

**Sign-In Sheet for HSERC Members
Or their Voting Representatives**

February 27, 1998

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

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

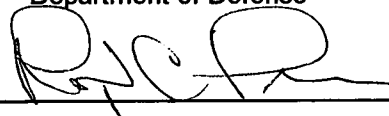




Prema Menon
Faculty
University of Hawaii, School of Public Health
School of Public Health, University of Hawaii

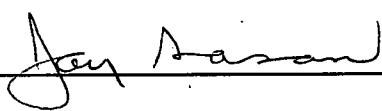
Mr. Roy C. Price, Sr.
Vice Director
Civil Defense Division
Department of Defense



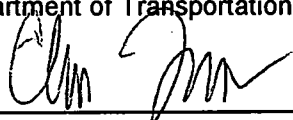


Mr. Jay Sasan
Hawaii Representative
Industrial Safety Division
Hawaii Representative

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

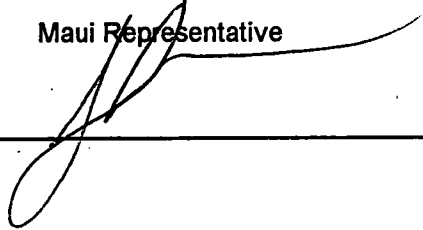


**Sign-In Sheet for HSERC Members
Or their Voting Representatives**

February 27, 1998

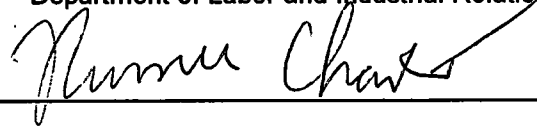
Dr. Bruce Anderson
Deputy Director, Environmental Health
Department of Health
Department of Health

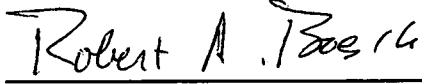
Joseph Blackburn
Maui Representative/LEPC Chair
Maui Fire Department
Maui Representative



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

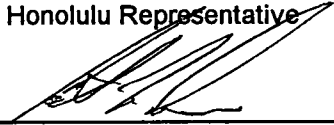
Mr. Russel Charlton
Manager
Occupational Health Branch
Department of Labor and Industrial Relations





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 the February 27, 1998 HSERC Meeting

Name	Organization	Phone	Fax	E-mail
Walter Chung	State Civil Defense	733-4300	733-8247	
Brian D. Molina	State Civil Defense	733-4300	733-8247	b.molina@SCD.hawaii.gov
Jay Sasan	Hawaiian County	961-8215	961-8248	
Billie	SCD	733-4300	733-4287	Billie@SCD.Hawaii.gov
Jim Vinton	BHP HAWAII	547-3414		
Cynthia Pang	COMNAVBASE Pearl Harbor	471-9786	474-2328	
Alan Sugihara	NAVSTA PEARL HARBOR	471-9274	471-2278	
LELAND NAKAN	OSDA	525397	525372	ee0052@osd.hawaii.hi.us
Dolores Cook	American Red Cross	7398111	7359738 7358	
Frank Whipple	US COAST GUARD	5228251	5228271	
JOSEPH BLACKBURN	MFD/MAKERL	743-7911	742- ⁴⁴⁷⁹	joebl@maui.net
Charles Wassman	HFD	831-7778	831-7780	
Premna Menon	UNIV. OF HI	956-5744	956-4585	
John Harrison	Uif Envir. Ctr	956-7361	956-3880	jh@lawii.edu
Helen May Wessel	Complan Consultant	674-3303	674-3365	HWessel@aloha.net
Gary Gill	OERC	6-4185	6-4186	oerc@pixi.com
FRANCK PRETEL	USCG MSD HONO	522-8264x144	522-8274	F.Pritel@MSDHONO Contact: USCG.MIC

DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
Automotive Management Division
Parking Control Branch

Date: February 17, 1998

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

FROM: Health/Env. Health Admin./HEER Office Fax: 586-4444
Department/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: February 27, 1998 Time: 1:00 p.m. to 4:00 p.m.

Place of Function: AAFES Building, 919 Ala Moana Blvd., 5th Floor
(address)

Participants arriving from: * Downtown Honolulu

Contact Person: Sharon Leonida Phone: 586-4249 Fax: 586-7537

Account No. to charge: G 011 H 371 HTH 849

SUBMITTED BY: Bryce Hataoka, Acting Manager, FHA/HEER Office

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 RECD: _____ APPROVED BY: _____ LOT AUTHORIZED: _____

No. of Validated Tickets: _____

Date sent: Wed, 11 Feb 1998 14:34:13 -1000
From: "Joseph G. Blackburn II" <joeb@maui.net>
Send reply to: joeb@maui.net
Organization: Pacific Rim Fire Equipment Supply
To: Marsha Graf HEPCRA Coordinator <mgraf@eha.health.state
Subject: HSERC Meeting

Marsha, I intend to be at the meeting on Friday, 2/27/98, please send airline tickets when possible. Aloha, Joe Blackburn

Date sent: **Tue, 24 Feb 1998 16:01:44**
To: **mgraf@eha.health.state.hi.us**
From: **wchung@scd.hawaii.gov (Warren Chung)**
Subject: **HSERC Meeting**
Copies to: **bmolina**

Hi Marsha,

Tried calling several times but missed thanking you personally for getting our HMEP AND SARA Title III documents signed. Getting the documents through the system took a lot of perseverance on your part and we really appreciate this.

Looks like I will be going to the HSERC meeting after all with our new Branch Chief Brian Molina. If you would fax me a copy of the agenda we would appreciate it. ✓

THANKS



The Health State

HAWAII STATE DEPARTMENT OF HEALTH

P. O. BOX 3378
HONOLULU, HAWAII 96801

**STATE OF HAWAII
DEPARTMENT OF HEALTH**

**HAZARD EVALUATION
AND
EMERGENCY RESPONSE OFFICE**

DATE: 02/25/98 NO. OF PAGES: 2

TO: Bruce Anderson

COMPANY: DOH

TELEPHONE: 586-4424 FAX: 6-4444

FROM: Marsha Graf

TELEPHONE: (808) 586-4249 FAX: (808) 586-7537

COMMENTS:

Clear resolution - copy to read
before the meeting



Hawaii State Emergency Response Commission
919 Ala Moana Boulevard, Room 206, Honolulu, Hawaii 96814
(808)586-4249 fax (808)586-7537 e-mail heer@eha.health.state.hi.us



CLEAN Commendation Resolution

WHEREAS the Campbell Local Emergency Action Network (CLEAN) has, in the short time since its inception, published, exercised and widely distributed copies of an Emergency management Plan for the Campbell Industrial Park, Kapolei, Hawaii to area businesses and other interested parties; and

WHEREAS Clean has established valuable public participation through subcommittee activities, public meetings and outreach projects; and

WHEREAS early warning and education system needs, identified in the Emergency Response Plan writing, will be addressed by the Project Team: Therefore be it

RESOLVED, That the Hawaii State Emergency Response Commission commends CLEAN for their remarkable initiative and highly organized and focused efforts to improve the safety and health of their community.

Signed this day, February 27, 1998, by _____ on behalf of the HSERC.

Bruce S. Anderson, Ph.D.
Chair



The Health State

HAWAII STATE DEPARTMENT OF HEALTH

P. O. BOX 3378

HONOLULU, HAWAII 96801

**STATE OF HAWAII
DEPARTMENT OF HEALTH**

**HAZARD EVALUATION
AND
EMERGENCY RESPONSE OFFICE**

DATE: 02/25/98 NO. OF PAGES: 2

TO: Colin Lockwood

COMPANY: ARC

TELEPHONE: _____ FAX: 735-9738

FROM: Marsha Gray

TELEPHONE: (808) 586-4249 FAX: (808) 586-7537

COMMENTS:

Here's a simple format with the
correct wording. Your rep can
bring the signed letter to the
meeting.

February 27, 1998

Hawaii State Emergency Response Commission (HSERC)
919 Ala Moana Boulevard, Room 206
Honolulu, Hawaii 96814-4912

HSERC Members:

Under authority of the Hawaii Revised Statutes, Chapter 128E-2(c), I hereby designate:

Name	_____
Title	_____
Organization	<u>American Red Cross</u>
Address	<u>4155 Diamond Head Road, Honolulu, Hawaii 96816</u>
Phone	<u>739-8114</u>
Fax	<u>735-8626</u>

as my representative to the HSERC for the American Red Cross.

Sincerely,

Member's Signature and Date

Glen Lockwood
Member's Printed Name



The Health State

HAWAII STATE DEPARTMENT OF HEALTH

P. O. BOX 3378
HONOLULU, HAWAII 96801

**STATE OF HAWAII
DEPARTMENT OF HEALTH**

**HAZARD EVALUATION
AND
EMERGENCY RESPONSE OFFICE**

DATE: 02/25/98 NO. OF PAGES: 5

TO: Bruce Anderson

COMPANY: Deputy Directors Office

TELEPHONE: 5864424 FAX: 6-4444

FROM: Marsha Graf

TELEPHONE: (808) 586-4249 FAX: (808) 586-7537

COMMENTS:

Brief for Fridays meeting

File: 29DMIN
Type: FAX
Phone #: 8085864186
User ID: 808 586 4186
Name: Gary Gill
Time: 3:38 PM
Date: 2/25/98
Pages: 5
Duration: 3:41
Speed: 14400
Status: Sent

File: 29DMIN
Type: FAX
Phone #: 18089618248
User ID: 8089618248
Name: Jay Sasan
Time: 3:34 PM
Date: 2/25/98
Pages: 5
Duration: 4:44
Speed: 9600
Status: Sent

File: 29DMIN
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User ID:
Name: Roy C. Price, Sr.
Time: 3:29 PM
Date: 2/25/98
Pages: 5
Duration: 4:45
Speed: 9600
Status: Sent

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Pages: 5
Duration: 4:45
Speed: 9600
Status: Sent

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Name: Prema Menon
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Date: 2/25/98
Pages: 5
Duration: 4:44

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Name: Chris Takeno
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Date: 2/25/98
Pages: 5
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Speed: 14400
Status: Sent

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Type: FAX
Phone #: 8089739418
User ID: 808 973 9418
Name: Bob Boesch
Time: 3:04 PM
Date: 2/25/98
Pages: 5
Duration: 4:45
Speed: 9600
Status: Sent

File: 29DMIN
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Name: Dr. John Harrison
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Pages: 5
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Type: FAX
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Name: Glen Lockwood
Time: 2:53 PM

Date: 2/25/98
Pages: 5
Duration: 4:45
Speed: 9600
Status: Sent

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Type: FAX
Phone #: 8085869104
User ID: 8085869104
Name: Russel Charlton
Time: 2:48 PM
Date: 2/25/98
Pages: 5
Duration: 3:00
Speed: 14400
Status: Sent

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Phone #: 8087356829
User ID: 8087356829
Name: Capt. Carter Davis
Time: 2:44 PM
Date: 2/25/98
Pages: 5
Duration: 4:45
Speed: 9600
Status: Sent

File: 29DMIN
Type: FAX
Phone #: 18082416335
User ID: 808 241 6335
Name: Clifford Ikeda
Time: 2:39 PM
Date: 2/25/98
Pages: 5
Duration: 4:45
Speed: 9600
Status: Sent

File: 29DMIN
Type: FAX
Phone #: 18082424479
User ID: 8082424479
Name: Captain Joe Blackburn
Time: 2:34 PM
Date: 2/25/98
Pages: 5
Duration: 3:41
Speed: 14400
Status: Sent

File: 29DMIN
Type: FAX
Phone #: 8085864444

User ID: 8085864444
Name: Dr. Bruce Anderson
Time: 2:29 PM
Date: 2/25/98
Pages: 5
Duration: 4:45
Speed: 9600
Status: Sent



The Health State
HAWAII STATE DEPARTMENT OF HEALTH

P. O. BOX 3378
HONOLULU, HAWAII 96801

**STATE OF HAWAII
DEPARTMENT OF HEALTH**

**HAZARD EVALUATION
AND
EMERGENCY RESPONSE OFFICE**

DATE: 02/25/98 NO. OF PAGES: 2

TO: Warren Chung

COMPANY: SCD

TELEPHONE: 733-4300 FAX: 737-8197

FROM: Marsha Graf

TELEPHONE: (808) 586-4249 FAX: (808) 586-7537

COMMENTS:

HSEK Agenda

BENJAMIN J. CAYETANO
GOVERNOR OF HAWAII



LAWRENCE MIKE
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. BOX 3378
HONOLULU, HAWAII 96801

IN REPLY, PLEASE REFER TO:
HEER OFFICE

HAWAII STATE EMERGENCY RESPONSE COMMISSION
MEETING #30

Friday, February 27, 1998 from 1:00 p.m. to 4:00 p.m.

