dr. Lawrence Miike, M.D., J.D.
Director of Health
State of Hawaii
P.O. Box 3378
Honolulu, Hawaii 96801

Dear Dr. Miike:

During our last meeting of the Honolulu Local Emergency Planning Committee (LEPC), there was a presentation by Ms. Lauren Volpini of EPA Region IX on the Emergency Planning and Community Right To Know Act (EPCRA) Compliance Assistance Visits to Pearl Harbor Facilities that took place March 10-13, 1997. There was discussion on the merit of continuing these compliance visits to other federal facilities and expanding the program to private facilities. It was generally felt that such a compliance program will bring more facilities into full EPCRA compliance and enhance local emergency management planning efforts.

The Honolulu LEPC recommends that the Hawaii State Emergency Response Commission (HSERC) formally consider establishing an EPCRA compliance program, led by the State Department of Health and augmented by local emergency response agencies, and that this topic be an agenda item for the next HSERC meeting. We believe that this is a necessary next step to ensure the full implementation of EPCRA.

Please call me or Mr. Leland Nakai, LEPC Coordinator, at 527-5397 if you have any questions.

Sincerely,

Carter Davis
Chair, Honolulu LEPC

cc: HEER Office
Welcome
12 Minutes

Carter - Motto
6/11 - Sec

- No changes
  - Accepted

9:15

2.1 HB 1837 March 1st will go into ERFF
2.21.1 ERFF funding July 1978 can get appropriation from ERFF

2.1.2 All money in ERFF oil or other.
2.1.3 pg? Could only access what is budgeted. Governor may raise the ceiling to access additional money in the ERFF.
2.1.4 At his office is receiving fund general fund?
2.1.5 Trying since 1973 to get this change
2.1.6 HB 1250
2.1.7 Pipeline safety committee
2.1.8 formal comm. attached to 
2.2.1 muss report to leg annually?
2.2.2 HEER is ex officio member for oversight?
2.2.3 What type of expertise from the state will be included?
2.2.4 BWS, Navy (chain), Chevron, BHP
2.2.5 Final all no activity will see more strict leg
2.2.6 Military has sovereign immunity didn't want to participate in by required
22.7 IMIS for all, including military use.
22.7.1 RP offered old IMIS data for use.
22.7.2 BA should satisfy provision for inventory into pipeline.
22.7.3 Offshore tanker to terminal is that covered by the pipeline safety committee? BA needs to be determined by comm.
22.7.4. Review Pipeline Charter (send to members)
        Have comm report routinely. Leg wouldn't approved HSRC as oversee agency.
22.7.5 Should this information be protected from terrorists?

Motion to have pipeline comm update at next HSRC meeting.
Curtis Martin will be the attendee from HSRC.
DOT also will have Chris Takano, Haymat Specialist.
Carried unanimously.

2.13 HB
- Voluntary Clean Up
2.3 Process and incentive for developers to clean their sites.

JB. Request proposals by HSRCs before next legislative section.
   DB proposals vs formula.
   BA maybe project centralized and beneficial to all HSRCs.
BA asks that LEPCs meet to determine a scheme to allocate filing fees.

Mention to Sub comm OD carried of LEPCs implications for PRPs when will rule making occur?

Owner/operator def. Gannons federal def.


State committed participation in management 2 year ago.

This year, parties wanted to use this act as the State had to make our def consistent with the Fed. definition.

Insitu, Chicago Steel for most reporting under EPCs, citizens for a better environment sued.

Chicago Steel got their time in and asked lower court to dismiss. They did.

Citizens refiled it because historically non-filing.

In Supreme Court now.

BA field citation for NEPA for dust emissions, solid waste, devastating UST tank multi-violation.
1. Will bring this proposal to NSERC
   asked
2. Mike to have the State develop an enforcement program developed
   Ticketing could be useful here.
   Include letter in minutes
3. Have a speaker from the EPA attend
   next HSEDC meeting to help establish enforcement

3) Reimbursable - Operation Kokua, drained budget
   will post on POC server.

4. 40-50 nations have
    874 MB transferred in the last 6 mo.!

4. Suggest including a disclaimer
   Disclaimer - updated as of
   please contact

4. Can hook up 5 computers at each county civil defense to modem.

4) Equipment funding
   Fed EPA
   $10,000 to counties
   2500 each. Maui & Kauai - Computers
   Hawaii - basic
   Kauai Weather Station
HEER will procure → sign over to LEPCs

LEPC chain and fire will sign receipt.

HEER manager will be responsible for inventory.

SA asked DM how to transfer equipment
Oahu-resolution in the County Council to receive
Mani-sign
all different

5) Triples ran a table top on response to chemical terrorist activities
To prepare against weapons of mass destruction NBC

"Emergency Medical Response Team was developed
To support demil at Johnston ABL
to make available and exercise this team for test use after possible terrorist activities
Scenario 1: Claymore with BX (new agent)
explode at NBC (Blaisdale) Good issues discussed
Scenario 2: Plague release - Biological response
is limited

Scenario 3: Ponder Plutonium or rogue weapon - didn't get to this scenario

ISSUE: FBI in charge if a terrorist act - is in control of its FEMA situation control
3. How do we protect first responders?
   Basic recognition training for them

4. How do we deal with contaminated EHS?
   Not answered by exercise.

MNT needs an MOP with the State to provide
DM is drafting, initiating technical assistance.

FS? OSHA requirements for responders?
   - Identifying that this is a terrorist attack will
depend on intelligence because it's not immediately obvious.
   - Need to be pre-staged to be really effective.
   - Current info instrumentation is 95% false positive.
   - Feds money coming to Nogal to prepare against
terrorist activities
   - July 7, 8 Nunzi - Feurer initial assessment
   - MUST
   - EHSS -
     Mayor has sent proposal to establish an
RP problem with approach - like we're going to
war; need to integrate with our everyday
haywire response.

FM Federal gov wants state to stockpile antidotes.
Alrady has tunnels full of 1940's supplies.
RP Radiation detection units were supplied by
Feds. New program is unfunded by FEMA
Roy will maintain some detectors, calibrated

The remaining units if they will
on active availability
be kept by emergency response personnel and
has sent letter to CD admin at each county. SCD will not drive this process
any longer. H2ERG must.

IPDC Imaging meeting 1.8 million dollar budget.
CD Noise & Radiation will be maintained at
the current level.

Break 10:55 - 11:00

6) LEPC Updates:
   JS - see handouts, training performed, Haymat vehicle received
   CI - no sig spills
   CD - Env crimes task force meeting
   Attgen Lead Mark Reesward

3) Clean - networking has been good
4) Full scale Haymat exercise 10-3
   21 ESF 10 Haymat open
   22

6) CD enforcement letter as discussed
7) Training plan to bring to Brighton & Cock
8) Weapons of mass destruction

Training Drill
An assessment from National Fire Academy
Train the Trainer for 3,200 Valerie one on Maui.
6. Haymat 165 relief captains in progress.

7. CAMED was received and installed.

8. New input Tier to 1996 to CAMED database. Up to date.

506. 32 new old did not report facilities fees for some reason.

9. Mayor is sponsoring family day Haymat will have a display July 4, 1997


11. If we make rules - include stipulation that facilities report when they no longer operate.

12. JB - report to fire covered.

JB - Working draft Clayton - Richard Hawking is reviewing. Managing Director will be signed by Mayor as a draft.

Can run CAMED again.

Mike Cripps has been helpful.

Need grant applications early.
7) Area plan

Originally concentrated on oil
mandated to come up to
speed on Natley 1998.

Have been meeting as a subcommittee.

3 goals

Response= assist above and beyond
county
- contractors
- federal - c130

A part of response references is new objective

A. reconcile # of facilities

Thinking of using NFPA fire diamond to rank threat

JSC suggests IDLH

CD suggests F+ method of IDLH

CD HECRA exempt farm chemicals
Have found that there is a black
market for pesticides.

A invite Carter to next meeting.
8) Other Business

CLEAN

1. Emergency Management plan distributed
2. Community Participating Committee
   - meeting regularly
   - will evaluate the plan
   - Sept 18th will present recommendations
   - How can smaller businesses be heard? possibly through a "Business Participation Subcommittee"
3. Project Team is being formed
   - Target July.
   - at that point will looking into early warning and education systems.

A. Request copies of CLEAN plan for the Neighbor Island TIFC charts.

CD Has plan on Stagemat Truck.

Can we get minutes for tonight?

City and County held meeting on warning systems.

A. Motion - Carried
   Write letter from US ERE to CLEAN
   Commending efforts

G. Motion - Carried
   Letter of commendation to Steve Lerman.
CO acknowledge Cynthia Pang for working closely with the LER.

- August 26th - next
  - motion carried

Meeting adjourned at 11:57

- Have Cynthia report on Fed Facilities Conf.

- July 10th - AG Sub Comm
  - DOP, Maymat, OCD

Kathleen Shimma

RRT
Honorabe Joseph M. Souki  
Speaker, House of Representatives  
Nineteenth State Legislature  
Regular Session of 1997  
State of Hawaii  

Honorabe Norman Mizuguchi  
President of the Senate  
Nineteenth State Legislature  
Regular Session of 1997  
State of Hawaii  

Sir:  

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1837, H.D. 2, S.D. 2, entitled:  

"A BILL FOR AN ACT RELATING TO THE ENVIRONMENT,"  

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.  

The purpose of this bill is to create a mechanism for funding the activities of local emergency planning committees that develop emergency response plans to respond to hazardous material incidents that may occur in their districts pursuant to the Hawaii Emergency Planning and Community Right-to-Know Act.  

Specifically, this bill:  

(1) Requires moneys in the environmental response revolving fund to be expended by the Department of Health for preparedness, in addition to response actions;
(2) Requires the Department of Health to establish a local emergency response planning committees account within the environmental response revolving fund;

(3) Requires all moneys to meet the expenses of the emergency planning and community right-to-know program to be appropriated out of the environmental response revolving fund;

(4) Requires all filing fees submitted with chemical inventory forms or Tier II reporting forms to be deposited into the environmental response revolving fund, rather than the state general fund.