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

AGENDA

- | | | |
|----------|---|---|
| 1) 1:00 | Call to Order
Opening Remarks and Discussion
Approval of Minutes from Mtg #29
Approval of Clean Resolution | Bruce Anderson, Deputy Director for
Environmental Health |
| 2) 1:15 | Clandestine Lab and Infectious Waste Handling | Bill Perry, SOSO HEER Office |
| 3) 1:25 | January Training Needs Meeting | Marsha Graf, HEER Office |
| 4) 1:35 | EPA Food Sector Initiative Follow Up | |
| 5) 1:45 | Filing Fee Distribution to LEPCs | |
| 6) 1:55 | VOG | |
| 7) 2:00 | Explosives | Jennifer Shishido, CIH, DLIR Administrator |
| 2:40 | Break | |
| 8) 2:50 | LEPC Updates and Membership Changes | Jay Sasan, Hawaii LEPC Representative
Clifford Ikeda, Kauai LEPC Representative
Joe Blackburn, Maui LEPC Representative
Carter Davis, Oahu LEPC Representative |
| 9) 3:05 | Food Irradiation | Carter Davis, HFD |
| 10) 3:50 | Other Business | |
| 11) 3:55 | Schedule next HSERC meeting | |



The Health State

HAWAII STATE DEPARTMENT OF HEALTH

P. O. BOX 3378
HONOLULU, HAWAII 96801

**STATE OF HAWAII
DEPARTMENT OF HEALTH**

**HAZARD EVALUATION
AND
EMERGENCY RESPONSE OFFICE**

DATE: 02/23/98 NO. OF PAGES: 2

TO: Bruce Anderson

COMPANY: DOH Directors office

TELEPHONE: 586-4424 FAX: 6-4444

FROM: Marsha Graf

TELEPHONE: (808) 586-4249 FAX: (808) 586-7537

COMMENTS:

Agenda for Fri -

Parking Passes Sent

File: RECV001
Type: FAX
Phone #: 8087358626
User ID:
Name: Glen Lockwood
Time: 5:29 PM
Date: 2/19/98
Pages: 2
Duration: 1:07
Speed: 9600
Status: Sent

File: RECV001
Type: FAX
Phone #: 8089564585
User ID: 808 956 4585
Name: Prema Menon
Time: 5:00 PM
Date: 2/19/98
Pages: 2
Duration: 1:18
Speed: 9600
Status: Sent

File: RECV001
Type: FAX
Phone #: 8085873833
User ID: 5873833
Name: Thomas J. Smyth
Time: 4:58 PM
Date: 2/19/98
Pages: 2
Duration: 1:18
Speed: 9600
Status: Sent

File: RECV001
Type: FAX
Phone #: 8085870390
User ID: 8085870390
Name: Gilbert Coloma-Agaran
Time: 4:56 PM
Date: 2/19/98
Pages: 2
Duration: 0:53
Speed: 14400
Status: Sent

File: RECV001
Type: FAX
Phone #: 8085872168
User ID: 587 2167
Name: Chris Takeno
Time: 4:55 PM
Date: 2/19/98
Pages: 2
Duration: 0:47
Speed: 14400
Status: Sent

File: RECV001
Type: FAX
Phone #: 8089739418
User ID: 808 973 9418
Name: Bob Boesch
Time: 3:30 PM
Date: 2/19/98
Pages: 2
Duration: 1:19
Speed: 9600
Status: Sent

File: RECV001
Type: FAX
Phone #: 8089563980
User ID: 8089563980
Name: Dr. John Harrison
Time: 3:28 PM
Date: 2/19/98
Pages: 2
Duration: 1:19
Speed: 9600
Status: Sent

File: RECV001
Type: FAX
Phone #: 8085869104
User ID: 8085869104
Name: Russel Charlton
Time: 3:26 PM
Date: 2/19/98
Pages: 2
Duration: 0:47
Speed: 14400
Status: Sent

File: RECV001
Type: FAX
Phone #: 8085864186
User ID: 808 586 4186
Name: Gary Gill
Time: 3:24 PM
Date: 2/19/98
Pages: 2
Duration: 1:07
Speed: 14400
Status: Sent

File: RECV001
Type: FAX
Phone #: 8087356829
User ID: 8087356829
Name: Capt. Carter Davis
Time: 3:23 PM
Date: 2/19/98
Pages: 2
Duration: 1:18

Speed: 9600
Status: Sent

File: RECV001
Type: FAX
Phone #: 18082416335
User ID: 808 241 6335
Name: Clifford Ikeda
Time: 3:21 PM
Date: 2/19/98
Pages: 2
Duration: 1:06
Speed: 9600
Status: Sent

File: RECV001
Type: FAX
Phone #: 18089618248
User ID: 8089618248
Name: Jay Sasan
Time: 3:19 PM
Date: 2/19/98
Pages: 2
Duration: 1:18
Speed: 9600
Status: Sent

File: RECV001
Type: FAX
Phone #: 18082424479
User ID: 18008358417
Name: Captain Joe Blackburn
Time: 3:18 PM
Date: 2/19/98
Pages: 2
Duration: 1:21
Speed: 9600
Status: Sent

File: RECV001
Type: FAX
Phone #: 8085864444
User ID: 8085864444
Name: Dr. Bruce Anderson
Time: 3:16 PM
Date: 2/19/98
Pages: 2
Duration: 1:18
Speed: 9600
Status: Sent

File: RECV001
Type: FAX
Phone #: 8087334287
User ID:
Name: Roy C. Price, Sr.
Time: 3:14 PM

Date: 2/19/98
Pages: 2
Duration: 1:20
Speed: 9600
Status: Sent

File: 30AGENDA
Type: FAX
Phone #: 8084742328
User ID: 8084742328
Name: Cynthia Pang
Time: 11:16 AM
Date: 2/18/98
Pages: 2
Duration: 1:38
Speed: 9600
Status: Sent

File: 30AGENDA
Type: FAX
Phone #: 14157441796
User ID: 1 415 744 1796
Name: Mike Ardito
Time: 11:13 AM
Date: 2/18/98
Pages: 2
Duration: 1:19
Speed: 14400
Status: Sent

File: 30AGENDA
Type: FAX
Phone #: 8084742328
User ID: 8084742328
Name: Larry P. Tasley
Time: 11:12 AM
Date: 2/18/98
Pages: 2
Duration: 1:38
Speed: 9600
Status: Sent

File: 30AGENDA
Type: FAX
Phone #: 8086743365
User ID: 808 6743365
Name: Helen Mary Wessel
Time: 10:45 AM
Date: 2/18/98
Pages: 2
Duration: 1:20
Speed: 14400
Status: Sent

File: 30AGENDA
Type: FAX
Phone #: 8085473689
User ID: 8085473010
Name: James N. Vinton
Time: 10:41 AM
Date: 2/18/98
Pages: 2
Duration: 1:25

Speed: 9600
Status: Sent

File: 30AGENDA
Type: FAX
Phone #: 8085872168
User ID: 587 2167
Name: Chris Takeno
Time: 10:39 AM
Date: 2/18/98
Pages: 2
Duration: 1:03
Speed: 14400
Status: Sent

File: 30AGENDA
Type: FAX
Phone #: 8089732941
User ID: 01118089732941
Name: John Naughton
Time: 10:37 AM
Date: 2/18/98
Pages: 2
Duration: 1:11
Speed: 14400
Status: Sent

File: 30AGENDA
Type: FAX
Phone #: 18089618248
User ID: 8089618248
Name: Jay Sasan
Time: 10:36 AM
Date: 2/18/98
Pages: 2
Duration: 1:38
Speed: 9600
Status: Sent

File: 30AGENDA
Type: FAX
Phone #: 18089356460
User ID: 808 9356460
Name: Harry Kim
Time: 10:33 AM
Date: 2/18/98
Pages: 2
Duration: 1:20
Speed: 14400
Status: Sent

File: 30AGENDA
Type: FAX
Phone #: 8085411216
User ID: 808 541 1216
Name: Ron Walker
Time: 10:30 AM

Date: 2/18/98
Pages: 2
Duration: 1:25
Speed: 9600
Status: Sent

File: 30AGENDA
Type: FAX
Phone #: 8085216841
User ID: 8085216841
Name: Sierra Club Legal Defense Fund
Time: 10:28 AM
Date: 2/18/98
Pages: 2
Duration: 1:37
Speed: 9600
Status: Sent

File: 30AGENDA
Type: FAX
Phone #: 8085379019
User ID: 53
Name: Hawaii Chapter Sierra Club
Time: 10:26 AM
Date: 2/18/98
Pages: 2
Duration: 1:38
Speed: 9600
Status: Sent

File: 30AGENDA
Type: FAX
Phone #: 8085873077
User ID: 808 587 3077
Name: Kathy Ho
Time: 10:23 AM
Date: 2/18/98
Pages: 2
Duration: 1:25
Speed: 9600
Status: Sent

File: 30AGENDA
Type: FAX
Phone #: 8087338332
User ID: 808 733 8332
Name: Donna Maiava
Time: 10:22 AM
Date: 2/18/98
Pages: 2
Duration: 1:03
Speed: 14400
Status: Sent

File: 30AGENDA
Type: FAX
Phone #: 8085437023

User ID: 808 543 7023
Name: Pat Wong
Time: 10:20 AM
Date: 2/18/98
Pages: 2
Duration: 1:10
Speed: 14400
Status: Sent

File: 30AGENDA
Type: FAX
Phone #: 14157441916
User ID: 415 744 1916
Name: Kathleen Shimman
Time: 10:18 AM
Date: 2/18/98
Pages: 2
Duration: 2:37
Speed: 4800
Status: Sent

File: 30AGENDA
Type: FAX
Phone #: 8089564585
User ID: 808 956 4585
Name: Prema Menon
Time: 10:15 AM
Date: 2/18/98
Pages: 2
Duration: 1:37
Speed: 9600
Status: Sent

File: 30AGENDA
Type: FAX
Phone #: 8085873833
User ID: 5873833
Name: Thomas J. Smyth
Time: 10:13 AM
Date: 2/18/98
Pages: 2
Duration: 1:37
Speed: 9600
Status: Sent

File: 30AGENDA
Type: FAX
Phone #: 8085866451
User ID:
Name: Senator Rod Tam
Time: 10:11 AM
Date: 2/18/98
Pages: 2
Duration: 1:10
Speed: 14400
Status: Sent

File: 30AGENDA
Type: FAX
Phone #: 8085228270
User ID: 8085228270
Name: Lt. Cmdr. Ken Hertzler
Time: 10:08 AM
Date: 2/18/98
Pages: 2
Duration: 1:26
Speed: 9600
Status: Sent

File: 30AGENDA
Type: FAX
Phone #: 8085870390
User ID: 8085870390
Name: Gilbert Coloma-Agaran
Time: 10:06 AM
Date: 2/18/98
Pages: 2
Duration: 1:20
Speed: 14400
Status: Sent

File: 30AGENDA
Type: FAX
Phone #: 8085293948
User ID:
Name: Captain Terry Yuen
Time: 10:04 AM
Date: 2/18/98
Pages: 2
Duration: 1:20
Speed: 14400
Status: Sent

File: 30AGENDA
Type: FAX
Phone #: 8085293312
User ID: 808 529 3312
Name: Capt. Terry Yuen
Time: 10:02 AM
Date: 2/18/98
Pages: 2
Duration: 1:20
Speed: 14400
Status: Sent

File: 30AGENDA
Type: FAX
Phone #: 8085869104
User ID: 8085869104
Name: Russel Charlton
Time: 10:00 AM
Date: 2/18/98
Pages: 2
Duration: 1:02

Speed: 14400
Status: Sent

File: 30AGENDA
Type: FAX
Phone #: 8087358626
User ID:
Name: Glen Lockwood
Time: 9:58 AM
Date: 2/18/98
Pages: 2
Duration: 1:37
Speed: 9600
Status: Sent

File: 30AGENDA
Type: FAX
Phone #: 8089563980
User ID: 8089563980
Name: Dr. John Harrison
Time: 9:56 AM
Date: 2/18/98
Pages: 2
Duration: 1:38
Speed: 9600
Status: Sent

File: 30AGENDA
Type: FAX
Phone #: 8089739418
User ID: 808 973 9418
Name: Bob Boesch
Time: 9:54 AM
Date: 2/18/98
Pages: 2
Duration: 1:38
Speed: 9600
Status: Sent

File: 30AGENDA
Type: FAX
Phone #: 18088717663
User ID: 808 871 7663
Name: Sean O'Keefe
Time: 9:52 AM
Date: 2/18/98
Pages: 2
Duration: 2:07
Speed: 9600
Status: Sent

File: 30AGENDA
Type: FAX
Phone #: 8085867537
User ID: 808 586 7537
Name: HEER Hawaii DOH
Time: 9:49 AM

Date: 2/18/98
Pages: 2
Duration: 1:37
Speed: 9600
Status: Sent

File: 30AGENDA
Type: FAX
Phone #: 8085243439
User ID: 808 524 3439
Name: Leland Nakai
Time: 9:47 AM
Date: 2/18/98
Pages: 2
Duration: 1:25
Speed: 9600
Status: Sent

File: 30AGENDA
Type: FAX
Phone #: 8087334287
User ID:
Name: Roy C. Price, Sr.
Time: 9:45 AM
Date: 2/18/98
Pages: 2
Duration: 2:26
Speed: 4800
Status: Sent

File: 30AGENDA
Type: FAX
Phone #: 8085864444
User ID: 8085864444
Name: Dr. Bruce Anderson
Time: 9:42 AM
Date: 2/18/98
Pages: 2
Duration: 1:38
Speed: 9600
Status: Sent

File: 30AGENDA
Type: FAX
Phone #: 18082424479
User ID: 18008358417
Name: Captain Joe Blackburn
Time: 9:39 AM
Date: 2/18/98
Pages: 2
Duration: 1:40
Speed: 9600
Status: Sent

File: 30AGENDA
Type: FAX
Phone #: 18082416335

User ID: 808 241 6335
Name: Clifford Ikeda
Time: 9:37 AM
Date: 2/18/98
Pages: 2
Duration: 1:37
Speed: 9600
Status: Sent

File: 30AGENDA
Type: FAX
Phone #: 8087356829
User ID: 8087356829
Name: Capt. Carter Davis
Time: 9:35 AM
Date: 2/18/98
Pages: 2
Duration: 1:38
Speed: 9600
Status: Sent

File: 30AGENDA
Type: FAX
Phone #: 8085864186
User ID: 808 586 4186
Name: Gary Gill
Time: 9:33 AM
Date: 2/18/98
Pages: 2
Duration: 1:20
Speed: 14400
Status: Sent

From: "Bryce Hataoka - HEER" <EHANVL1/BHATAOKA>
Organization: Environmental Health Administration
To: MGraf
Date sent: Thu, 26 Feb 1998 10:50:10 GMT-10
Subject: HSERC Meeting

Marsha,

Bruce called to ask that you start the meeting tomorrow with all of the informational items on the agenda. Bruce will be on Maui during the morning and will not be back here till about 2:30 PM. He will be back to hold the official portion of the meeting.

He also asked me if you could add to the agenda a discussion of an alternate to Bruce. He thought that it should be a member of the HSERC who could preside over the meeting in his absence. If a decision can be made tomorrow, then you could draft a letter for Dr. Miike's signature designating the alternate.

Also, I will not be able to attend. I have a doctor's appointment at 1:30.

Bryce

Date sent: Tue, 17 Feb 1998 14:42:58 -0800
From: "Nakai, Leland" <eaa0002@cchnl@co.honolulu.hi.us >
Organization: City and County of Honolulu
To: mgraf@eha.health.state.hi.us
Copies to: cwdavis@hcc.hawaii.edu
Subject: HSERC Agenda

Marsha,

Recommend that the status of LEPC budgets be discussed at next week's HSERC meeting.

Also, at today's OPT meeting, I briefed the group that I was working to get the HEPCRA facilities plotted in GIS. Bryce asked me to coordinate with your efforts. What I am currently doing is plotting the Oahu facilities directly into Marplot. Once I complete that, I was going to work with our GIS folks to see about importing the data to Arcview. I've been working with Frank Bovee on the protocols to transfer the data directly from Marplot to Arcview.

Let's discuss at HSERC meeting.

Leland

1 on HSERC Mtg #?

2/21/98

- ✓ call windy Hamilton ^{DOT} HMEP
- ✓ print final on steves letter
- ✓ redraft resolution
- ✓ set up library
- ✓ distribute rules of order pamphlets
- ✓ do " HMEP Summary
- ✓ HSERC letterhead
- ✓ Kathy Ho
 - HEPCRA enforcement - rules draft
 - ✓ Fed Fac. filing fee - fee for service
 - ✓ ^{requiring} reporting of explosives at 100 lb under 128e
- ✓ draft Training Needs meeting minutes
- ✓ Training Matrix.
- ✓ slide projector
- ✓ call Carter re starting meeting

02/27/98

1110

RP

Informational

(A) Drought

July Aug Sept. Dry Season
Will persist in Oct Nov Dec.

This will cause fire problems
no state fire system

could use national guard
also wildlife, livestock and agriculture
Major issue in resource allocation
at the SCO taking up time

(B) May Exercise - catastrophe scenario

Economic recovery

Has May Nat implications so this holds
pertinent information for members of the WSECC.

(2) Irradiators - mainly Cobalt 60

Carter looked at safety issues and will present
these observations

↳ Situated in non industrial areas

Buildings are separate, designed to float in
an earthquake with 6 foot thick concrete
walls. Has a pool of water as a shield

Batch or continuous ^{carrier} _→ ^{source stays in raised} _{position}

↳ pull source from water to irradiate a

An alternative to Co 60 is an ^{prag} generator

Transport rods in Type B casks

3-400,000
curies

cooling water

planned in file

Monitor discharge in a holding tank before releasing for disposal.

16 sqft, single door, batch

transportation of source will probably be Type B can weighed 42,000 lbs

③ 1911 law originally regulated explosives

Currently ^{DIR does} ~~CofF~~ and inventory, permit magazines ^{with state authority} Certificate of Fitness

of the most concern to the public

* What is the best way to regulate?

Criminal and subversive

Emergency planning & response

Terrorist couldn't dive in the pool it would kill them.

Example Hurricane Iniki couldn't find magazines

Address info is poor.

Regs are duplicative

touches DOT and DIR

pyrotech county and DIR

regulate sale and purchase

↳ should be the transaction

DIR has found discrepancies in the inventories - have been mistakes.

JS feels we are regulating the wrong activities

State is not putting this on to the counties, but will be reevaluating state role.

DIR will retain the CofF functions.

What is DIR stepping back from?

(D) Permission to use had required 3 permits for one event.

Fireworks

Regulations require magazines to be labelled

PM Is the it wise to publicly provide location information of magazines

Capt. W Also need CSCB permits for the vessels.
- found shippers know nothing about explosives.

② most ports can't handle legally the amount of explosives that are coming through. Because of inadequate ^{explosive} ~~area~~ ^{area}
③ Conflict of interest between OSHA inspections versus permit writing. Can't write fines if they are inspecting under the permit.
Shippers on the mainland are sending too much in one box.

CD Need to see greater inspection of trucks by DOT or another agency to replace DLIR stepping back from truck inspections

JS Will step up random and yearly inspections if they are no longer writing permits.
100 lbs gross weight

Formal

3,000 called to order

A JH CD accepted as printed

A Commendation letter

Change signature to all H&EHC members rather than Chair

A Redraft with signature lines for all

② CD Doesn't believe any fire company would like to do clean up.

BA ^{chairs} Committee which wrote ^{documented} infectious waste rules. There has been not case of infection from potentially infectious waste outside of medical facilities.

Probably the risk is very low.

JS ^{Answer} spill on Big Island Polymer used at geothermal wells.

Ended up digging up asphalt and not washing it down.

* BA There is an infectious waste committee - ask them to evaluate. Will meet in next month.

^{Answer} no reqs to prevent continue washing + add disinfectant if possible. Donor main will do the clean up.

10% bleach

RC Clean labs

Prefer EOSC clean and cost recover rather than letting the mail service do it.

JB CB et concur

subcommittee

⑦ Explosives

Draft rules to include explosives¹ and Fed updates

Develop partnership

* MG will convene

→ HIOSH, DOT (Chris), Chief Wassman Safety

* Report next meeting with appropriate TPO

③ 88 Training stds - An official
NMEP Standards

④ ask for team. Helen May would like to go to C/P
RC - alert to problems

Mari has received a letter and will take
a team to inspect.

Fire Chief Wastman

Women
Center
members
will
assemble
training
guidelines

⑤ C/D Proportional distribution; but initially
Oahu may need to share some funding with smaller
counties
① proportional
② 25%

gg ③ need - submit proposals
use budget proposals
cl ^{shouldn't} motion

▲ gg Motion to continue practice of HBERC submitting
proposals.

PM second current

gs Can we use budget proposals

jb \$15,000 core; balance available for oahu (or proposals)

★ Next meeting present budgets vs filing fees

friendly

▲ Motion; as amended

\$15,000 to each county
rest to approved proposals like drills
annual

unanimously accepted

July 1, 1998 - June 30, 1999

Bryce will ask budget committee for ceiling increase

Outline for items 3, 4, 5 and 6 for HSERC Meeting #30 February 27, 1998

January Training Needs Meeting

- The meeting was held as requested at the last HSERC meeting.
- There was discussion on all the issues such as types of training necessary, identifying persons who require training persons and sources of funding.
- The priorities were clear and a consensus was made and noted by Warren Chung of SCD who will put together a training schedule.
- There was an action item for the HSERC. The HSERC should put out guidelines for the LEPCs specifying the training required to maintain HazMat Technician Level.
- The next meeting will be scheduled for November before the calendar needs to be redone for the following year.

Food Sector

- In order to enforce at the state level, administrative rules must be adopted and an enforcement policy written but we can be eyes and ears for the EPA.
- It is the intent of the HEER Office to schedule monthly evaluations as part of the Emergency Response and Planning Sections work plan. Under this plan, a few facilities would be chosen for site visits each month and a team composed of HEER, LEPC and Fire would make the visits.
- EPA Region IX has recently made a request for the state teams to do follow up with food sector facilities who have not answered repeated inquiries.
- See attached letter.
- Members are invited to participate on the site visit teams:

Filing Fee Distribution

- I suggest that the filing fees collected and deposited to the special fund be distributed back to the LEPCs in proportion to the amount collected for that county with a minimum set and the funds for Oahu making up the difference.

VOG

- Questions have been raised regarding the determination of background for VOG components when sampling for those same compounds in the workplace.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street

San Francisco, CA 94105-3901

January 29, 1998

Marsha Graf
HEPCRA Program Manager
Hawaii State Department of Health
919 Ala Moana Boulevard, Room 206
Honolulu, HI 96814-4912

Re: Results of EPA's National Food Sector Initiative

Dear Marsha:

I would like to share with you the results of EPA's National Food Sector Initiative in Hawaii and nationwide, and to request your assistance in following up with four facilities in your jurisdiction that have not responded to EPA's inquiries.

Results of initiative. Enclosed is EPA's press release on the results of the initiative. As described in the press release, EPA targeted the food manufacturing and processing business sector because of the potentially large number of facilities that stored regulated quantities of hazardous substances, including ammonia, chlorine, sulfuric acid and nitric acid. In accordance with EPA's objective of achieving compliance, 131 facilities filed chemical inventory information with appropriate state and local authorities. Five of the facilities that filed the inventory forms are located in Hawaii. In exchange for voluntarily coming into compliance, the facilities paid a greatly reduced penalty of \$2,000 per facility. Each facility has now entered the regulatory system and is part of the important process of emergency planning.

At the outset of the initiative, EPA provided a list of facilities to the Hawaii State Emergency Response Commission (SERC). The Hawaii SERC checked its database in 1996 to determine whether the facilities had filed inventory forms. Those facilities that filed were eliminated from further action. EPA sent a screening letter to the remaining facilities. Those facilities that responded indicating that they were not subject to EPCRA were eliminated from further consideration. EPA sent a followup letter and compliance assistance package to the remaining facilities. Those facilities that responded demonstrated that they were not subject to EPCRA, or filed the inventory forms and settled with EPA. EPA made telephone calls to the remaining facilities, and interviewed personnel to determine whether they were subject to EPCRA.

Remaining facilities. The four facilities regarding which your assistance is requested did not appear in the Hawaii SERC database as having filed inventory forms. They did not respond to EPA's screening letter or followup letter. They have not returned EPA's followup calls seeking

Marsha Graf
Page 2

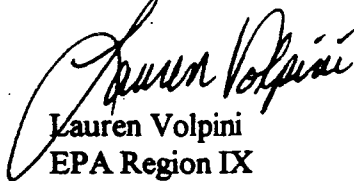
to determine, by telephone interview, whether the facilities are subject to EPCRA. Enclosed are summaries of the information that EPA has obtained on each facility to date.

EPA believes that a site visit to these facilities is necessary to determine whether they are subject to EPCRA. Because of the distance that EPA's inspection personnel would need to travel, we wanted to ask if your office would be willing to visit the facilities and inspect them for compliance with EPCRA. We are making a similar request to the LEPC for each facility, so you might want to coordinate your response. We request that you determine whether the facility has been subject to EPCRA's chemical inventory reporting requirements for the 1994, 1995 or 1996 calendar years. We would appreciate information on the identity of any chemicals onsite, the quantity of each chemical, changes in chemical quantities over the years, and any releases of any chemicals.

Followup enforcement. If the facilities are subject to EPCRA, EPA intends to issue an enforcement action against them. The facilities have received ample previous opportunities to come into compliance at a greatly reduced penalty, yet they have chosen not to respond to EPA's correspondence and telephone calls. This approach is necessary to be fair to all of the other Hawaii facilities that have come into compliance on a timely basis. As with all cases, if the business can establish inability to pay the assessed penalties, EPA will adjust the penalties appropriately.