Your Committee on Conference has amended this bill by substituting the H.D. 2 draft. Specifically, this bill is amended by:

(1) Adding the word "also" in section 2 of the bill amending section 128D-2(b)(1), Hawaii Revised Statutes, on page 2, line 19;

(2) Inserting in section 3 of the bill that amends section 128E-8(b), Hawaii Revised Statutes, the provision that all moneys to meet the expenses of the emergency planning and community right-to-know program are to be appropriated out of the state general fund in addition to the environmental response revolving fund;

(3) Inserting in the same section the provision that the appropriations from the environmental response revolving fund shall not exceed the amount of moneys collected from the filing fees assessed in section 128E-9, Hawaii Revised Statutes upon submission of chemical inventory (Tier II) forms;

(4) Adding a new section amending section 128D-4, Hawaii Revised Statutes, to add a new subsection (e) that allows the Governor to raise the legislative ceiling established in the environmental response revolving fund if the governor determines that sufficient funds do not exist within the ceiling to conduct emergency response actions; and

(5) Making an appropriation of $500,000 in fiscal year 1997-1998 out of the revenues of the environmental response revolving fund for the purpose of conducting non-oil response actions consistent with the
REPORT TITLE:
Environment

DESCRIPTION:
Establishes funding to the Local Emergency Planning Committees (LEPCs) to plan, prepare, and respond to hazardous material emergencies in their districts. Establishes expenditure ceiling for LEPC funding. Establishes special account within the environmental response revolving fund. Appropriates $500,000 in FY 1997-98 from the environmental response revolving fund for conducting non-oil response actions. (HB1837 CD1)
Environmental Response Law, to be expended by the Department of Health.

Your Committee on Conference is in accord with the intent and purpose of H.B. No. 1837, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1837, H.D. 2, S.D. 2, C.D. 1.

Respectfully submitted,

MANAGERS ON THE PART OF THE SENATE

ANDREW LEWIN, Co-Chair

WAYNE METCALF, Co-Chair

ROD TAM, Member

MANAGERS ON THE PART OF THE HOUSE

TERRY NOJ JOHNSTON, Co-Chair

EZRA R. KANOHOO, Co-Chair

NESTOR R. GARCIA, Member

SAM SLOM, Member

ERIC G. ENAKAWA, Member

COLLEEN MEYER, Member
A BILL FOR AN ACT

RELATING TO THE ENVIRONMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The legislature finds that the federal Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA) was intended to improve planning and response efforts to enable communities to respond properly to hazardous materials incidents. Pursuant to EPCRA, the governor in each state appoints members to a state emergency response commission that establishes local emergency planning districts and appoints members to local emergency planning committees. The local emergency planning committee in each planning district develops emergency response plans to respond to hazardous materials incidents. It also gathers information on the facilities containing hazardous materials within the district, and assists in disseminating information to the public regarding the hazardous materials present in the district.

The governor signed the Hawaii Emergency Planning and Community Right-to-Know Act in 1993. It specifies the membership of the state emergency response commission, designates the counties as local emergency planning committees, and establishes a filing fee in the amount of $100 for the processing of a
chemical inventory form. These forms are submitted to the state
emergency response commission.

The legislature finds that the federal government does not
provide assistance to the state emergency response commissions or
the local emergency planning committees in developing and
implementing plans or programs.

The purpose of this Act is to establish funding for the
local emergency planning committees to plan, prepare, and respond
to hazardous material emergencies which may occur in their
districts.

SECTION 2. Section 128D-2, Hawaii Revised Statutes, is
amended by amending subsection (b) to read as follows:

"(b) Moneys from the fund shall be expended by the
department for response actions[,] and preparedness, including
removal and remedial actions, consistent with this chapter;
providing that the revenues generated by the "environmental
response tax" and deposited into the environmental response
revolving fund:

(1) Shall also be used:

(A) For oil spill planning, prevention, preparedness,
education, research, training, removal, and
remediation; and
(B) For direct support for county used oil recycling programs; and

(2) May also be used to address concerns related to drinking water, underground storage tanks, including support for the underground storage tank program of the department and funding for the acquisition by the State of a soil remediation site and facility."

SECTION 3. Section 128D-4, Hawaii Revised Statutes, is amended to read as follows:

"§128D-4 State response authorities; uses of fund. (a)

Whenever any hazardous substance is released or there is a substantial threat of such a release into the environment, or there is a release or substantial threat of such release into the environment of any pollutant or contaminant that may present a substantial danger to the public health, welfare, or the environment, the director is authorized to act, consistent with the state contingency plan, to remove or arrange for the removal of, and provide for remedial action relating to such hazardous substance, pollutant, or contaminant at any time, including its removal from any contaminated natural resources, or take any other response measure consistent with the state contingency plan which the director deems necessary to protect the public health
or welfare or the environment. The director may:

1. (1) Issue an administrative order or conduct any other enforcement or compliance activities necessary to compel any known responsible party or parties to take appropriate removal or remedial action necessary to protect the public health and safety and the environment;

2. (2) Upon determining that there may be an imminent and substantial endangerment to the public health or welfare or the environment because of an actual or threatened release of a hazardous substance, issue without a hearing, such orders as may be necessary to protect the public health, welfare, and the environment;

3. (3) Solicit the cooperation of responsible parties prior to issuing an order to encourage voluntary cleanup efforts; and, if necessary, negotiate enforcement agreements with responsible parties to conduct needed response actions according to deadlines established in compliance orders or settlement agreements;

4. (4) Undertake those investigations, monitoring, surveys, testing, sampling, and other information gathering
necessary to identify the existence, source, nature, and extent of the hazardous substances or pollutants or contaminants involved and the extent of danger to the public health or welfare or to the environment;

(5) Perform any necessary removal or remedial actions so as to abate any immediate danger to the public health or welfare or to the environment; and

(6) Contract the services of appropriate organizations to perform the actions set forth in paragraphs (1), (2), (3), (4), and (5).

(b) For the purposes of determining or investigating an actual release or a suspected release, or choosing or taking any response action, or conducting any study, or enforcing this chapter, any person who has or may have information relevant to any of the following, upon the reasonable and necessary request of any duly authorized representative of the department, shall furnish information or documents in the person's possession relating to such matter:

(1) The identification, nature, and quantity of hazardous substances or pollutants or contaminants which have been or are generated, treated, or stored or disposed of at a facility or vessel or transported to a facility
or vessel.

(2) The nature and extent of a release or threatened
release of a hazardous substance or pollutant or
contaminant from a facility or vessel.

(3) Information relating to the ability of a person to pay
for or perform the cleanup.

In addition, upon reasonable notice, such person shall grant any
such authorized representative of the department access at all
reasonable times to any facility, vessel, establishment, site,
place, property, or location to inspect same and to review and
copy all documents or records relating to such matters or shall
copy and furnish the officer, employee, or representative of the
department all such documents or records, at the option and
expense of such person.

(c) Moneys in the fund may be expended by the director for
any of the following purposes:

(1) Payment of all costs of removal or remedial actions
incurred by the State or the counties in response to a
release or threatened release of a hazardous substance
or pollutant or contaminant; or

(2) Payment for the State’s share of a removal or remedial
action pursuant to section 104(c)(3) of CERCLA;
(3) Payment of all costs incurred by the State in the restoration, rehabilitation, or replacement or acquisition of the equivalent of any natural resources injured, destroyed, or lost as a result of a release of a hazardous substance or pollutant or contaminant;

(4) Payment of all costs of response action for a release due to the legal application of a pesticide product registered under the Federal Insecticide, Fungicide, and Rodenticide Act; or

(5) Payment of all costs or remedial action for any release permitted by any federal, state or local permit or other legal authority.

(d) No response actions taken pursuant to this chapter by the department shall duplicate federal response actions.

(e) The governor may raise the legislative ceiling established in the environmental response revolving fund if, in the governor's determination, sufficient funds do not exist within the ceiling to conduct emergency response actions pursuant to this chapter."

SECTION 4. Section 128E-8, Hawaii Revised Statutes, is amended to read as follows:

"[[128E-8]] Funds for operation. (a) The department
shall establish an account, to be called the local emergency
response planning committees account, within the environmental
response revolving fund pursuant to section 128D-2, for the
purpose of administration and oversight of this chapter.

[(a)] [(b)] All moneys to meet the general operating needs
and expenses of the emergency planning and community
right-to-know program of the department shall be allocated by the
legislature through appropriations out of the state general
fund[,] and the environmental response revolving fund; provided
that the appropriations from the environmental response revolving
fund shall not exceed the amount of moneys collected from the
filing fees assessed in section 128E-9. The department shall
include in its budgetary request for each upcoming fiscal period
the amounts necessary to effectuate the purposes of this chapter.

[(b)] [(c)] The department of health, with the assistance of
the department of budget and finance and department of accounting
and general services, shall prepare a report for the legislature
concerning the amount of moneys collected during the preceding
fiscal year, the amount of moneys collected to date during the
current fiscal year, and the amount of moneys to be collected
during the upcoming fiscal year, pursuant to sections 128E-9 and
128E-11[, and accruing to the credit of the state general fund].
The department shall submit the foregoing report to the legislature not less than twenty days prior to the convening of each regular session of the legislature."

SECTION 5. Section 128E-9, Hawaii Revised Statutes, is amended to read as follows:

"[[§128E-9]] Filing fees. Facilities that are required to report according to section 128E-6(a)(2), shall remit $100 with each submission of chemical inventory forms or Tier II forms to the commission by March 1 of each year. All moneys collected by the department pursuant to this section shall be deposited in the state treasury and accrue to the credit of the [state general fund.] environmental response revolving fund established in section 128D-2."

SECTION 6. There is appropriated out of the revenues of the environmental response revolving fund established under section 128D-2, Hawaii Revised Statutes, the sum of $500,000, or so much thereof as may be necessary for fiscal year 1997-1998 for the purpose of conducting non-oil response actions consistent with chapter 128D, Hawaii Revised Statutes.

SECTION 7. The sum appropriated shall be expended by the department of health for the purposes of this Act.

SECTION 8. Statutory material to be repealed is bracketed.
1 New statutory material is underscored.
2 SECTION 9. This Act shall take effect upon its approval.
Honolulu, Hawaii

April 25, 1997

RE: H.B. No. 1250
H.D. 3
S.D. 2
C.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Nineteenth State Legislature
Regular Session of 1997
State of Hawaii

Honorable Norman Mizuguchi
President of the Senate
Nineteenth State Legislature
Regular Session of 1997
State of Hawaii

Sir:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1250, H.D. 3, S.D. 2, entitled:

“A BILL FOR AN ACT RELATING TO ENVIRONMENTAL RESPONSE,”

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this bill is to require the State Emergency Response Commission to monitor pipeline safety activities in the State. This bill also requires the Commission to submit a report of the aforementioned activities to the Legislature on an annual basis.

Your Committee finds that recent hazardous material releases from various pipelines operating in the State demonstrate the need to establish a mechanism to monitor these systems on a more direct and systematic basis. Such an effort will require the participation of all of the players involved in the operation of pipeline systems in Hawaii. Requesting the assistance of

HCCR HB1250 CD1
government and private sector representatives in this effort will ensure the systematic monitoring and evaluation of pipelines operating throughout the State.

Your Committee has amended this bill by establishing a Pipeline Safety Committee under the Department of Health. The committee will be made up of government and private sector participants involved in the operation and maintenance of pipelines in Hawaii. The committee will function as a central source of information for pipeline safety and technology for all pipelines operating in the State. The Department of Health will be required to submit a report to the Legislature on the activities of the committee on an annual basis.

Your Committee on Conference is in accord with the intent and purpose of H.B. No. 1250, H.D. 3, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1250, H.D. 3, S.D. 2, C.D. 1.

Respectfully submitted,

MANAGERS ON THE PART OF THE SENATE

WAYNE METCALF, Co-Chair

ANDREW LEVIN, Co-Chair

ROD TAM, Member

SAM SLOM, Member

MANAGERS ON THE PART OF THE HOUSE

TERRY NUI YOSHINAGA, Co-Chair

TERRANCE W. H. TOM, Co-Chair

CALVIN K. Y. SAY, Co-Chair

BRIAN Y. YAMAMAE, Member

CYNTHIA THIELEN, Member

HCCR HB1250 CD1
A BILL FOR AN ACT

RELATING TO ENVIRONMENTAL RESPONSE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The legislature finds that oil and hazardous
materials that leak from pipelines, such as the major oil
pipeline spill in May 1996, present ever increasing risks to
Hawaii's environment. The intent of this Act is to promote an
innovative approach in the development of new partnerships among
the federal, state, and county governments, and private industry
in managing the environmental risks posed by oil and hazardous
materials.

Because of the State's limited resources, the legislature
finds that the State can no longer afford to take a "business as
usual" attitude in managing long-standing environmental risks to
the public health and environment. Instead of setting up a
regulatory framework which would overburden the taxpayers and
industry, the legislature finds that it would be in everyone's
best interest for industry to participate in the planning,
monitoring, and oversight of pipeline safety without additional
costs to the State.

SECTION 2. (a) As used in this Act, unless the context
otherwise requires:
"Committee" means the pipeline safety committee.

"Hazardous substance" has the same meaning as defined in section 128D-1.

"Pipeline" means all parts of those physical facilities through which hazardous substances move in transmission, including pipes, valves, and other appurtenances attached to pipes, compressor units, metering stations, regulator stations, delivery stations, holders, and fabricated assemblies.

"Pipeline operator" means a person who operates a pipeline that carries hazardous substances.

(b) There is established within the department of health for administrative purposes, a pipeline safety committee consisting of representatives of state and local governments, public service, and industrial or commercial companies with interests in underground pipeline systems. The director of health or a designee of the director and the director of transportation or a designee of the director shall serve as ex officio members.

(c) The department of health shall request the participation of the following organizations to serve on the committee:

(1) The board of water supply, city and county of Honolulu;

(2) The department of wastewater management, city and county of Honolulu; and
(3) Other pipeline operators.

(d) The committee shall elect a chairperson from among its members. Members shall serve without compensation. The committee shall meet at least once every four months.

(e) The committee shall:

(1) Maintain a central depository of all pipeline maps;

(2) Facilitate cooperative cathodic protection testing and interference mitigation; and

(3) Facilitate information and technology sharing.

(f) The department shall submit to the legislature no later than twenty days prior to the convening of each regular session, a complete and detailed report of its activities for the previous year, including:

(1) A summary of safety-related reports filed with the federal Office of Pipeline Safety; and

(2) A summary of cathodic protection reports.

SECTION 3. This Act shall take effect upon its approval and shall be repealed two years from its effective date.
REPORT TITLE:
Environmental Response

DESCRIPTION:
Establishes a pipeline safety committee under the department of health to monitor pipeline safety. Requires the committee to report annually on the activities of the pipeline safety committee. (HB1250 CD1)
Honolulu, Hawaii

APR 25, 1997

RE: S.B. No. 1581
    S.D. 2
    H.D. 2
    C.D. 1

Honorable Norman Mizuguchi
President of the Senate
Nineteenth State Legislature
Regular Session of 1997
State of Hawaii

Honorable Joseph M. Souki
Speaker, House of Representatives
Nineteenth State Legislature
Regular Session of 1997
State of Hawaii

Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 1581, S.D. 2, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE ENVIRONMENT,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this bill is to encourage developers and prospective purchasers to clean up contaminated properties and put them into productive use by establishing the Voluntary Response Program. This bill establishes a process whereby a qualified person, upon approval by the Department of Health (Department), may engage in a voluntary clean up program. The Department must then establish a site specific account to fund various specific clean up expenses. Upon satisfactory clean up, the Department must issue a letter of completion and return all remaining fund balances in the site specific account to the requesting party. Prospective purchasers who complete voluntary
response actions as provided in this measure receive certain exemptions from future liability.

Your Committee finds that the environmental response programs within the Department are currently understaffed, making investigations and remedial efforts extremely difficult and only marginally effective. Your Committee believes it is critical that financing be available for the voluntary clean up programs. Consequently, your Committee believes that for the purpose of evaluating a lender's qualification as a "prospective purchaser" under section 128D-J of the voluntary response program, the Asset Conservation, Lender Liability and Deposit Insurance Protection Act of 1996 should be used.

Your Committee amended this bill by: amending the definition of "owner" or "operator" under the Hawaii environmental response law to exclude persons who hold indicia of ownership primarily to protect their security interests and making the Asset Conservation, Lender Liability and Deposit Insurance Protection Act of 1996 applicable to lenders until the Department adopts rules regarding lenders; and making a technical, nonsubstantive change.

Your Committee on Conference is in accord with the intent and purpose of S.B. No. 1581, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1581, S.D. 2, H.D. 2, C.D. 1.

Respectfully submitted,

MANAGERS ON THE PART OF THE HOUSE

TERRY NUT YOSHIKAGA, Co-Chair
CALVIN K.Y. SAY, Co-Chair
KENNY GOODENOW, Member

MANAGERS ON THE PART OF THE SENATE

ANDREW LEVIN, Co-Chair
WAYNE METCALF, Co-Chair
ROD TAM, Member
A BILL FOR AN ACT

RELATING TO THE ENVIRONMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that developers, lenders, 
2 potential property buyers, and other potential responsible 
3 parties are reluctant to purchase, lend money for, or develop 
4 properties that may be contaminated by hazardous substances, 
5 pollutants, or contaminants.
6 The legislature further finds that many developers, lenders, 
7 and prospective purchasers are frequently willing to clean up 
8 properties voluntarily, if they are not considered an "owner or 
9 operator" under chapter 128D.

10 The purpose of this Act is to:
11 (1) Establish a program within the department to facilitate 
12 voluntary and timely responses to hazardous substance 
13 releases and threats of releases; and 
14 (2) Provide relief from liability for eligible persons who 
15 conduct adequate voluntary response action pursuant to 
16 this Act.

17 SECTION 2. Chapter 128D, Hawaii Revised Statutes, is 
18 amended by adding a new part to be appropriately designated and 
19 to read as follows:
"PART . VOLUNTARY RESPONSE PROGRAM

§128D-A General. (a) Except as otherwise provided in this part, all requirements of rules adopted pursuant to part I shall apply to voluntary response actions conducted pursuant to this part. All voluntary response actions, where an exemption from liability may be granted by the department, shall follow the public participation requirements of the remedial process as described in rules adopted pursuant to part I. Additionally, the requesting party shall post a sign at the site notifying the public of participation in the voluntary response program and the public's opportunity to comment.

(b) This part shall apply to any person who chooses to conduct a voluntary response action. However, the exemption from liability in section 128D-J shall only apply to prospective purchasers.

§128D-B Definitions. As used in this part, unless the context otherwise requires:

"Prospective purchaser" means a prospective owner, operator, tenant, developer, lender, or any other party who would not otherwise be liable under section 128D-6, prior to conducting a voluntary response action.

"Requesting party" means the person or persons submitting an application to conduct a voluntary response action.
"Voluntary response action" means a response conducted voluntarily by a requesting party.

§128D-C Eligibility. (a) This part shall apply to all releases or threats of releases to which the director is authorized to respond under section 128D-4, except:

(1) A site listed or proposed to be listed on the National Priorities List (NPL) pursuant to the Comprehensive Environmental Response Compensation and Liability Act (CERCLA);

(2) Those sites with respect to which an order or other enforcement actions has been issued or entered under CERCLA and is still in effect;

(3) A site where the United States Coast Guard has issued a federal Letter of Interest;

(4) A site that is the subject of corrective action under the Resource Conservation and Recovery Act (RCRA) or chapter 342J;

(5) At the discretion of the director, a site where the director has issued an order or is conducting a response pursuant to an enforceable agreement under this chapter 128D and chapter 342L;

(6) A site which poses an imminent and substantial threat to human health, the environment, or natural resources.
as determined by the director; and

(7) A site where the director has determined that there is
   a significant public interest.

(b) The requesting party shall provide the department with
   written consent from the property owner to conduct the voluntary
   response action including any restrictions of property rights.

(c) The requesting party shall pay a nonrefundable
   processing fee of $1,000 with each application to be eligible for
   a voluntary response action.

§128D-D Application. (a) For each site at which a
requesting party chooses to conduct a voluntary response action,
an application and $1,000 nonrefundable processing fee shall be
submitted.

(b) The department shall review each application in a
timely manner and approve or deny the application based upon the
requirements in this section and sections 128D-B and 128D-C.

(c) Each application shall include but not be limited to
the following information:

(1) The requesting party’s name, mailing address, telephone
    number, facsimile number, if applicable, or electronic
    mail address;

(2) The property owners’ names, mailing addresses,
    telephone numbers, facsimile numbers, if applicable, or
electronic mail addresses;

(3) The property location, mailing address, street or
physical location address, latitude and longitude, tax
map key numbers, and telephone number for the
requesting party;

(4) A brief description of the site, its operational
history, and any known or suspected contamination;

(5) A listing of any permits obtained by any facility on
the property;

(6) A description of the intended scope of work;

(7) A description of any civil, criminal, or administrative
actions relative to the environmental matters of the
subject property;

(8) A written consent by the property owner supporting the
proposed voluntary response action including any
restrictions of property rights; and

(9) The signature of the requesting party.