I appreciate your consideration of this request. We are being supported on this project by Ed Oyarzo, Work Assignment Manager, with EPA's contractor SAIC. Ed or a member of his staff will be telephoning you shortly to discuss this letter and answer any questions that you may have. You may also call me at 415.744.2333 or reach me by e-mail at: volpini.lauren@epamail.epa.gov.

Sincerely,



Lauren Volpini
EPA Region IX
EPCRA Compliance and Enforcement Program Manager

Enclosures:

1. EPA Press Release
2. Facility Data Summaries for A. Decoite Packing House Inc., Designer Meats Inc., Excelsior Dairy Inc., and Hilo Homemade Ice Cream

⑩ Turn over to JV

~~HAVEP~~

* RMP grant available
check ~~to~~ on this and.

Item
⑨ Presented
Safety

Not considered 4 occupant facilities
but warehouse.

⑩ Other business

① Terry Yoshinaga
has introduced some bills

② Dr. Miike must appoint a vice chair. in writing
Please contact me to volunteer.

⑪ motion adjourned til may

* Send Jim RMP grant info
CLEAN can offer administration support
get copy from Willie

EPA PRESS RELEASE

FOR RELEASE: FRIDAY, OCTOBER 3, 1997

**EPA ENFORCEMENT PROGRAM MEETS WITH
SUCCESS IN FOOD MANUFACTURING AND PROCESSING SECTOR**

EPA has completed an industry-wide sector compliance incentives initiative which has increased the data that state and local emergency responders receive from food manufacturing and processing companies on hazardous chemicals stored on site. The food products sector was chosen because of the potentially large number of facilities which stored regulated quantities of hazardous chemicals including ammonia, chlorine and sulfuric and nitric acids. This is one of several compliance incentive programs adopted by EPA to encourage industry to correct violations as an alternative to the Agency's use of more traditional enforcement measures. Through this initiative, the food manufacturing and processing companies provided information about hazardous chemicals stored at facilities in response to a time-limited offer by EPA to reduce penalties for violations of the Emergency Planning and Community Right to Know Act (EPCRA). One hundred thirty one companies submitted hazardous chemical data, for which EPA fined them \$262,000, significantly less than they otherwise would have been liable. The EPCRA hazardous chemical inventory report is due on March 1 of each year to state emergency response commissions, local emergency planning committees, and local fire departments. Data on hazardous chemical inventories provided by facilities are crucial for local communities to effectively develop and implement emergency response plans for hazardous spills or releases, and to enhance community awareness of the chemical hazards within the local area. EPA first conducted compliance assistance, followed by enforcement for failure to submit hazardous chemical inventory information. Facilities were contacted directly by EPA and given a time-limited opportunity to come into compliance while paying a greatly reduced penalty of \$2,000 per facility under the national sector enforcement agreement. This initiative is now concluded and the sector enforcement agreement is no longer available. EPA has established the EPCRA Hotline to provide technical assistance free of charge to facilities at 1-800-424-9346.

HEPCs would generate purchase requests
and

⑥ VOG

JS IDLH + need to be determined for new respirator
regulations.

BA Below ambient air quality

Dida \$100,000 characterizing VOG
do working on fine PM_{2.5}
particles
acid aerosols

BA Have to count background for workers

⑦⑧

JS written
EL written

- coordinating July 27-31, 1998
CAMEO training

• mayor has submitted a revised membership
for the Kauai

A motion to approve

BA

JS second

unanim. approved

JB Hazard trailer will be on line soon.

Requested that Sal Menon ^{is Mayor} forward EOP to

CD CAMEO at COMNAVBASE

② SERC subcommittee meeting went well.

③ web page

④ new business - informational dialogue with Guam
HEPC

⑤ 1998 Fed Fair site visits will be conducted
again w/ the EPA

- ① CHEAD
- ② coordination
- ③ comp. loan
- ④ comp. from HEPC
- ⑤ HNC County ^{of} TONGAREVA actively participated in NRC preparedness

2/27/98

MARSHA,

I PROBABLY WON'T BE ABLE TO GIVE MY E16 ISLAND
PRESENTATION AT THE SERC MEETING TODAY. WOULD
YOU BE WILLING TO PROVIDE THE QUESTIONS ON MY
BEHALF. "IT'S DEFINITELY A CRISIS MANAGEMENT ISSUE"
THANK YOU!

Bill

If fire or whoever does cleanup
they need training

Can the fire department
be asked to participate
in clean up?!

disinfectants - bleach

SOPs.

vaccinations

NCNS and Perco do responses on Oahu

MINUTES OF MEETINGS

Forms of minutes of meetings vary with different organizations. However, there is certain general information to be always included:

Title of meeting { Name of group, committee, or organization (in caps)
 Regular or special meeting, or adjourned (of either)
 Number of meeting, if numbered

Place, date, and hour
 Presiding officer - Chairman
 Secretary

Attendance (by roll call or observation)—with quorum statement
 (For small meetings, the name of every member present is listed; but for large meetings, just the officers' names, with a statement, in either case, that the members present [or shares of stock represented] constitute a quorum.)

Present Absent

Procedure:

- Minutes of previous meeting—approved or amended
- Reports
- Unfinished business
- Elections, if any
- New business
- Next meeting—date, time, and place (if designated)
- Adjournment—hour

(Signed) _____ Secretary

(Minutes are sometimes countersigned by the President or the Chairman.)
 (For an example of Minutes, see p. 420b.)

Corporate minutes follow the form outlined in each corporation's bylaws, or in printed instructions in corporation minute books.

Minutes are not usually recorded verbatim, with the exception of main motions and resolutions, which are recorded exactly as given. Therefore, the secretary should report, not every word said, but the substance of what is done, as clearly and in as few words as possible.

Arrangement of Minutes. Arrange the minutes so that important matters, such as main motions, resolutions, votes (how taken), and decisions, can be instantly discerned.

If minutes are long and involved, **margin heads, sideheads, or paragraph heads** may be used; and important words underlined for emphasis.

Stock Split
 [margin head] ¶ OR:
 New Office Building [sidehead] OR:
 ¶ Chemical Plant. [paragraph head]

An index of all the important subjects acted upon at the different meetings should be kept in the back of the minute book or separately as a card index. An item in the index might read:

Louisiana Plant Site	Meeting	Page
Report	6-10-68	116
Survey	10-14-68	125
Firm offer to buy	2-3-69	136

Always make a rough draft of the minutes before copying them into the minute book. No large erasures should appear in the minute book.

If minutes are amended or corrected at the meeting at which they are read, the corrections should be put in in red ink, or the amendments should be written on a separate page to be attached. No minutes should be rewritten after they have been read. They should stand as corrected.

If a certain paper is to be made a part of the minutes, it need not be written into the minutes unless it is very short. A notation may be made in the minutes saying that the paper is to be incorporated therein, and that it may be found in a certain file or other place of safekeeping.

Preparation for Meeting. The secretary of the meeting should see:

That a **notice of the meeting** (and, if necessary, a **proxy**) is sent to each member, in accordance with the bylaws of the body that is to meet;

That the **meeting-room** is arranged for and is in readiness on the day of the meeting;

That the **agenda** (list of things to be done) is prepared (see p. 420);

That all **papers** pertaining to the meeting are in a folder; and the **corporate seal** and other necessary incidentals are at hand.

The secretary or recorder of the meeting should sit near the chairman, or in a position to hear every word that is said. If unable to hear, the recorder should, by a signal, so inform the chairman, who can interrupt the speaker and ask for a repetition of what has been said if he deems it of sufficient importance to do so.

Obtaining Information Beforehand. It simplifies the taking of minutes if information is obtained beforehand. Ascertain the purpose of the meeting, and if possible read copies of resolutions, reports, etc., to be presented—so as to understand thoroughly all items on the agenda.

Obtain a list of the persons to be present, and at the meeting simply check the names "p" or "a" (present or absent) on the list. Note late arrivals and early departures, because an important point may hinge on whether or not a certain person heard a certain discussion.

The more preknowledge that can be had of a meeting, the easier it will be to record the minutes.

After the Meeting. Obtain copies, immediately, of all papers read or discussed at the meeting, and write up the minutes as soon as possible.

Resolutions

Formal resolutions follow various forms. The following is an ordinary outline, with the word WHEREAS set in caps, the first word after it not capitalized unless it is a proper name, and no comma after WHEREAS unless punctuation is necessary for the sense of the sentence. The word RESOLVED is set in caps and followed by a comma and a capital letter. The "Therefore be it" is set on the line above RESOLVED.

TYPEWRITTEN WORK

WHEREAS it has become necessary
 ; and
 WHEREAS conditions are such as to
 warrant ; and
 WHEREAS, moreover, on the 18th of May,
 1970, : Therefore be it
 RESOLVED, That
 ; and be it
 RESOLVED further, That

NOTE:
 In U.S. Government
 printing, **Whereas** is not set
 in caps; but in other print-
 ing **WHEREAS** is often set in
 caps and small caps, followed
 by a comma, with the next
 word capitalized.
Resolved is often italicized.

Informal resolutions dispense with **WHEREAS** and "Therefore be it," and simply state the facts or events leading up to the resolution.

. the following resolution was unanimously adopted:

RESOLVED, That
 OR:
 RESOLVED: First, that
 Secondly, that

Agenda

An agenda, or "order of business," is an outline of meeting procedure.

**THE CONTINENTAL COMPANY
 AGENDA**

Board Meeting, July 25, 19 . . . 10 a.m., EDT, Company Offices, New York

1. Minutes of previous meeting - approve.
 Executive Committee meetings - three.
2. Midyear Financial Report - Mr. Fisk.
3. Quarterly Dividend action - increase.
4. New Chemical Plant - report by
 Mr. Harland, Engineering Consultant.
5. Inspection Committee - for plant sites.
6. Remodeling Warehouse, Bayonne
 - a. Approve definitive contract.
 - b. Deny renewal of lease.
 - c. Direct execution of said contract.
7. Interim Director - elect (Mr. Cordon).
8. Memorial Resolution - Thomas K. Kincaid.
9. Next meeting - reminder: Special 9/1/
10. Adjourn:

(Agenda items may extend full measure; or space may be left here for the Chairman to make notes opposite each item, either before or during the meeting.)

(Note that each item is numbered, and topics are underscored for quick reference.)

(Triple-spacing should be used between items for clarity, and to provide writing space in this column.)

(Note that some items, as No. 9, may not appear in the minutes.)

"Agenda," the Latin plural of "agendum," is usually considered singular; with an English plural "agendas."

A script agenda is a detailed outline (as for a performance) of involved items.

Preparation of Agenda. Start the agenda several days before the meeting by, first, consulting, **without fail**, every person (officer, committee chairman, and member) who may be readying a report on a topic to be considered, and who may wish it to be placed on the agenda. Then after a conference with the presiding officer, prepare the agenda from the "Recurring Actions" schedule and the reminders accumulated in the "Agenda File" or meeting folder.

Copies of Agenda. Although the agenda is primarily for the chairman's use and guidance, copies may be sent members with the notice of meeting (or the chief topics of business may be mentioned in the notice). More often a copy is handed to, or is in place before, each member at the meeting.

MINUTES OF MEETINGS

Notice of Meeting. For meetings of organizations such as clubs, just a friendly letter or postal card may be sent, as "This will remind you of the . . . meeting of . . . to be held on . . . in . . . to consider . . . / It is hoped that you can arrange to be present. / Cordially, . . ."

Or it may be formal, as "A regular meeting of the Board of Directors of . . . will be held in . . . at . . . , on . . . / Please let me know on the enclosed card whether or not you expect to attend. / Respectfully, / Secretary."

Note Taking

Notes are taken "in depth"; but minutes are written in summary.

Remember that what is **done** or **accomplished**—or **left unfinished**—at a meeting is of the utmost importance, not what is said. Therefore, be alert to recognize and record all definite decisions; all actions to be taken, by whom; and all business left pending.

Number notes, in center page, to correspond with agenda items. Take all notes in one book—not some on the agenda, some on pieces of paper, and some in the notebook—because the notes must be kept permanently, as well as the minutes.

Discussions and Debates. Summarize these, noting highlights, such as the "for" and "against" arguments, and by whom.

Motions. Record every motion, its maker, its seconding (name of seconder not always important), and its final disposition, without detailing its amendments.

Record **only the main motions verbatim**. (For "incidental motions" that were not lost or withdrawn, just say "It was moved and duly seconded that . . .")

Resolutions. Record **each verbatim** (or obtain a copy), with its proposer, seconder, and disposition.

Reports. Record the presentation, by whom, and the final action on each. **Filed reports and documents** from the meeting should bear the endorsement:

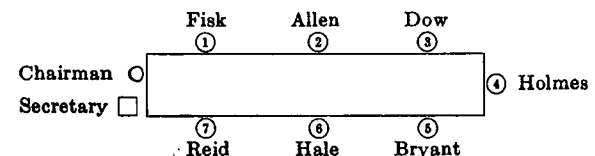
In form presented to Board [or other] Meeting of . . . (date) . . .
 (signature) / Secretary

Elections or Appointments. Record the names of those elected or appointed, and the voting results in elections.