(d) The requesting party shall provide the department with
any and all reports and data pertaining to environmental
investigations or response actions on the subject property.

(e) Within sixty days after initial approval of the
application, the requesting party and the department shall
negotiate an agreement for conducting the voluntary response
action. The agreement shall contain guarantees of completion, such as letters of credit, personal guarantees, insurance, or similar measures of guarantee. If, after sixty days, an agreement cannot be negotiated in good faith, the department may deny the application.

(f) The department's decision on an application shall be final, with no right of appeal.

§128D-E Denial of application. (a) The director may deny an application submitted under section 128D-D. In denying an application, the director may consider the following:

1. An administrative enforcement action has been initiated that concerns the remediation of the hazardous substance, pollutant, or contaminant;
2. Site eligibility based on the criteria in section 128D-C;
3. Completeness and accurateness of the application:
   (A) If an application is denied because it is incomplete or inaccurate, the director, not later than forty-five days after receipt of the application, shall identify the omission or inaccuracy for the requesting party. A requesting party whose application has been denied because it is incomplete or inaccurate, may resubmit an
application for the same response action without
submitting an additional application fee; and

(B) If a requesting party's application is denied a
second time, the director may require an
additional $1,000 processing fee for any
subsequent submittal;

(4) Inappropriate or inadequate scope of work;

(5) Pending litigation;

(6) The capacity of the requesting party or the requesting
party's agent to carry out the response action
properly;

(7) Whether the department will receive a substantial
benefit for cleanup or an indirect public benefit in
combination with a reduced direct benefit to the
department;

(8) Whether the continued operation of the site or new site
development, with the exercise of due care, will
aggravate or contribute to the existing contamination
or interfere with the department's response action;

(9) Whether the continued operation or new development of
the property will pose health risks to the community
and those persons likely to be present at the site; or

(10) The financial viability of the prospective purchaser.
(b) If the director finally denies the application, the director shall:

(1) Notify the requesting party that the application has been denied; and

(2) Explain the reasons for denial of the application.

§128D-F Funding. (a) The department shall establish an account, to be called the voluntary response action account, within the environmental response revolving fund pursuant to section 128D-2, for the purpose of administration and oversight of this part.

(b) The $1,000 nonrefundable application fee shall be deposited into the voluntary response action account.

(c) Upon initial approval of an application, the department may require a deposit of up to $5,000 to initiate a site-specific account. The department may require an additional deposit of up to $5,000, whenever the balance of the site-specific account falls below $1,000.

(d) If a site-specific account balance is inadequate to support oversight, the department may discontinue oversight on the voluntary response action. The department may pursue enforcement action against the requesting party and any other person liable under section 128D-6, pursuant to part I of this chapter, when an account balance is inadequate to support further
oversight by the department.

(e) At the completion of the voluntary response action, or at the termination of the agreement, the department shall provide a final accounting of the site-specific account and return the balance to the requesting party.

§128D-G Oversight costs. (a) The department's oversight costs shall be calculated at $100 for each hour of staff time plus actual expenses or one hundred twenty-five per cent of actual cost when contracting for oversight services.

(b) The department shall provide each requesting party or parties a summary of the oversight costs for the party's specific site on an annual basis.

§128D-H Exempt positions. There is established such positions as necessary to support the voluntary response program. These positions shall be appointed by the director without regard to chapters 76 and 77. These positions shall be included in any benefit program generally applicable to the officers and employees of the State.

§128D-I Letter of completion. (a) Within thirty days of satisfactory completion of the voluntary response action, the director shall issue a letter of completion for the response action completed by the requesting party.

(b) The letter of completion shall identify the specific
1 hazardous substances, pollutants, contaminants, media, and land
2 area addressed in the response action.
3 (c) If contamination is left on the site, the letter of
4 completion shall identify land use restrictions and any required
5 management plan.
6 (d) The letter of completion shall be noted on the property
7 deed and shall be sent to the county agency that issues building
8 permits. The benefits and restrictions identified in the letter
9 of completion shall run with the land and apply to all future
10 owners of the property. The exemption from liability noted in
11 section 128D-J does not apply to those persons who were liable
12 pursuant to section 128D-6 prior to conducting the voluntary
13 response action.
14 §128D-J Exemption from liability. (a) To qualify for an
15 exemption from liability, a requesting party that is also a
16 prospective purchaser must have obtained final approval to
17 conduct a voluntary response action from the department prior to
18 becoming the owner or operator of the property.
19 (b) Prospective purchasers who complete a voluntary
20 response action and receive a letter of completion from the
21 department shall be exempt from future liability to the
22 department for those specific hazardous substances, pollutants,
23 contaminants, media, and land area addressed in the voluntary
response action.
(c) The exemption from future liability to the department referenced in subsection (b) shall apply only to those specific hazardous substances, pollutants, and contaminants cleaned up to a risk-based standard of not more than one total lifetime cancer risk per one million and only to the specific media and land area addressed in the voluntary response action; provided that the exemption only applies to the contamination which occurred prior to conducting the voluntary response action.
(d) A party who is exempt from future liability to the department under subsections (b) and (c) shall not be liable for claims for contribution or indemnity regarding matters addressed in the voluntary response action.
(e) The department reserves the right to take action consistent with this chapter against responsible parties.
(f) The exemption from liability shall not be effective:
(1) If a letter of completion is acquired by fraud, misrepresentation, or failure to disclose material information; or
(2) Where transactions were made for the purpose of avoiding liability under part I.
(g) There shall be no exemption from liability for other laws or requirements.
§128D-K Termination of voluntary response action. (a) An agreement under this part may be terminated by the requesting party at any time.

(b) The director may terminate an agreement pursuant to this section when:

(1) There is an imminent and substantial threat to public health, the environment, or natural resources;

(2) The requesting party is not acting in good faith;

(3) Inadequate funds remain in the site-specific account;

(4) An applicant becomes ineligible after initiating the action pursuant to sections 128D-D and 128D-F;

(5) An applicant fails to comply with the terms of the agreement noted in section 128D-E(e); or

(6) The draft remedial action is inadequate.

(c) Termination of the agreement pursuant to this section does not affect any right the director may have under any law to recover costs or to take enforcement action.

(d) Nothing in this part prohibits the department from taking enforcement action prior to completion of the voluntary response action. Furthermore, the director may, at any time, use the director's authority under section 128D-4 when it is deemed necessary."

SECTION 3. Chapter 128D, Hawaii Revised Statutes, is
amended by designating sections 128D-1 to 128D-23 as part I and
inserting a title before section 128D-1 to read as follows:

"PART I. HAWAII ENVIRONMENTAL RESPONSE LAW."

SECTION 4. Section 128D-1, Hawaii Revised Statutes, is
amended by amending the definition of "owner" or "operator" to
read as follows:

""Owner" or "operator" means:

(1) [in] In the case of a vessel, any person owning,
operating, or chartering by demise the vessel[,];

(2) [in] In the case of an onshore facility or an offshore
facility, any person owning or operating the
facility[,] and

(3) [in] In the case of any facility, title or control of
which was conveyed due to bankruptcy, foreclosure, tax
delinquency, abandonment, or similar means to a unit of
a state or local government, any person who owned,
operated, or otherwise controlled activities at the
facility immediately beforehand.

"Owner" or "operator" does not include a person [or
financial institution who holds or held a lien, encumbrance,
security interest, or loan agreement that attaches or is attached
to a facility, vessel, or real property; provided that the person
or financial institution makes or made no decision or takes or
took no action that causes or caused or contributes or
contributed to a release or threatened release of a hazardous
substance from or at a facility, vessel, or real property.) who,
without participating in the management of the vessel or
facility, holds indicia of ownership primarily to protect its
security interest in the vessel or facility. Until such time as
the department adopts rules pertaining to lenders, the provisions
of the Asset Conservation, Lender Liability and Deposit Insurance
Protection Act of 1996 shall apply to the actions of lenders
after July 1, 1997."

SECTION 5. There is appropriated out of the environmental
response revolving fund established in section 128D-2, Hawaii
Revised Statutes, the sum of $100,000 or so much thereof as may
be necessary for fiscal year 1997-1998 for the voluntary response
program.

The sum appropriated shall be expended by the department of
health for the purposes of this Act.

SECTION 6. In codifying the new part added to chapter 128D,
Hawaii Revised Statutes, by section 2 of this Act, the Revisor of
Statutes shall substitute appropriate section numbers for the
letters used in the new sections' designations in this Act.

SECTION 7. Statutory material to be repealed is bracketed.
New statutory material is underscored.
SECTION 8. This Act shall take effect ninety days after its approval; except that section 5 shall take effect on July 1, 1997.
REPORT TITLE:
Voluntary response program

DESCRIPTION:
Allows developers, lenders, potential property buyers, and other potential responsible parties to clean up properties voluntarily. Amends definition of "owner" or "operator" in section 128D-1, HRS. Requires the letter of completion to be sent to the county agency responsible for issuing building permits. (CD1)
Hawaii Emergency Planning and Community Right to Know - Proposed Web Site for the HSERC and County LEPCs, Preliminary Scope of work.
September 23, 1996

Project Purpose / Concept:

The State of Hawaii and the Counties of Honolulu, Kauai, Maui and Hawaii propose to develop Internet World Wide Web sites for the purpose of provide and disseminate information to it's citizens as pertaining to the Hawaii Emergency Planning and Community Right to Know Act (HEPCRA) Title 10 § HRS, Chapter 128E. These web sites will provide a vehicle for the Hawaii State Emergency Response Commission (HSERC), Honolulu, Kauai, Maui and Hawaii Local Emergency Planning Committees (LEPC) to provide meeting minutes, list members, publish local and state plans, regulations, emergency response procedures and information on chemical storage, location, type, and toxic effect of exposure. Additional links will be provided to other EPCRA, EPA, FEMA, DOT, OSHA related sites. An additional scope of work to create an electronic submission form for HEPCRA data may be added to the web site.

The web site is to present this information in a clear, efficient and straight foreword manner with text, graphics, video, and sound where appropriate. The client/user will be afford an opportunity to contact the various LEPCs and the HSERC directly from the web pages via e-mail and to search the on-line database currently maintained by the State Health Department's HEPCRA data manager.

In addition to the design of the 4 new web sites for each LEPC, the HSERC wishes to revamp it's current page, re configuring it to be consistent with the new LEPC web pages.