Voting. Record all voting, how taken, and the count (if countable). Voting is by these methods in this order of formality:

- general (or silent) assent or consent;
- voice (*viva voce*, "All in favor say 'aye'.") Voice may be recorded as being "by acclamation";
- show of hands ("All in favor please raise your right hands");
- standing (to be counted); or rising (for ceremonial or complimentary motions);
- roll call (yeas and nays, or "for" and "against," registered);
- secret ballot (if by mail, ballot is in an inner, sealed envelope);
- proxy (the usual form for stockholders in a large corporation).

A seating chart is often made up by a secretary to identify the speakers:



THE CONTINENTAL COMPANY
 Minutes of¹ Regular Meeting of the Board of Directors
 Held, pursuant to due notice,² in Board Room, Company Offices
 New York, N.Y.

Friday, July 25, 19... , 10 a.m., EDT

Presiding: Mr. James C. Wilson, Chairman³

Secretary: Weldon C. Davis

Present (constituting a quorum)

Absent

Messrs. ⁴ Paul R. Allen	John D. Hale	Roger Malcolm
George Bryant	J. P. Holmes	Jay Stuart Park
R. Alex Dow	(left at 11:30)	(illness)
Thomas L. Fisk	Eric D. Reid	Curtis V. Shaw

In attendance: R. M. Harland, Engineering Consultant (11-11:30 a.m.)

Minutes. The minutes of the Board meeting of May 25, 19... were approved as read (or as previously circulated; or reading was waived).⁵

The Board further ratified [or confirmed, or approved] each of the actions of the Executive Committee as set forth in its minutes of meetings of May 31, June 8, and July 10, 19...⁶

Midyear Financial Condition. The Vice President-Finance, Mr. Fisk, reviewed the June 30 Earnings Statement. Net income was 25% above last year's first half, with earnings per share \$2.53 compared with \$2.02 in 19... (Complete report in Finance Files.)

Dividend Raise. An increase of 10 cents a share in the quarterly dividend rate was thereupon suggested by the Chairman. After consideration, the following resolution was adopted (with Messrs. Allen and Reid dissenting, each preferring a year-end dividend):

RESOLVED, That a regular quarterly dividend of Sixty-five cents (65¢) per share be and hereby is declared on the common stock of the Company, payable September 15, 19... to stockholders of record at the close of business August 25, 19...

Thereafter, Mr. Fisk left the room to telephone such dividend action to the Exchange and to release it to the press.

New Chemical Plant Site - Report. The Engineering Consultant, Mr. Harland, was invited in by the Chairman to give a report (with blackboard demonstration) of his firm's findings regarding the suitability of each of the seven sites proposed for the new development-chemicals plant. Three were recommended by his firm. (Complete report in Chemical Files.)

Inspection Committee. The Chairman - pursuant to a motion duly seconded - appointed an ad hoc Inspection Committee, composed of the President, Mr. Holmes, as Chairman, and Messrs. Bryant and Hale, to appraise the above-mentioned three favorable sites. It was then moved, seconded, and carried (with Mr. Dow abstaining from the vote because of a possible conflict of interest):

"That the Inspection Committee be and hereby is authorized to obtain, if possible, an option to buy the site found to be the most desirable in the considered opinion of the Committee."⁷

Bayonne Warehouse Remodeling. The Board, on motion duly seconded

- Approved the definitive contract with the Harrison Company, dated July 25, 19... for remodeling the Bayonne, N.J. warehouse;
- Denied the renewal of lease on said warehouse;
- Directed the President and Secretary to execute said contract; and further directed the Secretary to notify the lessee of termination of the lease.

Interim Director. On motion duly seconded, Mr. Lamott Cordon was elected a Director of the Company, effective July 30, 19... to fill the unexpired term of the late Thomas K. Kincaid. The Secretary was directed to notify Mr. Cordon of his election to the Board.⁸

In Memoriam. In memory of Thomas K. Kincaid, the following resolution was unanimously adopted, and a copy thereof ordered sent⁹ by the Secretary to the family of the deceased:

RESOLUTION

By this memorial resolution, the Board of Directors of the Continental Company wish to express their sense of sorrow and personal loss in the untimely death of Thomas K. Kincaid, an esteemed and cooperative associate. His quiet humor, patient counsel, and deep understanding in many a trying time will be long remembered - and greatly missed. His contributions to this Company, especially in humanitarian aspects, have become a part of its history. He leaves, indeed, a legacy of far-reaching goodwill.

* * *

The meeting was adjourned at 12:30 p.m.

Secretary

-217- [page number]

Minute Writing

Minutes are a brief record of the proceedings at a meeting. They may be formal or informal, and set up in "skeletonized" form or in narrative, whichever best suits the nature of the meeting. But in whatever form—and most important of all—they must record the action taken: who is to carry it out; who is to make a report; and what is left unfinished or pending.

The secretary follows up all actions after the meeting:

writing letters, notifying persons, making ticklers, filing papers.

Minutes of small meetings are now usually streamlined (with legal approval) so as to be instantly clear. Whatever is repetitious or obvious is omitted, such as most discussions (they are understood), and the routine making, seconding, and carrying of motions when their net results are entered as resolutions, orders, or other definitive actions. (Such details are of course preserved permanently—for future reference if need be—in the secretary's lengthy notes taken or tape-recorded at the meeting.)

Minutes of large meetings are usually in narrative form, employing familiar phrases such as "The meeting was called to order by...; The Secretary called the roll...; The first item of business to come before the meeting was...; ...moved the acceptance of this report; On motion duly made, seconded, and carried...; Upon being put to a vote, the motion was...; [resolution was] spread upon the minutes; There being no further business..."

"Respectfully submitted" is no longer used before signatures on minutes, but is still used on reports (often just "Submitted" or "Respectfully" on letters of transmittal).

The tone of the minutes should be completely impersonal, with no comment whatsoever by the secretary, such as a "heated" or "lengthy" debate, or a "moving" address, or an "eloquent" appeal.

Main motions and resolutions are always included, verbatim. But in unpublished minutes it is not necessary to give the name of the maker or seconder of a motion, nor the exact vote, unless that information is essential or requested.

Identification of papers by numbers and dates should always be made.

Sums of money in resolutions should be written in words with figures in parentheses.

Capitalization of all proper names is usual: Board, Directors, Company, Corporation, Committee, etc.; and of officers' titles, as President, Chairman, Secretary, Treasurer.

Footnotes for Page 420b

- ¹ If meetings are numbered, an ordinal, as "165th," may be inserted here or in upper left corner.
- ² If notice is dispensed with, use instead: "(all Directors having waived notice thereof)".
- ³ If Chair is temporary: "Mr. ..., President [or office], Chairman pro tem," or "Vice Chairman."
- ⁴ List alphabetically. Company officers who are also directors are not usually identified by their official titles. "Messrs." may be used or omitted.
- ⁵ If reading is waived: "The reading of the minutes of the Board meeting of April 25, 19... was waived; and on motion duly seconded such minutes were approved as recorded."
- ⁶ Follow with approval of minutes of any other Board-appointed committee for meetings held since the previous Board meeting (if the bylaws or company practice requires the Board's approval).
- ⁷ This "main motion" might have been a "resolution" or "resolve." In some assemblies, all major actions are taken in the form of resolutions—or orders, as in civic bodies, with the enacting word "Ordered" instead of "Resolved."
- ⁸ This direction is unnecessary if a similar general instruction is in the bylaws.
- ⁹ In a letter of sympathy; or engraved on fine, white, folded paper—with a letter as on p. 301.
- ¹⁰ If minutes are not read at meetings, but approved by a reading committee, the words "Approved [date] / [Signature of head of approving body]" may appear below the secretary's signature.

TYPEWRITTEN WORK

The minute book may be any good-quality looseleaf binder, about 10"x12" with 20 lb. bond paper. But important minutes should be kept in a regular, locking minute book supplied with index dividers and heavy 28 lb. bond paper (so that both sides of a page might be written upon without "show-through"). Such books are obtainable at stationers' for prices from \$12 to \$15.

Separate minute books are usually kept for the meetings of stockholders ("Stock"), directors ("Board"), and committees. But in some organizations, just one book, sectionalized with index dividers, may suffice.

In the front of each book should be the Constitution or Charter (Certificate of Incorporation) of the body that is meeting; its Bylaws; and its adopted "Policies" and "Plans."

Definitions

Adjourned meeting—a resumed or continued meeting; that is, it follows a first meeting which was adjourned to meet again on a certain date to take up unfinished business.

due or duly—lawful -ly; according to accepted and proper procedure.

Executive Committee—When a large organization meets infrequently, it elects a Board of Directors or Managers to conduct its business between meetings. The Board may, in turn, appoint or elect, from its membership, an "Executive Committee" to manage its affairs between Board meetings.

Main Motion { often interchangeable; but the chief difference is that a main motion is framed orally and proposes action, while a resolution is written out and represents final action.

Resolution {

Quorum—an agreed-upon number of members (usually a majority) who must be present at a meeting (or voting shares that must be represented at a stockholders' meeting) in order to transact legal business.

References

- Am. Society of Corporate Secretaries. *Corporate Minutes and Related Subjects*. New York, 1964.
- Bridge, Lawrence W. *Parliamentary Procedure*. Funk & Wagnalls, New York, 1954.
- Davidson, Henry A. *Handbook of Parliamentary Procedure*. The Ronald Press, New York, 1955.
- Robert, Gen. Henry M. *Robert's Rules of Order Revised*. Scott, Foresman, Chicago, 1951.



REPORTS

Reports may also be called "Studies," "Surveys," and "Opinions." They may be long or short; formal or informal; special, routine, periodic, or serial; typewritten, reproduced, or printed. And they may be classified in many ways: research, investigation, technical, statistical, performance, project, progress, final, marketing, financial, annual, etc.

Most reports are made in the following informal form, on letter-size bond paper (but occasionally on legal-size bond paper).

MAIN TITLE

To* Date*

.....:

Introductory statement (mentioning the request or authorization for the project, its purpose, the method of research undertaken—and summarizing [in a short sentence] the findings or recommendations)

Sidehead

Text is usually double-spaced, with single-space tabulations, quotations, and illustrations. "Short" pages (before tables or graphs) may be filled in with "(contd.," or "(more)" centered in the space.

REPORTS

Sidehead

Reports in letter or memorandum form may be single-spaced; and in these, paragraph heads may be used instead of sideheads.

Conclusion and/or Recommendation.

Respectfully,*

Handwritten signature

Typed name and title (if any)

Initials

* The date may be placed at the end beneath the initials, if preferred. The "To" line and the complimentary close are often omitted if a "plain" report is being prepared.



ORGANIZATION OF A REPORT

In the preparation of a report, the three most important things to bear in mind are its **purpose**, its **scope**, and its **readers**. These three considerations govern its **length**, its **depth**, and its **wording**.

Tone—Formal reports should be completely impersonal: third person, dignified, factual. Informal reports may be written in the first person, but are never casual, always businesslike. "Stress the subject, not the author" is the rule.

Brevity—"Most reports are too long"—a recurring criticism. They are never fully read by busy executives. Even some "summaries" must themselves be summarized. Therefore, at the outset, try to see, not how long and complicated a report can be made, but how **short and simple—yet complete**.

Guides—A "Study Schedule" should first be made for: reading, testing, inspecting, observing, interviewing, and/or surveying (by questionnaire). Then a "Subject List" should be set up to provide headings under which to classify information as it is gathered on 3x5" or 4x6" cards, each with a heading in the top left corner, so that the cards may later be sorted to bring all like material together. Also, as the work progresses, a "Plan of Illustrations and Tables" should be made.

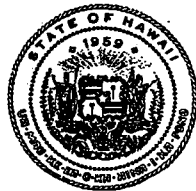
Outline—After the investigation has been completed and the material assembled, a "detailed outline" of the report must be made up—to arrange items in logical and balanced order and determine how fully each should be developed.

"This task is perhaps the most constructive step in the author's program. . . . The hours or days required to draw up a well-rounded outline are, in the long run, a thoroughly justified investment."—U.S. Geological Survey.

Divisions. A long report may be divided into Parts and Chapters or Sections, with divisions, subdivisions, and sub-subdivisions.

"Excessive subdivision of the text, however, may be confusing rather than enlightening. Three different grades of section headings are ample for most technical reports."—Tennessee Valley Authority.

BENJAMIN J. CAYETANO
GOVERNOR OF HAWAII



LAWRENCE MIKE
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. BOX 3378
HONOLULU, HAWAII 96801

IN REPLY, PLEASE REFER TO:
HEER OFFICE

HAWAII STATE EMERGENCY RESPONSE COMMISSION
MEETING #30

Friday, February 27, 1998 from 1:00 p.m. to 4:00 p.m.

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

98 FEB 18 AM 10

LIEUTENANT GOVERNOR'S
OFFICE

AGENDA

- 1) 1:00 Call to Order
Opening Remarks and Discussion
Approval of Minutes from Mtg #29
Approval of Clean Resolution
Bruce Anderson, Deputy Director for
Environmental Health
- 2) 1:15 Clandestine Lab and Infectious Waste Handling Bill Perry, SOSO HEER Office
- 3) 1:25 January Training Needs Meeting Marsha Graf, HEER Office
- 4) 1:35 EPA Food Sector Initiative Follow Up
- 5) 1:45 Filing Fee Distribution to LEPCs
- 6) 1:55 VOG
- 7) 2:00 Explosives Jennifer Shishido, CIH, DLIR Administrator
- 2:40 Break
- 8) 2:50 LEPC Updates and Membership Changes
Jay Sasan, Hawaii LEPC Representative
Clifford Ikeda, Kauai LEPC Representative
Joe Blackburn, Maui LEPC Representative
Carter Davis, Oahu LEPC Representative
- 9) 3:05 Food Irradiation Carter Davis, HFD
- 10) 3:50 Other Business
- 11) 3:55 Schedule next HSERC meeting

BRIEF

HAWAII STATE EMERGENCY RESPONSE COMMISSION MEETING #30

Friday, February 27, 1998 from 1:00 p.m. to 4:00 p.m.

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

AGENDA

(DR. BRUCE ANDERSON, CHAIR)

▼ (CHECK FOR A QUORUM)

1) **1:00** Call to Order

▼ THE MEETING WILL PLEASE COME TO ORDER. Time: _____

Welcome

I'D LIKE TO WELCOME EVERYONE TO THE 30TH HSERC MEETING.

Opening Remarks

Discussion/approval of minutes from meeting #28.

MEMBERS RECEIVED COPIES OF THE MINUTES BY FAX ON WEDNESDAY.

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.

Approval of resolution to commend CLEAN.

THE COMMENDATION LETTER INTRODUCED LAST MEETING HAS BEEN REDRAFTED AS A RESOLUTION. THERE ARE COPIES OF THE RESOLUTION ON THE TABLE AT THE ENTRANCE. PLEASE TAKE SOME TIME TO REVIEW IT.

▼DO I HEAR A MOTION TO APPROVE THE RESOLUTION?

▼WOULD ANYONE LIKE TO SECOND THE MOTION?

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

▼THE CHAIR RECOGNIZES...

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

THE MOTION IS CARRIED. THE RESOLUTION IS ACCEPTED.

- 2) **9:15** THE SECOND ITEM ON THE AGENDA IS A COUPLE OF DISCUSSION ITEMS FROM **Bill Perry**, ONE OF OUR STATE ON-SCENE COORDINATORS.

THERE ARE TWO TOPICS TO DISCUSS:

HANDLING OF POTENTIALLY INFECTIOUS WASTE IN PUBLIC AREAS, and JURISDICTION DURING CLANDESTINE LAB DECONTAMINATION.

(Presentation)

- 3) 4) 5) and 6) **1:25** **Marsha Graf**, OF THE HEER OFFICE, WILL PRESENT ITEMS 3, 4, 5, AND 6 WHICH ARE:

THE TRAINING NEEDS MEETING HELD IN JANUARY, SITE VISITS TO FOLLOW UP ON EPA'S FOOD SECTOR INITIATIVE, A SCHEME TO DISTRIBUTE THE FILING FEES BACK TO THE LEPCS, and VOG STANDARDS AND BACKGROUND DETERMINATIONS

- 7) **2:00** NOW, **Jennifer Shishido**, DIRECTOR OF THE DEPARTMENT OF LABOR AND INDUSTRIES WILL PRESENT CURRENT DEVELOPMENTS IN THE REGULATION OF EXPLOSIVES.

(presentation)

2:40 A BREAK IS SCHEDULED FROM **2:40** TO **2:50**.

- 8) **2:50** THE NEXT ITEMS ON THE AGENDA ARE THE UPDATES BY THE LEPC REPRESENTATIVES.

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

(presentations)

- 9) **3:05** THE NEXT AGENDA ITEM IS A PRESENTATION ON FOOD IRRADIATION BY **Carter Davis**. CARTER HAS SLIDES FROM SEVERAL MAINLAND FOOD IRRADIATION FACILITIES WHICH HE VISITED LAST FALL.

(presentation)

- 6) **3:50** OTHER BUSINESS

AT THIS TIME, I'D LIKE TO OPEN DISCUSSION ON LEGISLATIVE UPDATES.

Pier 29

IS THERE ANY OTHER BUSINESS TO DISCUSS?

Designated alternate to the chairperson.

- 7) **3:55** Schedule next HSERC meeting

THE CHAIR PROPOSES THAT THE NEXT MEETING BE HELD IN MAY 1998, A FEW DAYS BEFORE OR AFTER THE BROWNFIELDS CONFERENCE. IF THE MEETING IS HELD AT THIS TIME, BOTH MIKE ARDITO AND LAUREN VOLPINI OF EPA REGION IX MAY BE ABLE TO ATTEND.

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

▼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 MAY.

Time: _____



STATE OF HAWAII
DEPARTMENT OF HEALTH

P. O. BOX 3378
HONOLULU, HAWAII 96801

In reply, please refer to
HEER OFFICE

98-074

February 27, 1998

Kathy Ho, Esquire
Deputy Attorney General
Hale Auhau
425 Queen Street
Honolulu, Hawaii 96813

COPY

The Hawaii Emergency Planning and Community Right-to Know Act (HEPCRA), Hawaii Revised Statutes 128E-9, requires covered facilities to submit a filing fee. Federal facilities are subject to HEPCRA under Executive Order 12856.

Since, in previous years, the fees have been deposited to the State of Hawaii General Fund they have been considered a tax. Since federal facilities cannot be taxed, those facilities have not been paying filing fees.

House Bill 1837 of the Nineteenth Legislature, 1997 establishes funding from the filing fees to the Local Emergency Planning Committees (LEPCs) to plan, prepare, and respond to hazardous material emergencies in their districts. H.B. No. 1837 also establishes a special account within the environmental response revolving fund into which the filing fees are being deposited.

With these changes, the filing fees can be construed as a fee for service. The HEER Office would like to begin collecting filing fees from federal facilities.

Can we legally collect filing fees from federal facilities regulated by HEPCRA?

Sincerely,

A handwritten signature in cursive script that reads "Bryce Hataoka".

Bryce Hataoka
Acting Manager, HEER Office

Attachment

From: <N424@cnbgw.cnbph.navy.mil >
Date sent: Thu, 19 Feb 98 10:20:08 HST
To: mmealey@eha.health.state.hi.us (Marsha Mealey)
Subject: FILING FEE

Hi Marsha,

Don't know if I mentioned it to you or not but we checked with our legal counsel and we do not have to pay the EPCRA filing fees.

Please give me a call if you have any questions.

Thanks,
Cynthia



STATE OF HAWAII
DEPARTMENT OF HEALTH

P. O. BOX 3378
HONOLULU, HAWAII 96801

In reply, please refer to:
HEER OFFICE

98-075

February 27, 1998

Kathy Ho, Esquire
Deputy Attorney General
Hale Auhau
425 Queen Street
Honolulu, Hawaii 96813

COPY

The Hawaii Emergency Planning and Community Right-to-Know Act (HEPCRA), Hawaii Revised Statutes 128E-6, establishes reporting requirements for covered facilities.

Can we legally require facilities to submit annual Hawaii Chemical Inventory Forms documenting their storage of 100 pounds or more of explosives with no administrative rules corresponding to HRS 128E?

If not, does 128E-6(b) give the Hawaii State Emergency Response Commission authority to add the reporting of explosive materials at a threshold less than 10,000 pounds by adopting rules?

If not, does Section 312(e)(3)(C), Discretionary Provision of Information to the Public, of the federal Emergency Planning and Community Right-to-Know Act provide authority to add the reporting of explosive materials at a threshold less than 10,000 pounds?

Sincerely,

A handwritten signature in cursive script that reads "Bryce Hataoka".

Bryce Hataoka
Acting Manager, HEER Office

Attachments

generated by the environmental response tax established in section 243-3.5, and moneys allotted to the fund from other sources; provided that when the total balance of the fund exceeds \$7,000,000, the department of health shall notify the department of taxation of this fact in writing within ten days. The department of taxation then shall notify all distributors liable for collecting the tax imposed by section 243-3.5 of this fact in writing, and the imposition of the tax shall be discontinued beginning the first day of the second month following the month in which notice is given to the department of taxation. If the total balance of the fund thereafter declines to less than \$3,000,000, the department of health shall notify the department of taxation which then shall notify all distributors liable for collecting the tax imposed by section 243-3.5 of this fact in writing, and the imposition of the tax shall be reinstated beginning the first day of the second month following the month in which notice is given to the department of taxation.

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

- (1) Shall 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 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. [am L 1993, c 300, §4]

§128D-6 Liability. ***

(e) No person shall be liable under this chapter or otherwise under the laws of the State or any of the counties, including the common law, to any government or private parties for costs, damages, or penalties as a result of actions taken or omitted in the course of rendering care, assistance, or advice in compliance with this chapter, the National Contingency Plan, or at the direction of a federal or state on-scene coordinator, with respect to an incident creating a danger to public health or welfare or the environment as a result of any release of a hazardous substance or pollutant or contaminant or the threat thereof. This subsection shall not preclude liability for costs, damages, or penalties as the result of gross negligence or intentional misconduct on the part of such person.

[am L 1993, c 324, §2]

§128D-23 Exemption from state and county permits. No state or county permit shall be required for the portion of any removal or remedial action conducted entirely on site where such response action is carried out in compliance with this chapter, or where such removal or remedial action is in response to a release of a hazardous substance or pollutant or contaminant that occurred in or on the coastal waters of the State and such removal or remedial action is carried out in compliance with this chapter, the National Contingency Plan, or at the direction of a federal or state on-scene coordinator. [am L 1993, c 324, §3]

CHAPTER 128E HAWAII EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT

[§128E-1] Definitions. As used in this chapter, unless the context otherwise requires:

"Administrator" means the Administrator of the United States Environmental Protection Agency.

"CERCLA" means the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended 42 U.S.C. §§9601-9675.

"Commission" means the Hawaii state emergency response commission.

"Committee" means the local emergency planning committee within each county responsible for preparing hazardous material plans and performing other functions under EPCRA and HEPCRA.

"County agency" means a county or any officer or agency thereof.

"Department" means the department of health.

"Director" means the director of health.

"EPCRA" means the Emergency Planning and Community Right-to-Know Act of 1986, as amended, 42 U.S.C. §§11001-11050.

"Environment" means any waters, including surface water, ground water, or drinking water; any land surface or any subsurface strata; or any ambient air, within the State or under the jurisdiction of the State.

"Extremely hazardous substance" means any substance listed in Appendix A of 40 C.F.R. 355, as amended, or as defined by rules adopted by the commission.

"Facility" means any building, structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly-owned treatment works), well, pit, pond, lagoon, impoundment, ditch, landfill,

storage container, motor carrier, rolling stock, aircraft, site, or area where a hazardous substance or pollutant or contaminant has been deposited, stored, disposed of, or placed, or otherwise comes to be located. The term does not include any consumer product in consumer use.

"Hazardous material" or "hazardous substance" means any hazardous substance as defined in chapter 128D.

"HEPCRA" means the Hawaii Emergency Planning and Community Right-to-Know Act.

"Person" means an individual, firm, corporation, association, partnership, consortium, joint venture, commercial entity, state, county, commission, or, to the extent the United States or an interstate body is subject to this chapter, the United States or the interstate body.

"Release" means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing of any hazardous substance, or pollutant or contaminant into the environment, including the abandonment or discarding of barrels, containers, and other closed receptacles containing a hazardous substance, or pollutant or contaminant.

The term does not include:

- (1) Any release that results in the exposure of persons solely within a workplace, with respect to claims that these persons may assert against their employer;
- (2) Emissions from the engine exhaust of a motor vehicle, rolling stock, aircraft, vessel, or pipeline pumping station engine;
- (3) Release of a source, by product, or special nuclear material from a nuclear incident, as those terms are defined in the Atomic Energy Act of 1954, as amended, 42 U.S.C. §2011 et seq., if this release is subject to requirements with respect to financial protection established by the Nuclear Regulatory Commission under 42 U.S.C. §2210;
- (4) Any release resulting from the normal application of fertilizer;
- (5) Any release resulting from the legal application of a pesticide product registered under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended; or
- (6) Any release from sewerage systems collecting and conducting primarily domestic wastewater.

"Reportable quantity" means the quantity of a hazardous material stated on the various lists of hazardous substances as defined in chapter 128D.

"Threshold planning quantity" means the threshold planning quantity for an "extremely hazardous substance" as defined in 40 C.F.R. Part 355.

"Toxic chemical" means a substance appearing on the list of chemicals described in section 313 of EPCRA, as set forth in 40 C.F.R. Part 372. [L 1993, c 300, pt of §1]

[§128E-2] Designation and functions of the Hawaii state emergency response commission. (a) There is created the Hawaii state emergency response commission, which shall be placed within the department for administrative purposes and carry out the requirements of this chapter.