The State of Hawaii will provide the web site server for which this project will be mounted on.

Project Specifics / Requirements:

Pages:
The number of initial proposed web pages is eight (8); re-design the existing HSERC page, a page for each LEPC (Honolulu, Kauai, Maui, Hawaii), a page for searching and linking to the HEPCRA database that will be provided and mounted on the same server, a "Links to other sites" page integrated into each of the previously described pages and an additional page for the purpose of electronic submission of HEPCRA data from reporting facilities.

The Web pages are to be custom designed to meet the needs of HEPCRA program and are to reflect the purpose and concept of information delivery. The design of the pages must take into consideration the client / users location, ability and method of accessing the web site (e.g. Home based PC with modems, etc.). All pages are to have internal links, links to each of the other LEPC and HSERC pages, and links to remote web pages (e.g. EPA, FEMA, DOT ATSDR etc.) Pages should also have direct e-mail links to a contact person at the HSERC and various LEPCs for user interaction and a visible counter on each page to display the number of "hits" each has received.

Appropriate and recognized security procedures and formats shall be incorporated into each web page so as to minimize the potential of "hackers" altering and damaging web sites.

Included on the pages will be a crediting reference to the Web designer, and an e-mail link.

Content:

The "appropriateness" of all content for inclusion into the Web pages is to be decided by the HSERC and LEPCs in consultation with the Web designer, with the final determination of "appropriateness" to be made by the HSERC and LEPCs. All content must either be copyright free, or have the permission of the copyright holder to use in this project.

Text:

All informational and descriptive text content with in the web pages will be provided by HSERC and LEPCs in a digital format checked and edited to its final form. The Web designer will be responsible for integrating this provided text into the web pages but will not be responsible for proof reading or editing it. If required text is unavailable in a digital format the Web designer may be required to convert it, in this case depending on the amount of text and if it must be edited, the State would consider
paying for this service on an hourly basis.

Graphics:

Appropriate graphics for the purpose of this web site and suited to the technological needs of those accessing the site, are to be custom designed by the Web site designer for this project where needed. The HSERC and LEPCs will provide its own graphics for inclusion where and when it feels they are necessary, these graphics may or may not be in a digital form. When graphics are unavailable in a digital form it is the Web site designers responsibility to convert them into the proper format when and if possible.

Video:

A limited number of small segments of video are to be integrated into the web pages where deemed appropriate to accomplish the stated purpose of the Web site. The video is to be provided by HSERC and LEPCs in a VHS format (S-VHS if possible) and segments selected by HSERC and LEPCs and the Web designer are to be digitized and formatted for the pages by the Web designer.

Sound:

Where deemed appropriate to accomplish the stated purpose of the Web site, sound / narration /music files may be integrated. These sound files are to be selected and provided by the HSERC and LEPCs in a cassette tape format or it may be necessary for the Web designer to record them. Depending on the amount of sound / narration / music files to be prepared and if it must be edited, the State would consider paying for this service on an hourly basis to the Web designer.

Miscellaneous:

Where deemed appropriate to accomplish the stated purpose of the Web site, additional content such as Java animation's, and image maps, etc. may be required. These specialized applications will be limited in scope pending final decision on design and integration.

Link to HEPCRA Database:
A page is to be designed and produced as a "Front end" for an existing HEPCRA database. This page will serve as an interface between the user and the HEPCRA database to be used to access user defined information, through the requesting "form", in the existing database.

It is the Web designers responsibility to design the page and the requesting "form" on it and to specify the CGI or other software to the server system administrator necessary to return the requested information to the user. It will be HSERCs responsibility to establish which "fields"should be included in the requesting "form".

Costs and procurement of CGI's or software necessary to serve the data from the server to the web page will be the responsibility of the State upon consultation with the Web designer. The Web designer is responsible for research, obtaining information on the needed software and for coordinating installation with the server system administrator.

No custom programming is anticipated as all the necessary software should be available "off the shelf" if in fact there is the need for programming, the State and the Web designer will discuss the need for it and its complexity. If the State deems extra programming is needed the additional costs will be born by them.

Ownership and uses of Pages and Content;

A complete copy of the entire finished Web site will be retained by the Web Designer for inclusion in a portfolio of work. A design crediting reference to the Web designer, and an e-mail link will be incorporated in the pages.

The pages (HTML code) will be the property of the State to use and alter as they please, the Web designer will be allowed to keep a copy of the completed Web site for inclusion in a portfolio of work. Original graphics, sound, etc. will become the property of the State and copy will be retained by the Web designer for inclusion in a portfolio of work. The digitized video from the various sources used in the Web site will be the property of the HSERC or copyright holder and copy will be retained by the Web designer for inclusion in a portfolio of work.
Goal: Conduct Hazard Assessment of each County

Objectives:
- Identify HAZMAT threats
- Identify Cleanup Resources and Responders for HAZMAT Releases
- Identify Points of Contact and Notification Processes for Releases

Goal: Identify Response Assets

Objectives:
- Identify Key Points of Contact
- Identify Response Assets Available
- Identify Response References
- Identify Health and Safety Measures for HAZMAT Releases

Goal: Drill HAZMAT plan

Objectives:
- Develop Historically Based Table Top Drills
- Identify Oversight of HAZMAT Plan

Lieutenant Commander Ken Hertzler
808-522-8264 x197

Chief Petty Officer Frank Prekel
808-522-8264 x144

United States Coast Guard
Marine Safety Office
Planning Department
433 Ala Moana Boulevard
Honolulu, Hawaii 96813-4909

voi: 808-522-8254
fax: 808-522-8270
Memorandum

DATE: June 19, 1997

TO: JAY SASAN, COUNTY SAFETY COORDINATOR
FROM: TRAINING/SAFETY DIVISION
SUBJECT: FIRE DEPT. HAZMAT PROGRAM UPDATE

1. As of August 1996, personnel from 14 Stations have undergone HAZWOPER 8 hour refresher training. Remaining stations should be caught up before the end of July 1997. New cycle for refresher training to begin this September.

2. 15 more Level 3, (Technicians) have been trained to augment the Hazmat Team.

3. With funds allotted by the State Civil Defense, John Bowen and Carter Davis held two 16 hour Hazardous Material- Incident Command System training classes for (56) firefighters.

4. Coming September, (5) persons will be attending Chemistry of Hazardous Material training on Oahu.


6. The Fire Department received delivery of its new HAZMAT vehicle built by Marion Body Works. A few minor discrepancies were found and are being worked on. Vehicle should be on line in a couple of weeks.

Thomas J. Bella, Battalion Chief
CLEAN
Campbell Local Emergency Network

Update for June 20, 1997 Hawaii State Emergency Response Commission Meeting

• Campbell Industrial Park (CIP) Emergency Management Plan
  – Distribution of first edition nearly complete

• Community Participation Committee (CPC)
  – Comment process on CIP Emergency Management Plan underway

• CLEAN Quarterly General Meeting
  – Scheduled for September 18, 1997
  – Will include consideration of CPC suggestions on CIP Emergency Management Plan

• Public Notification, Response & Education Project
  – CLEAN Board of Directors has approved initiation of the project
  – Participation will include representatives from CLEAN, Community, and Response Agencies
  – Project Team - Objectives, Responsibilities, and Skills - as follows:
CLEAN
Campbell Local Emergency Action Network
Public Notification, Response & Education
Project Team

Objectives:

- Identify warning/notification systems that exist within response agencies.
- Examine existing systems to identify potential improvements
- Improve overall effectiveness of warning/notification systems to achieve increased public awareness and protection in and around Campbell Industrial Park (CIP)
- Provide public education on appropriate response to warning/notice of emergency
PROJECT MANAGER - Reports to agencies, the public, and the CLEAN board of Directors

- Responsibilities:
  - Overall responsibility for project management.
  - Monitors the work of individual project task elements.
  - Analyzes and recommends options for presentation to agencies and the CLEAN Board of Directors.
  - Manages and accounts for project funding and schedule.
  - Compiles periodic reports for presentation to CLEAN.
  - Arranges administrative support for project task elements.

- Skills:
  - Project Management
  - People Management
  - Government Relations
CLEAN
Campbell Local Emergency Action Network
Public Notification, Response & Education

PROJECT ASSISTANTS - Report to Project Manager

- Responsibilities:
  - Provide technical and administrative assistance to the Project Team
  - Perform issue analyses
  - Conduct technical research
  - Prepare reports, procedures and other documents
  - Provide contract administration services

- Skills:
  - Administrative
  - Analytical
  - Research
INCIDENT REPORTING - Reports to Project Manager. Coordinates with other project task elements.

- Responsibilities:
  - Develop more reliable and more efficient means of communicating events and potential outcome to response agencies, industry and other interested parties.
  - Develop initial reporting procedures
  - Develop follow-up reporting mechanisms

- Skills:
  - Project Management
  - People Management
  - Government Relations
INCIDENT ASSESSMENT - Reports to Project Manager. Coordinates with other project task elements.

- Responsibilities:
  - Establish protocols for initial assessment of an incident by industry and response agencies.
  - Develop sampling strategies and techniques.
  - Specify equipment needs for assessment monitoring.
  - Develop protocols for assessment monitoring and reporting of results.
  - Establish levels of concern for hazardous materials releases.
  - Develop methodologies to provide real-time weather data to response agencies and businesses in CIP.
  - Develop guidelines for post-incident assessment.

- Skills:
  - Project Management
  - People Management
  - Government Relations
RESPONSE OPERATIONS - Reports to Project Manager. Coordinates with other project task elements.

- Responsibilities:
  - Develop protocols to establish a Unified Command Structure involving industry and response agencies.
  - Identify procedures, equipment, and facilities that industry will need to support response agencies.
  - Develop formats and priorities to facilitate industry and response agencies planning for identified scenarios.
  - Coordinate drills and exercises to test industry and response agencies operational plans.
  - Develop recommendations for improved communications within the Unified Command Structure.

- Skills:
  - Project Management
  - People Management
  - Government Relations
PUBLIC WARNING HARDWARE & EQUIPMENT - Reports to Project Manager. Coordinates with other project task elements.

- **Responsibilities:**
  - Identify and install appropriate hardware and equipment to provide warning to CIP residents and sensitive receptors outside CIP.
  - Conduct cost/benefit analyses of various hardware and equipment options.
  - Develop specifications for recommended hardware and equipment.
  - Develop operating procedures for recommended hardware and equipment.
  - Develop guidelines for testing and maintaining installed hardware and equipment systems.