(b) The commission shall consist of the following members, who shall be appointed by the governor as provided in section 26-34:

- (1) The director of health;
- (2) The chairperson of the board of agriculture;
- (3) The adjutant general;
- (4) The director of labor and industrial relations;
- (5) The chairperson of the board of land and natural resources;
- (6) The director of the office of environmental quality control;
- (7) The director of business, economic development, and tourism;
- (8) The director of transportation;
- (9) The dean of the University of Hawaii school of public health;
- (10) The director of the environmental center of the University of Hawaii;
- (11) One representative from each committee designated by the mayor of each respective county; and
- (12) Other persons appointed by the governor to meet the minimum requirements of EPCRA.

(c) A state officer who serves as a member of the commission may designate, in writing, another person to act in place of the officer. The designated person shall have all the powers of a commission member.

(d) The director shall be the chairperson of the commission. A vice-chairperson shall be designated by the chairperson to serve in the chairperson's absence. The chairperson or the vice-chairperson may assign, delegate, or transfer tasks, duties, and responsibilities to members of the commission.

(e) Commission members shall serve without compensation, but shall be reimbursed for actual and necessary expenses, including travel expenses, incurred in carrying out their duties.

(f) Commission and committee support personnel shall be supervised and administered by the chairperson as the primary agent responsible for performing the functions and duties of the commission. The department shall employ such professional, technical, administrative, and other staff personnel as may be deemed necessary to carry out the purposes of this chapter.

(g) The commission shall:

- (1) Carry out the duties and responsibilities of a state emergency response commission as specified in EPCRA;

- (2) Develop state contingency plans relating to the implementation of this chapter;
- (3) Supervise, coordinate, and provide staff support to the committees for the implementation of this chapter and EPCRA;
- (4) Develop a public information, education, and participation program for the public and facility owners covering the requirements of this chapter, and the interpretation of the chemical information collected pursuant to this chapter and the risks that these chemicals pose to the public health and environment;
- (5) Appoint the members of the committees;
- (6) Develop a state chemical inventory form to be used in lieu of the federal Tier II form and chemical list requirements; and
- (7) Do all other things necessary for the implementation of this chapter and the requirements of EPCRA. [L 1993, c 300, pt of § 1]

[§128E-3] Powers; rulemaking; appointment of hearing officers. (a) The commission may adopt rules in accordance with chapter 91 to implement this chapter. The rules shall include, but not be limited to, requirements for reporting releases. Any person heard at a public hearing on the adoption of any rule shall be given written notice of the action taken by the commission with respect to the rule.

(b) In addition to other specific powers provided in this chapter, the commission may appoint, without regard to chapters 76 and 77, hearing officers to conduct public participation activities, including public hearings and public informational meetings. [L 1993, c 300, pt of § 1]

[§128E-4] Establishment of emergency planning districts. Each county is designated as an emergency planning district for the purposes of this chapter; provided that the department shall be responsible for Kalawao county. [L 1993, c 300, pt of § 1]

[§128E-5] Establishment and functions of local emergency planning committees. (a) A minimum of one local emergency planning committee shall be established in each county. The committee shall be subject to the requirements of this chapter and section 303 of EPCRA, 42 U.S.C. § 11003.

(b) The members of a committee shall be appointed by the commission, based upon the recommendations of the respective mayor of a county. The list of recommended persons shall contain at least one person from each of the groups listed in subsection (c). The commission may reject any recommendation made by the mayor of a county and appoint persons who did not receive a recommendation from the mayor.

(c) A committee shall be composed of at least one person from each of the following groups:

- (1) Elected state and county officials;
- (2) Law enforcement, first aid, health, environmental, hospital, and transportation personnel;
- (3) Firefighting personnel;
- (4) Civil defense and emergency management personnel;
- (5) Broadcast and print media personnel;
- (6) Community groups not affiliated with emergency service groups;
- (7) Owners and operators of facilities subject to the requirements of EPCRA; and
- (8) Other groups recommended by the mayor and appointed by the commission.

(d) Not more than sixty days after the occurrence of a vacancy, the commission, based upon the recommendations of the mayor, shall appoint a successor member to the committee, unless the requirements of subsection (c) have been fulfilled.

(e) Upon the failure of the mayor of a county to submit a list of nominees to the commission not more than forty-five days after notice of a vacancy, the commission shall make the appointment on its own initiative unless the requirements of subsection (c) have been fulfilled.

(f) Each committee shall:

- (1) Adopt bylaws and other administrative procedures to carry out the duties, requirements, and responsibilities set forth in this chapter, and as required by the commission and EPCRA;
- (2) Take appropriate actions to ensure the preparation, implementation, and annual update and review of the local emergency response plan required by this chapter and EPCRA. The local emergency response plans shall include, but not be limited to, the following:
 - (A) Identification of each facility subject to the requirements of section 303 of EPCRA, 42 U.S.C. § 11003 and within the emergency planning district; identification of routes likely to be used for the transportation of substances on the list of extremely hazardous substances; and identification of additional facilities contributing or subjected to additional risk due to their proximity to facilities subject to the requirements of this section, such as hospitals or natural gas facilities;
 - (B) Methods and procedures to be followed by facility owners and operators and local emergency and medical personnel in responding to any release of these substances;
 - (C) Designation of a community emergency coordinator and facility emergency coordinators, who shall make determinations necessary to implement the plan;

- (D) Procedures providing reliable, effective, and timely notification by facility emergency coordinators and the community emergency coordinator to persons designated in the emergency plan, and the public, that a release has occurred, consistent with the notification requirements of this chapter and section 304 of EPCRA, 42 U.S.C. § 11004;
 - (E) Methods for determining the occurrence of a release, and the area or population likely to be affected by the release;
 - (F) A description of emergency equipment and facilities in the county and at each facility in the county subject to the requirements of this section, and the identification of the persons responsible for the equipment and facilities;
 - (G) Evacuation plans, including provisions for precautionary evacuation and alternate traffic routes;
 - (H) Training programs, including schedules for training of local emergency response and medical personnel; and
 - (I) Methods and schedules for exercising the emergency plan;
- (3) Request additional information from the facilities, if necessary, to develop emergency response plans;
 - (4) Submit local emergency response plans to the commission for review, and to other affected agencies upon request;
 - (5) Report to the commission on alleged violations of this chapter;
 - (6) Prepare reports, recommendations, and other information related to the implementation of this chapter, as requested by the commission;
 - (7) Have the primary responsibility for receiving, processing, and managing hazardous chemical information forms and data, trade secrets, and public information requests pursuant to this chapter;
 - (8) Accept and deposit into the state treasury any grants, gifts, or other funds received for the purpose of carrying out this chapter; and
 - (9) Evaluate the need for resources necessary to develop, implement, and exercise the emergency plan, and make recommendations with respect to additional resources that may be required and the means for providing these additional resources.
- (g) The administrative and operational expenses of a committee may be paid by the State. [L 1993, c 300, pt of § 1]

[§128E-6] Reporting requirements. (a) The owner or operator of a facility in the State that stores, uses, or manufactures any hazardous substance shall comply with the following requirements:

- (1) Each owner or operator of a facility in the State shall comply with the emergency planning and notification requirements of sections 302 and 303 of EPCRA, 42 U.S.C. §§ 11002 and 11003, if an extremely hazardous substance is present at the facility in an amount in excess of the threshold planning quantity established for the substance;
 - (2) Each owner or operator of a facility in this State that is required to prepare or have available a material safety data sheet for a hazardous chemical under the Occupational Safety and Health Act of 1970, as amended, 15 U.S.C. § 651 et seq., and regulations promulgated under that Act, for all hazardous substances present at the facility in amounts not less than 10,000 pounds, and extremely hazardous substances present at the facility in amounts not less than 500 pounds, or the threshold planning quantity for that substance, whichever is less, shall comply with the following reporting requirements:
 - (A) Complete a chemical list by March 1 of each year and submit material safety data sheets not more than thirty days after a request;
 - (B) Complete the state chemical inventory form by March 1 of each year; provided that a Tier II list shall be used until a state form is available;
 - (C) Submit facility diagrams and location area maps by March 1 of each year, and update the maps annually as needed; and
 - (D) Upon request, submit emergency response plans required under state or federal law. The information described in subparagraphs (A) through (D) shall be submitted to the commission, the respective committee, and the fire department upon request by the same;
 - (3) Each owner or operator of a facility in this State that is subject to section 313 of EPCRA, 42 U.S.C. § 11023, shall comply with the toxic chemical release form requirements of section 323 of EPCRA by July 1 of each year; and
 - (4) Each owner or operator of a facility in this State covered under section 304 of EPCRA, 42 U.S.C. § 11004, shall comply with the notification requirements of section 304 of EPCRA, and section 128E-7, if a release of an extremely hazardous substance occurs from the facility.
- (b) The commission shall adopt rules in accordance with chapter 91 establishing the specific information required on the state chemical inventory form. The chemical inventory form shall facilitate ease in complying with the requirements of HEPCRA by consolidating the necessary information into one form. The chemical inventory form may include, but is not limited to:
- (1) The chemical name;
 - (2) Quantity stored on the site;

- (3) Hazardous components;
- (4) Health and physical hazards; and
- (5) Storage information. [L 1993, c 300, pt of §1]

[§128E-7] Emergency notification requirements. The commission shall adopt rules in accordance with chapter 91 establishing the contents of hazardous substance release reports. The rules shall address, but are not limited to, the following:

- (1) The quantities of designated hazardous substances that are deemed reportable pursuant to this chapter when released;
- (2) The specific periods of time within which these quantities are deemed reportable pursuant to this chapter after being released;
- (3) The agencies to which reports of releases must be made; and
- (4) The format in which the release is to be reported. [L 1993, c 300, pt of §1]

[§128E-8] Funds for operation. (a) 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. The department shall include in its budgetary request for each upcoming fiscal period, the amounts necessary to effectuate the purposes of this chapter.

(b) 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. [L 1993, c 300, pt of §1]

[§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. [L 1993, c 300, pt of §1]

[§128E-10] Immunity from civil liability. (a) No employee, representative, or agent of a state or county agency, or persons requested by a state or county agency to engage in any emergency service or response activities involving a hazardous material release at a facility or transportation accident site, shall be liable for the death of or any injury to persons, or the loss of or damage to property, resulting from that hazardous material release, except for any acts or omissions that constitute wilful misconduct.

(b) No commission or committee member shall be liable for the death of or any injury to persons, the loss of or damage to property, or any civil damages, resulting from any act or omission arising out of the performance of the functions, duties, and responsibilities of the commission or a committee, except for acts or omissions that constitute wilful misconduct. [L 1993, c 300, pt of §1]

[§128E-11] Penalties and fines. (a) Any person who violates any of the emergency reporting, planning, or notification requirements of sections 128E-6 or 128E-7, or fails to pay the fees required by section 128E-9, shall be subject to a civil penalty of not less than \$1,000 but not more than \$25,000 for each separate offense. Each day of each violation shall constitute a separate offense.

(b) Any person who:

- (1) Knowingly fails to report the release of a hazardous substance or extremely hazardous substance, as required by section 128E-7, shall be guilty of a misdemeanor and, upon conviction, be fined not less than \$1,000 but not more than \$25,000 for each separate offense, or imprisoned for not more than one year, or both. For the purposes of this paragraph, each day of each violation shall constitute a separate offense; or
- (2) Intentionally obstructs or impairs, by force, violence, physical interference, or obstacle, a representative of the department, a hazardous materials response team, or a committee attempting to perform the duties and functions set forth in section 128E-5, shall be guilty of a misdemeanor and, upon conviction, be fined not less than \$5,000 but not more than \$25,000 for each separate offense, or be imprisoned for not more than one year, or both.

(c) All moneys collected under this section shall be deposited in the state treasury and accrue to the credit of the state general fund. [L 1993, c 300, pt of §1]

[§128E-12] Enforcement. If the commission determines that any person has violated or is violating this chapter, or any rule adopted pursuant to this chapter, the commission:

- (1) Shall cause written notice to be served upon the alleged violator or violators. The notice shall specify the alleged violation and may contain an order specifying a reasonable time during which the facility shall submit the required reports, forms, and notifications;
- (2) May require the alleged violator or violators to appear before the commission for a hearing at a time and place specified in the notice or to be set later, and to answer the charges complained of; and
- (3) May impose penalties as provided in section 128E-11 by sending a written notice describing the violation, either by certified mail or personal service, to the alleged violator or violators. [L 1993, c 300, pt of § 1]

[§128E-13] Relationship to other laws. (a) This chapter shall be read in conjunction with the federal statutes and regulations providing for the identification, labeling, and reporting of information concerning hazardous material releases, and any other health and safety provisions relating to hazardous materials, and is intended to supplement federal statutes and regulations in the interest of protecting the health and safety of the citizens of the State.

(b) Nothing in this chapter shall affect or modify in any way the obligations or liabilities of any person under other laws of the State.