- **Skills:**
  - Project Management
  - People Management
  - Government Relations
  - Technical
PUBLIC EDUCATION - Reports to Project Manager. Coordinates with other project task elements.

- **Responsibilities:**
  - Develop and implement a public education program.
  - Develop a prioritized list of audiences, such as school children, in the CIP community.
  - Create a mascot to effectively deliver the education program to children.
  - Develop and distribute informational flyers and brochures.
  - Establish a speakers bureau for presentations to civic organizations, schools, and other groups.
  - Develop and produce public service announcements.
  - Develop a Shelter-In-Place video

- **Skills:**
  - Project Management
  - People Management
  - Government Relations
  - Public Relations
RESPONSE TRAINING - Reports to Project Manager. Coordinates with other project task elements.

• **Responsibilities:**
  - Determine training needs. Develop training programs. Identify qualified trainers. Schedule/conduct training.
  - Develop and conduct basic training on:
    • Unified Command concepts and structure.
    • roles and responsibilities of various agencies and industrial facilities during an emergency.
    • planning for emergency operations.
    • first responder training.
  - Recommend advanced training for emergency response teams in CIP.

• **Skills:**
  - Project Management
  - People Management
  - Government Relations
  - Training Management
November 29, 1996

MEETING SUMMARY
HAWAII STATE EMERGENCY RESPONSE COMMISSION
MEETING #25

Monday, September 16, 1996 from 9:00 a.m. to 12:00 noon.

Department of Health
919 Ala Moana Boulevard, 5th Floor Conference Room
Honolulu, Hawaii 96814

Attendees
Voting
Dr. Bruce Anderson, Chair, Department of Health, Environmental Health
Gary Gill, Environmental Quality Control Office
Bob Boesch, Board of Agriculture
Russell Charlton, Department of Labor and Industry
Jay Sasan, Hawaii LEPC Representative
Clifford Ikeda, Kauai LEPC Representative
Leland Nakai for Capt. Carter Davis, Oahu LEPC Representative
Dr. John Harrison, University of Hawaii Environmental Center
Thomas Smyth, Department of Business, Economic Development and Tourism
Chris Takeno, Department of Transportation
Sterling Yong, Department of Land and Natural Resources

Non Voting
Capt. Frank Whipple, USCG
Curtis Martin, Department of Health, Hazard Evaluation and Emergency Response Office
Russel Takata, Department of Health Noise and Radiation
Donna Maiava, Department of Health Emergency Medical Systems
Jim Vinton, BHP Hawaii
Susan Colborn, Chevron
Ralph Fronczkowski, State Civil Defense
Richard Sakuma, State Civil Defense
LCDR Ken Hertzler, USCG MSO Honolulu, Planning Department
Rich Teubner, USCG
Ray Petow, USCG
Steve Arman, Department of Health, Hazard Evaluation and Emergency Response Office
Marsha Mealey, Department of Health, Hazard Evaluation and Emergency Response Office
AGENDA  Part I  Formal Meeting

1) Call to Order
The meeting was called to order at 9:12 by Bruce Anderson, DOH, Env. Health Admin.

1.1 Opening Remarks
Opening remarks and a welcome to Capt. Whipple, the new Captain of the Port, were made. A correction to the agenda was noted; the HMTUSA Grant Vote should read HMEP Grant Vote.

1.2 Discussion/Approval of Minutes from Meeting #24
The minutes from HSERC Meeting #24 were accepted with one change, the addition of the list of attendees.

2) HMEP Grant Proposal Vote
Each county's grant proposal(s) were presented. Please see attachment containing the proposal submittals. A vote passed to recommend Proposals 2 and 1 for funding. This combination will provide home pages on the world wide web for the HSERC and LEPCs. The home pages will allow the public ready access to information that these organizations are required to provide and serve as a basis for a video for use in refresher and outreach training on HEPCRA.

3) LEPC Updates and Membership Changes
   3.1 Jay Sasan, Hawaii LEPC Representative
A motion was made, seconded and passed to adopt membership changes as indicated in the Hawaii handout.

   3.2 Clifford Ikeda, Kauai LEPC Representative
There were no membership changes. See Kauai handout.

   3.3 Leland Nakai, Oahu LEPC Representative
Leland presented an overview of the last Honolulu LEPC meeting.
   3.3.1 May EPA compliance audits were discussed. The overall profile of the CIP is still in progress.

   3.3.2 Carter Davis attended the spills meeting.
   He requested that EPA standardize electronic submissions.
   Successful LEPC programs had strong state support.
   EPA CAMEO training will come to Honolulu on October 7-11.
   The conference is an excellent networking opportunity.
   Chief Lopez has elevated HazWOper training requirements to Incident Commander for all Battalion Chiefs.
   Risk Management Plans, due in June 1999, will be submitted electronically.

   3.3.3 A CLEAN update of the CIP Plan was made.

   3.4 and 4) Joe Blackburn, Maui LEPC Representative
Joe Blackburn did not attend the meeting. A motion to place Maui in the EPA exercise queue was made, seconded and approved.

A 10 minute break was held.

5) Nat'l Radiological Emergency Response Plan
Roy Price, State Civil Defense, presented the current and anticipated participation of various agencies with regard to radiological incidents. See the attached 1979 Radiological Incident Response Plan. Roy asked that the HSERC make an assessment of the preparedness which should be maintained by the State Civil Defense for incidents involving radiation without FEMA funding to maintain instruments.

Part II  Informational Meeting

6) 11:00  Clean Update

Dave Hoffman, CLEAN President
6.1 Dave Hoffman, of BHP, stated that the purpose of CLEAN is to protect the CIP area, improve public warning systems and to educate.

6.2 CLEAN has an active membership of dues paying members of the community.

6.3 The first draft of an emergency plan will be submitted by Risk Management Consultants on September 27th, 1996. The consultant, Paul Dixon, is developing a vulnerability analysis by contacting each business and discussing their operations.

6.4 Several standing committees have been established including drills, compliance awareness and finance.

6.5 Their accomplishments have included incorporation as a not for profit organization, raising $100,000 for the plan and presenting at the Hoolauloa.

6.6 Roy Price asked what the process will be for alerting the community. The document developed will make recommendations. Until any improvements can be made, the 911 process will be in use.

7) 11:20 Marine Fire Fighting Plan
Rich Teubner, USCG MSO
Rich called for assistance from the LEPCs in developing a resource list, tasking and site restoration criteria with regard to ports.

8) 11:30 Area Contingency Plan Update
Ken Hertzler, USCG MSO
8.1 US Fish and Wildlife, DOH, Coast Guard, NOAA and the DLNR are the natural resources trustees.
8.2 Goals include:
- Renew handling permits,
- Identify priorities with the LEPCs,
- Determine geographic resources,
- Look at high risk strategies,
- Review responses and revise booming strategies,
- Improve the notification process,
- Develop and renew DOD MOAs,
- Review disposal options for the neighbor islands.

Currently waste comes to Oahu and then to the mainland. Other options are landfiling, burning, in situ disposal and the use of dispersants.

9) 11:40 Chevron Oil Spill Update
Ray Petow, USCG MSO
9.1 The spill occurred at 1:30am. Booms were put out by HECO's Waiau Power Plant and the DOD before daylight and sensitive areas were boomed early in the day.
9.2 Response personnel worked well as a team because of planning throughout the year.
9.3 The Arizona memorial was an object of focus since it had to be closed during the early portion of the response.
9.4 The presence of the RIMPAC vessels necessitated a stepped up decon.
9.5 Minimal oil remains in the mangroves. There is still a sheen coming from Waiau Stream even though recovery of product from the stream is considered 100%.

10) 11:50 Other Business
Legislation to direct HEPCRA filing fees to the LEPCs will be reintroduced this year.
Interest on the ERRF will be used to support oiled wildlife clean ups and the DLNR will be responsible and will provide facilities.

11) 11:55 Schedule next HSERC meeting
A motion to schedule the next HSERC meeting in November was made, seconded and approved.

The meeting was adjourned at 12:13.

Respectfully submitted, Marsha Graf
Proposal 1

TO: Marsha Mealey, Hawaii State Emergency Response Commission
FROM: Jay Sasan, Hawaii LEPC Lead Agency Coordinator
       Clifford Ikeda, Kauai LEPC Chairperson
DATE: September 5, 1996
SUBJECT: HMEP Grant Application Proposal

The Local Emergency Planning Committee (LEPC) for Kauai and Hawaii counties have agreed to pool the limited funds for a joint HMEP grant proposal. It is hoped that this will maximize use of the funds for both counties.

Problem
The education of the total public, which includes the general population, LEPC members, and individuals under the requirements of the right-to-know act needs to be continually reinforced. It would be much more beneficial if an educational tool be developed that would focus on Hawaii.

It is proposed that a working committee from Kauai and Hawaii work with an educational video company to develop an educational video.

1. Detailed Description of The Project
Prepare educational video: Information to include law, state requirements, state and county organization and program, and LEPC.

2. Detailed Budget
$15,000 contract for video production.

3. Description of How Project Will Benefit LEPC
Educational video for government officials and employees, LEPC training, business organizations, and general public.

4. Description of How This Project Meets The Requirements of The Approved Grant
There is a need to educate all sections of the public.

This video would serve to expedite the whole educational process while depicting accurate and timely information. The video would provide For public outreach and education and provide support for the LEPCs.

Thank you for your consideration to this proposal.

End
Proposal 2

HONOLULU LOCAL EMERGENCY PLANNING COMMITTEE
HMEP PLANNING GRANT PROPOSAL

PROJECT DESCRIPTION

The Honolulu LEPC proposes to develop a Home Page along with a Search Engine on the Internet for the Honolulu LEPC. This will allow the public ready access to information about the Honolulu LEPC and its activities, the LEPC Hazmat Plan, and facilities which report EPCRA data. Data will reside in the State Civil Defense server.

BUDGET

Costs involved are as follows:

- Development of Home Page $2500
- Search Engine Software $1000 (est.)
- Total $3500

BENEFIT TO LEPC

Currently, there is no wide spread and ready access to EPCRA data reported by facilities and information about the LEPC and its activities. The vast majority of the public knows little or nothing about the LEPC and chemical information about facilities in their back yards due to the lack of funding for LEPC outreach activities. Public access via the Internet to LEPC information will greatly enhance the public’s awareness of chemicals in their community, and ultimately make the community a safer one to live and work in.

GRANT REQUIREMENTS

This proposal satisfies the State of Hawaii priority of providing for public outreach and education to ensure a successful EPCRA program. It will allow the Honolulu LEPC to more fully implement HEPCRA for the City and County of Honolulu and satisfy public disclosure policy as outlined in the LEPC Hazmat Plan, ensuring that timelines and established milestones are accomplished.
Proposal

HONOLULU LOCAL EMERGENCY PLANNING COMMITTEE
HMEP PLANNING GRANT PROPOSAL

PROJECT DESCRIPTION

The Honolulu LEPC proposes the acquisition of an automation system including computer hardware and software to enhance planning efforts and EPCRA data management capabilities. The system includes a Pentium processor, laser printer, and software package.

This automation system will exponentially enhance the maintenance of the LEPC Hazmat Plan and greatly facilitate handling of EPCRA data reported by over 475 facilities on Oahu. Risk analyses and vulnerability assessments can be conducted in great detail by interfacing with the City GIS, and detailed profiles of facilities can be prepared.

BUDGET

Projected costs:

Price Schedule 1383

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TOTAL $4197.92

Price Schedule 1423

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TOTAL $1627.60

Price Schedule 1504

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Separate

MICROSOFT OFFICE PROFESSIONAL, CD ROM VER $ 600.00

GRAND TOTAL $6740.52

BENEFIT TO LEPC

The Honolulu LEPC currently utilizes a computer shared with the Oahu Civil Defense Agency. The machine is an old, updated 286 with a 13" monitor, utilizing slow network software. The computer is incapable of interfacing with the City's GIS and cannot fully run CAMEO Windows. Since the computer is used by the Oahu Civil Defense Agency for an automated call system, the LEPC must time share computer usage.

A dedicated Pentium system described in this proposal will vastly enhance the maintenance of the Honolulu LEPC Hazmat Plan. The ability to interface with the City GIS will allow for detailed risk analyses and vulnerability assessments to be conducted. CAMEO Windows will be able to be fully utilized for data management and preparation of detailed facility profiles.

The LEPC will greatly enhance its capabilities to plan and conduct business with this automation system.

GRANT REQUIREMENTS

This proposal satisfies several of the State of Hawaii priorities for a successful EPCRA program. EHS facilities can be fully characterized, hazard analyses can be prepared and the LEPC Hazmat Plan can be fully updated. Enhanced management of facility databases will ensure the public up to date information, and detailed plume modelling will enhance exercise planning.
Proposal 4

REQUEST FOR A HAZARDOUS MATERIALS EXERCISE FOR MAUI COUNTY LEPC BY: JOSEPH G. BLACKBURN, MAUI LEPC CHAIRPERSON

(1) Detailed Description of the Project:

Developing, Coordinating, Conducting and Evaluation of a Full Scale Hazardous Materials Exercise. Work to include the following:

1. Meet State and Federal Requirement in order to obtain exercise credit from FEMA and EPA
2. Coordinate and conduct exercise design meetings.
3. Proposed exercise scenario plans based on input from exercise design committee.
4. Conduct, Facilitate, Coordinate and Evaluate Scenario as designed in exercise scenario.
5. Conduct a post exercise critique.
6. Submit a draft written report.
7. Submit a final written report.

(2) Detailed Budget

ESTIMATED COSTS:
Hourly Fee: 50.00 per hour X 160 hours = $8,000.00

(3) Description of How the Project Will Benefit the LEPC:

A Full Scale Hazardous Materials Exercise will benefit the County of Maui, by testing the latest version of Annex P, in the County of Maui Emergency Operations Procedures. Participant agencies will also benefit from the exercise by learning from the exercise. The public will be provided a more efficient and effective response capability by agencies involved in hazardous materials response.

Respectfully Submitted:

Joseph G. Blackburn
Ph. (808)242-1478
Fax (808)242-0978
e-mail joeb@maui.net
DRAFT MEETING SUMMARY  
HAWAII STATE EMERGENCY RESPONSE COMMISSION  
MEETING #26

Thursday, December 5, 1996 from 9:00 a.m. to 12:00 noon.

Department of Health  
919 Ala Moana Boulevard, 5th Floor Conference Room  
Honolulu, Hawaii 96814

Attendees  
Voting  
Dr. Bruce Anderson, Chair, Department of Health, Environmental Health  
Joe Blackburn, Maui LEPC Representative  
Bob Boesch, Board of Agriculture  
Russell Charlton, Department of Labor and Industry  
Sterling Yong, Department of Land and Natural Resources  
Capt. Carter Davis, Oahu LEPC Representative  
Gary Gill, Environmental Quality Control Office  
Dr. John Harrison, University of Hawaii Environmental Center  
Clifford Ikeda, Kauai LEPC Representative  
Prema Menon, University of Hawaii, School of Public Health  
Thomas Smyth, Department of Business, Economic Development and Tourism

Non Voting  
Jim Vinton, BHP Hawaii  
Roydon Kobayashi, USCG MSO Honolulu  
Marsha Mealey, Department of Health, Hazard Evaluation and Emergency Response Office  
Mike Ardito, US EPA  
Cyrus Lung for Mike Fuke, Board of Water Supply  
Dave Hoffman, CLEAN  
Bruce Schlieman, HECO  
Leland Nakai, Oahu Civil Defense, Honolulu LEPC Administrative Contact  
Byron Manipon, Unitek

1) The meeting was called to order at 9:12 by Bruce Anderson, DOH, Env. Health Admin.  
   1.1 Opening Remarks and Discussion  
   1.2 Approval of Minutes from Mtg #25. The minutes were approved with one change. A description of 
   the changes to Proposals 1 and 2 was added.

2) LEPC Updates and Membership Changes  
   2.1.1) Clifford Ikeda, the Kauai LEPC Representative, reported that Kauai had been quiet with 
          respect to HazMat.
2.1.2) Clifford attended the CAMEO for Windows class. He is uncertain whether to stay with Mac or begin using Windows. The State will be using Windows. Clifford Ikeda and Carter Davis may be interested in using their old Macintoshs.

2.2) Carter Davis, the Oahu LEPC Representative, indicated that the next meeting of their LEPC would take place on Dec. 17 at Grosner Center. Items on the agenda follow.

2.2.1) CAMEO Windows Training
2.2.2) Chief Lopez has set training requirements for the HFD at a high level. The entire upper level will be trained to ICS HazMat Incident Command level.
2.2.3) Pearl Harbor requirements.
2.2.4) Environmental Crimes Workshop
   2.2.4.1) Federal State and Local were all represented.
   2.2.4.2) An increase in environmental crimes and a cavalier attitude about environmental crime has been noted.
   2.2.4.3) The Federal attorney will establish a task force.
   2.2.4.4) EPA criminal investigators were in town the week of the HSERC meeting and networked with Carter and Mark.
   2.2.4.5) EPA plans more investigative work rather than mitigative activities.
   2.2.4.6) Training will be provided to environmental professionals.
   2.2.4.7) Proactive education for public and industry will present alternatives to hazardous materials that are easy to use.
   2.2.4.8) Next workshop, have a draft recommendation for HSERC signature. This is a prime time since the new county prosecutor said that no environmental crime will go unprosecuted.
2.2.5) December 17th is the next county level meeting on the August HazMat exercise.
2.2.6) The Honolulu HazMat plan is published.
2.2.7) The CIP Coordinator will be introduced to the LEPC.

2.3) Sean O'keefe presented information for Joe Blackburn, the Maui LEPC Representative. There have been no Maui LEPC meetings since the last HSERC meeting.

3) Joe would like to have the plan approved by State Civil Defense then do facility profiles but Civil Defense wants the profiles done first and included as part of the plan. They intend to make some changes and use as a working plan to do the profiles. The LEPC will meet once preliminary or working changes are made.

Additional issue) Around Thanksgiving the Foodland Methane detectors went off as there was high BOD in the Maui Land and Pineapple injection well. HC&S will use as irrigation water pending Wastewater Branches approval of the permit.

1) Dames and Moore set up monitoring following an explosion. The HEER office wants an emergency plan to accompany the monitoring.
2) There is an enforcement action against Maui Land and Pineapple regarding their injection well.

4) Mike Ardito, of EPA Region IX handed out materials explaining:
   4.1) CAMEO-Terms & Conditions for Free Copies and
   4.2) Integrated One Plan Guidance for writing comprehensive emergency plans meeting
   Coast Guard, OSHA Process Safety, EPA RCRA Contingency and EPA CAA 112r requirements.
   4.3) Sandy Carol of EPA emphasizes flexibility in Risk Management Plans under CAA 112r.
      4.3.1) State or County may implement.
      4.3.2) EPA would like to work cooperatively with SERCs and LEPCs.
      4.3.3) Information will come out in the next 6 months. The final rule was published June 20, 1996 and describes new rules for handling hazardous materials.
   The Risk Management Plan includes requirements for:
   Hazard Assessments
Accident Prevention and Emergency Response Programs.

4.3.4) The implementing agency will be responsible for verifying submital, information and timetables, compliance reviews and enforcement actions.

4.3.5) There will be no new funds in the state for implementation.

4.3.6) Permit fees can be used.

4.4) The EPA OSC PREP Exercise '97 satisfies the requirements under EPA and the HazMat exercise for H3. The exercise will be videotaped by the Federal OSCs.

A break was held.

6) The Command Structure for OHSERP was presented by Curtis Martin of the HEER Office. Now that the structure is in place, specific positions and names will be added and those people will be activated upon need.

7) Activities during Operation Kokua were outlined by Steve Armann, HEER Office. With a cooperative effort by the National Guard, the Solid and Hazardous Waste Branch and the HEER Office, all items collected were labelled, given id numbers and identified with the property it came from. All items were properly disposed of. PENCO was the contractor for the hazardous waste consolidation. FEMA denied activation of the ESF 10.

Item 5 was moved in the schedule) Clandestine Labs was presented by Mike Cripps, HEER Office OSC.

5.1) The general feeling is that the clandestine lab activity we see here is just the ripple before the tip of the iceberg.

5.2) HPD, DEA, HazMat and the DOH are all involved in responding, cleaning up and making it safe to reenter.

5.3) Children are involved as they live in the apartments where the labs are set up.

5.4) Precursors are not regulated.

5.5) Crystal Meth is easy to make here. Recrystallizing is what we see now but synthesis labs will be brought in later if it follows trends in the mainland.

5.6) The presence of gangs, which have shown up in the last 6 years, will make the incidence increase.

8) Other Business

8.1) An administrative bill may be used to introduce the special fund for HEPCRA filing fees issue.

8.2) The pipeline safety program may be formed as a voluntary group but the state is not pursuing it.

9) The next HSERC meeting will be scheduled for February.

The meeting was adjourned at 12:05.
Hawaii Emergency Planning and Community Right to Know - Proposed Web Site for the HSERC and County LEPCs, Preliminary Scope of work.
September 23, 1996

Project Purpose / Concept:

The State of Hawaii and the Counties of Honolulu, Kauai, Maui and Hawaii propose to develop Internet World Wide Web sites for the purpose of provide and disseminate information to it's citizens as pertaining to the Hawaii Emergency Planning and Community Right to Know Act (HEPCRA) Title 10 § HRS, Chapter 128E. These web sites will provide a vehicle for the Hawaii State Emergency Response Commission (HSERC), Honolulu, Kauai, Maui and Hawaii Local Emergency Planning Committees (LEPC) to provide meeting minutes, list members, publish local and state plans, regulations, emergency response procedures and information on chemical storage, location, type, and toxic effect of exposure. Additional links will be provided to other EPCRA, EPA, FEMA, DOT, OSHA related sites. An additional scope of work to create an electronic submission form for HEPCRA data may be added to the web site.

The web site is to present this information in a clear, efficient and straight forward manner with text, graphics, video, and sound where appropriate. The client/user will be afforded an opportunity to contact the various LEPCs and the HSERC directly from the web pages via e-mail and to search the on-line database currently maintained by the State Health Department's HEPCRA data manager.

In addition to the design of the 4 new web sites for each LEPC, the HSERC wishes to revamp it's current page, reconfiguring it to be consistent with the new LEPC web pages.

The State of Hawaii will provide the web site server for which this project will be mounted on.

Project Specifics / Requirements:

Pages:
The number of initial proposed web pages is eight (8); re-design the existing HSERC page, a page for each LEPC (Honolulu, Kauai, Maui, Hawaii), a page for searching and linking to the HEPCRA database that will be provided and mounted on the same server, a "Links to other sites" page integrated into each of the previously described pages and an additional page for the purpose of electronic submission of HEPCRA data from reporting facilities.

The Web pages are to be custom designed to meet the needs of HEPCRA program and are to reflect the purpose and concept of information delivery. The design of the pages must take into consideration the client / users location, ability and method of accessing the web site (e.g. Home based PC with modems, etc.). All pages are to have internal links, links to each of the other LEPC and HSERC pages, and links to remote web pages (e.g. EPA, FEMA, DOT ATSDR etc.) Pages should also have direct e-mail links to a contact person at the HSERC and various LEPCs for user interaction and a visible counter on each page to display the number of "hits" each has received.

Appropriate and recognized security procedures and formats shall be incorporated into each web page so as to minimize the potential of "hackers" altering and damaging web sites.

Included on the pages will be a crediting reference to the Web designer, and an e-mail link.

Content:

The "appropriateness" of all content for inclusion into the Web pages is to be decided by the HSERC and LEPCs in consultation with the Web designer, with the final determination of "appropriateness" to be made by the HSERC and LEPCs. All content must either be copyright free, or have the permission of the copyright holder to use in this project.

Text:

All informational and descriptive text content with in the web pages will be provided by HSERC and LEPCs in a digital format checked and edited to its final form. The Web designer will be responsible for integrating this provided text into the web pages but will not be responsible for proof reading or editing it. If required text is unavailable in a digital format the Web designer may be required to convert it, in this case depending on the amount of text and if it must be edited, the State would consider
paying for this service on an hourly basis.

Graphics:

Appropriate graphics for the purpose of this web site and suited to the technological needs of those accessing the site, are to be custom designed by the Web site designer for this project where needed. The HSERC and LEPCs will provide its own graphics for inclusion where and when it feels they are necessary, these graphics may or may not be in a digital form. When graphics are unavailable in a digital form it is the Web site designers responsibility to convert them into the proper format when and if possible.

Video:

A limited number of small segments of video are to be integrated into the web pages where deemed appropriate to accomplish the stated purpose of the Web site. The video is to be provided by HSERC and LEPCs in a VHS format (S-VHS if possible) and segments selected by HSERC and LEPCs and the Web designer are to be digitized and formatted for the pages by the Web designer.

Sound:

Where deemed appropriate to accomplish the stated purpose of the Web site, sound / narration /music files may be integrated. These sound files are to be selected and provided by the HSERC and LEPCs in a cassette tape format or it may be necessary for the Web designer to record them. Depending on the amount of sound / narration / music files to be prepared and if it must be edited, the State would consider paying for this service on an hourly basis to the Web designer.

Miscellaneous:

Where deemed appropriate to accomplish the stated purpose of the Web site, additional content such as Java animation's, and image maps, etc. may be required. These specialized applications will be limited in scope pending final decision on design and integration.

Link to HEPCRA Database:
A page is to be designed and produced as a "Front end" for an existing HEPCRA database. This page will serve as an interface between the user and the HEPCRA database to be used to access user defined information, through the requesting "form", in the existing database.

It is the Web designers responsibility to design the page and the requesting "form" on it and to specify the CGI or other software to the server system administrator necessary to return the requested information to the user. It will be HSERCs responsibility to establish which "fields" should be included in the requesting "form".

Costs and procurement of CGI's or software necessary to serve the data from the server to the web page will be the responsibility of the State upon consultation with the Web designer. The Web designer is responsible for research, obtaining information on the needed software and for coordinating installation with the server system administrator.

No custom programming is anticipated as all the necessary software should be available "off the shelf" if in fact there is the need for programming, the State and the Web designer will discuss the need for it and its complexity. If the State deems extra programming is needed the additional costs will be born by them.

Ownership and uses of Pages and Content;

A complete copy of the entire finished Web site will be retained by the Web Designer for inclusion in a portfolio of work. A design crediting reference to the Web designer, and an e-mail link will be incorporated in the pages.

The pages (HTML code) will be the property of the State to use and alter as they please, the Web designer will be allowed to keep a copy of the completed Web site for inclusion in a portfolio of work. Original graphics, sound, etc. will become the property of the State and copy will be retained by the Web designer for inclusion in a portfolio of work. The digitized video from the various sources used in the Web site will be the property of the HSERC or copyright holder and copy will be retained by the Web designer for inclusion in a portfolio of work.
HBRC Meeting #24

Start Time 9:13

1. minute - note proposal 1 and 2
   make note of changes to proposals
   and scope of work to HBRC

   minutes accepted with change

2. make change to
   2.1 Clifford Kauai quiet
      2.1.1 attended CAMEO Windows class
      stay w/ Mac or go with windows
      SA will state will be on Windows
      CT and CD may be interested in the old Mac

2.2 Carter - next pot luck Dec 17 9-11 Groverne Center
   2.2.1 CAMEO Windows training

2.2.2 set HBRC training requirements
      high level
      chief officer
      ICS Haymat Inc. Comm Entire upper level
      mandatory

2.3 Pearl Harbor Requirements
      of OCCC is in training

2.4 End Crimes Workshops
      this week

2.5 Fed State and local

2.6 noted increase in End Crimes
      civilain attitude

2.7 March 12 (Fed) will look into 5th task force
EPA criminal investigators are here this week. Worked with Carter and Mark on investigative work - safer than mitigation training will be provided to env. profs. for public & industry.

I've read about mitigation, which are easy to use.

Next workshop:
- all dumping
- what type?
- all landfills
- from?

BA: are crimes person of state?

KT: yes there is a person. With some training.

BA: Should the US EOC indicate it support to the State AG's Office?

60 Prime time new county prosecutor. Margery said no new crime will be unprosecuted.

BA: Have workshop draft scenario for HSEKC S&G support with HSEC.

225 Angus Haynes exercise. Dec 12 - next meeting at county level.

22.6 Plan is published - sent to Mike.

22.7 CIP cool will be introduced.

23.10 reinstate and 3

23.2 Joe wants plan approved by CD then do the profiles, but CD wants fade profiles done first. Will do make changes and use as working plan.
23. Will meet once preliminary working changes are made.

Thanksgiving foodland parking test methane detectors went off form high BOD in inj well from Max land & Pineapple. I will use Indian explosion years ago in their lab to break it. DOE has more work to set up monitoring.

UWEB has permit to approve asked for an emergency plan for enforcement against MLP regarding inj well permit.

4/4 Mike handed out free copy/email Addresses.

4.1 One plan:

CC
OSHA P&5
EPA RCRA Cont.
EPA CAA 112.

SRC?

Handed out guidance.

4.3 Sandy Carol flexibility State/County implement UT/technical assistance EPA would like to work cooperatively with HC/LETC.

Region 9 all states are OSARA plan states.
info will come out in next issue
modelled on Calif RMP which averted adverse North Ridge earthquake
because
June 20 1995: final rule
new rules for handling hazardous materials
RMP included hazard assessment worse case history
"accre prevention"

3 emergency response program
stationary sources with > 79
106 + 0.3
acute from

66,022 sources covered nationwide
1 no off-site waste in Hartigen public interest case
2 RMP not 1 or 2
3 CERCLA contamination codes

June 21 1995 or 3 years after getting

implementing agency
responsible for verifying and submittal and timetables
6: 2 compliance reviews
3 enforcement actions

suggest that write
JIT present to legislature
BA no new funds
MA 5 permit fees can be sued

4.4 Prep satisfies EPA and
14 or maybe for H3

Jan 27 next meeting EPA & State DOT have presented
their requirements other agencies will present their requirements
will be video taped by OSC group

handed out
Nevada puts funding...

Break

5) Comm Structure
   Specific positions and names
   add structure to plan

6) Operation Kakua
   Steve presented slides, collection
   items collected outlined in handout
   all items labelled - given number and id'd with property
   from where it was taken from
   Hall guard, SHWB, HEER

   Target area:

   FEMA denied activation of
   EPA ESF 10.

5) Mike Cripps
   ripple before tripod of iceberg
   [HPD]
   [DEA]
   Haymat - board fire or chemical smell
   [DOT]

   cleanup; safe to reenter
   children are involved
precursors are not regulated

8. How can we regulate these chemicals?

MC: Nitrates can be regulated by the state.
CD: Presence of nitrates will make the incidence increase which have shown up in the last report.

8) New business?
8.1 Special fund for filing fees
   admin bill maybe possible?
8.2 Pipeline safety program - voluntary group may be formed
   not sure pursuing a state program

9) Feb meeting tree
   KC Shoot for M-W

12:05