(c) This chapter shall preempt any ordinances passed or adopted by any county that are effective on, before, or after the effective date of this chapter, to the extent that these ordinances conflict or are inconsistent with the provisions of this chapter. [L 1993, c 300, pt of § 1]

CHAPTER 132 FIRE PROTECTION

§132-12 Court aid. ***
[am L 1993, c.6, §7]

CHAPTER 134 FIREARMS, AMMUNITION AND DANGEROUS WEAPONS

PART I. GENERAL REGULATIONS

§134-6 Carrying or use of firearm in the commission of a separate felony; place to keep firearms; loaded firearms; penalty. (a) It shall be unlawful for a person to knowingly carry on the person or have within the person's immediate control or intentionally use or threaten to use a firearm while engaged in the commission of a separate felony, whether the firearm was loaded or not, and whether operable or not; provided that a person shall not be prosecuted under this subsection where the separate felony is:

- (1) A felony offense otherwise defined by this chapter;
- (2) The felony offense of reckless endangering in the first degree under section 707-713;
- (3) The felony offense of terroristic threatening in the first degree under section 707-716(a), 707-716(b), and 707-716(d); or
- (4) The felony offenses of criminal property damage in the first degree under section 708-820 and criminal property damage in the second degree under section 708-821 and the firearm is the instrument or means by which the property damage is caused.

(b) It shall be unlawful for a person to knowingly possess a firearm with the intent to facilitate the commission of a felony offense involving the distribution of a controlled substance, whether the firearm was loaded or not, and whether operable or not.

(c) Except as provided in sections 134-5 and 134-9, all firearms and ammunition shall be confined to the possessor's place of business, residence, or sojourn; provided that it shall be lawful to carry unloaded firearms or ammunition or both in an enclosed container from the place of purchase to the purchaser's place of business, residence, or sojourn, or between these places upon change of place of business, residence, or sojourn, or between these places and the following: a place of repair; a target range; a licensed dealer's place of business; an organized, scheduled firearms show or exhibit; a place of formal hunter or firearm use training or instruction; or a police station. "Enclosed container" means a rigidly constructed receptacle, or a commercially manufactured gun case, or the equivalent thereof that completely encloses the firearm.

(d) It shall be unlawful for any person on any public highway to carry on the person, or to have in the person's possession, or to carry in a vehicle any firearm loaded with ammunition; provided that the provision of this paragraph shall not apply to any person who has in the person's possession or carries a pistol or revolver and ammunition therefor in accordance with a license issued as provided in section 134-9.

(2) (b)

or operator for tier II information with respect to a hazardous chemical which a facility has stored in an amount in excess of 10,000 pounds present at the facility at any time during the preceding calendar year and make such information available in accordance with section 324 to the person making the request.

(C) Discretionary Provision of Information to Public.—In the case of tier II information which is not in the possession of a State emergency response commission or local emergency planning committee and which is with respect to a hazardous chemical which a facility has stored in an amount less than 10,000 pounds present at the facility at any time during the preceding calendar year, a request from a person must include the general need for the information. The State emergency response commission or local emergency planning committee may, pursuant to paragraph (1), request the facility owner or operator for the tier II information on behalf of the person making the request. Upon receipt of any information requested on behalf of such person, the State emergency response commission or local emergency planning committee shall make the information available in accordance with section 324 to the person.

(D) Response in 45 Days.—A State emergency response commission or local emergency planning committee shall respond to a request for tier II information under this paragraph no later than 45 days after the date of receipt of the request.

(E) Fire Department Access.—Upon request to an owner or operator of a facility which files an inventory form under this section by the fire department with jurisdiction over the facility, the owner or operator of the facility shall allow the fire department to conduct an on-site inspection of the facility and shall provide to the fire department specific location information on hazardous chemicals at the facility.

(g) Format of Forms.—The Administrator shall publish a uniform format for inventory forms within three months after the date of the enactment of this title. If the Administrator does not publish such forms, owners and operators of facilities subject to the requirements of this section shall provide the information required under this section by letter.

EPA published the form on Oct. 15, 1987.

Sec. 313. Toxic Chemical Release Forms.

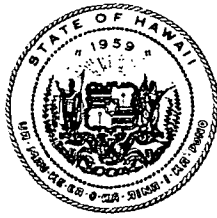
(a) Basic Requirement.—The owner or operator of a facility subject to the requirements of this section shall complete a toxic chemical release form as published under subsection (g) for each toxic chemical listed under subsection (c) that was manufactured, processed, or otherwise used in quantities exceeding the toxic chemical threshold quantity established by subsection (f) during the preceding calendar year at such facility. Such form shall be submitted to the Administrator and to an official or officials of the State designated by the Governor on or before July 1, 1988, and annually thereafter on July 1 and shall contain data reflecting releases during the preceding calendar year.

EPA published a proposed rule on and a final rule on Feb. 16, 1988. See Appendix 3.

(b) Covered Owners and Operators of Facilities.—

(1) In General.—(A) The requirements of this section shall apply to owners and operators of facilities that have 10 or more full-time employees and that are in Standard Industrial Classification Codes 20 through 39 (as in effect on July 1, 1985) and that manufactured, processed, or otherwise used a toxic chemical

BENJAMIN J. CAYETANO
GOVERNOR



LORRAINE H. AKIBA
DIRECTOR

STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
830 PUNCHBOWL STREET
HONOLULU, HAWAII 96813

February 19, 1998

Bruce Anderson, Ph.D.
Deputy Director
Environmental Health Administration
Department of Health
1250 Punchbowl Street
Honolulu, Hawaii 96813

Dear Dr. Anderson:

RE: February 6, 1998 Meeting on Explosives Reporting

I am writing in follow up to our discussion at our February 6, 1998 meeting with you and Ms. Marsha Graf of the DOH Hazard Evaluation and Emergency Response Branch (HEER) regarding reporting of explosives quantities to the Department of Health.

We briefly presented the results of DLIR's analysis of government's role with regards to regulating explosives wherein we determined the primary functions to be 1) the control of criminal or subversive use of explosives, and 2) emergency planning and response. We expressed the position of Mr. Roy Price of the State Civil Defense and those of the county fire chiefs that knowing the location and approximate quantities of explosives were critical to emergency planning and response. Mr. Price had previously suggested and Mr. Steven Armann, former Branch Chief for HEER, also concurred that the DOH's hazardous substances reporting mechanism could be expanded to include the reporting of explosives, without too much additional work for HEER. Ms. Graf was also present at those earlier meetings and agrees that this can be done.

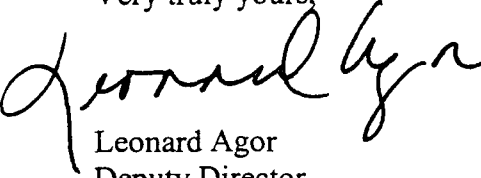
Jennifer Shishido suggested a reporting threshold of 100 lbs gross weight for explosives based on a review of the current amounts being reported to HIOSH, and agreed that monthly reporting was not necessary since the inventory amounts do not increase significantly from month to month. You agreed to look either at changing the reporting statute to include the requirement to report explosives or to do it through rulemaking, which was the preferred route. It was further agreed that the matter should be brought before the Hawaii State Emergency Response Committee (HSERC) at their next meeting on February 27, 1998.

Bruce Anderson, Ph.D.
February 19, 1998
Page 2

Some issues of staffing related to compliance inspections were discussed and it was suggested that HIOSH and HEER work closely together to share information regarding where threshold quantities of hazardous materials were found. HIOSH could conduct inspections of establishments based on reports from HEER concerning possible non-compliance with hazardous materials regulations that impacts both public and employee safety and health.

Please call me at 586-8852, if the above does not comport with your understanding of what we discussed and agreed to. I appreciated the opportunity to meet with you and look forward to working with you and your department in the future.

Very truly yours,



Leonard Agor
Deputy Director

c: Ms. Marsha Graf

From: <N424@cnbgw.cnbph.navy.mil >
Date sent: Thu, 19 Feb 98 10:20:08 HST
To: mmealey@eha.health.state.hi.us (Marsha Mealey)
Subject: **FILING FEE**

Hi Marsha,

Don't know if I mentioned it to you or not but we checked with our legal counsel and we do not have to pay the EPCRA filing fees.

Please give me a call if you have any questions.

Thanks,
Cynthia

Maryanne W. Kusaka
Mayor



Wallace G. Rezentes, Sr.
Administrative Assistant

OFFICE OF THE MAYOR

February 27, 1998

State of Hawai'i Emergency Response Commission
SOH DOH - Hazard Evaluation and Emergency Response
919 Ala Moana Boulevard, Suite 206
Honolulu, Hawai'i 96814

Re: Kaua'i LEPC Membership

Dear Commissioners:

Pursuant to Section 128E-5(b) of Hawai'i Revised Statutes, the following names are presented to you for appointment to the Local Emergency Planning Committee for the Kaua'i District:

Ronald Kouchi, Councilman, County of Kaua'i
George Freitas, Jr., Chief of Police, County of Kaua'i
Ed Pickop, SOH-Department of Agriculture
Clyde Takekuma, Chief, SOH-DOH, Sanitation Division
Steve Kyono, District Engineer, SOH-DOT, Highways Division
David Sproat, Fire Chief, County of Kaua'i
Clifford Ikeda, CD Plans & Operations Officer, County of Kaua'i
William Dahle, General Manager, Radio Station KUAI
Rob Coulbertson, Sierra Club
Eli Pablo, Manager, Brewer Environmental Industries

Should you have any questions, please feel free to contact Clifford Ikeda at (808) 241-6335.

With warmest aloha,

Maryanne W. Kusaka

MWK:ca

Kauai Local Emergency Planning Committee

C/o Kauai Civil Defense Agency
4396 Rice Street 107
Lihue, HI. 96766
Bus: 808.241.6336
Fax: 808.241.6335
Kcda@pdc.org

February 26, 1998

Hawaii State Emergency Response Commission
c/o DOH-HEER
919 Ala Moana Boulevard 206
Honolulu, HI. 96814

Update:

1. **Battalion Chiefs'** positions have been created and filled giving the Kauai Fire Department an executive personnel on duty 24-hours a day. More attention in ascertaining compliance with HIOSH Chapter 99 Standards is evident by the program budget submitted for CFY-1999.
2. **Training** for this period included decontamination procedures, weather station operations, industrial hygiene toxicology, CHEMTREC handbook, sensidyne tester, cascade system, dry chemicals and halon, protective suites, and reference materials overview.

CAMEO PC training is scheduled for 27-31 July 1998 at the Kauai Community College (KCC) computer lab. A handful of positions will be made available to outer-island participants at their own expense.
3. **HazMat Team responded** to a number of minor spills caused by traffic mishaps and a faulty electrical transformer. Other calls included the recovery of a cylinder washed ashore and stored batteries found at a fire incident.
4. **Kauai LEPC Membership** list has been revised and submitted to the Hawaii SERC for confirmation.

Sincerely,



Clifford Ikeda
Chairperson

HSERC MEETING

2/27/98

BACKGROUND:

A. Government Role with regard to Explosives:

1. Criminal/Subversive Control
2. Emergency Planning and Response

B.. Current Regulation of Explosives/Pyrotechnics

1. Duplicative
 - Inspection of Trucks
 - Fireworks Display
2. Unnecessary
 - Permit to Purchase, Permit to Sell
3. Insufficient to Adequately Perform I. above
 - Disaster Response - DLIR not in loop (Iniki)
 - Domestic Terrorism - DLIR not in loop

DLIR ROLE: Employee Safety - Indirect Public Safety

1. DLIR will still retain - Certificate of Fitness
(Until some other agency wants to do it)
2. Enforcement of Regulations through OSHA Rules:
 - Magazines - Storage, table of distances
 - Training of Employees -
 - Using or Near Explosives
 - Transporting
 - Emergency Response
 - Citation and Penalty - Up to \$70,000 per instance
 - Criminal Enforcement if results in death

SB 1592/HB 1728:

1. Will eliminate duplicative and unnecessary functions for DLIR to do
 1. Transport Permits
 2. Permits to Buy
 3. Fireworks Display Use Permits
 4. Permits to Use

2. Will improve safety within the area that DLIR has some control over:
- a. Certificate of Fitness:
COF will be required to use, sell, transport
COF will be changed to require Continuing Education & Training
 - b. Enforcement to Involve Transporters and Users in Safety,
Trucking Companies will have to inspect trucks and loads
Storage will have to comply with OSHA, ATF rules/regs

Passive compliance (the past) will be replaced with Active Compliance - which is more effective for both employee safety and public safety.

Because safety will be the responsibility of the trucker/user/storer Safety will be applied every minute of every hour, instead of the once a year of magazine inspections and permits, or the single pre-use check by HIOSH.

OTHER STATE AGENCIES:

1. State DOT - Nothing new -

Continue truck inspections
Support SB 1592, HB 1728
2. State DOH - Amend Statutes to include Reporting of Explosives

Use SB 1592/HB 1728 as vehicle to include reporting requirement, IF NECESSARY
Work with Civil Defense to input Storage locations into computer for
Emergency Planning and Response Purposes
3. State Civil Defense

Introduce Explosives concern into future HSERC Meeting
Touch Bases with DOD - Domestic Terrorism issues
Support SB 1592/HB 1728

Outline for items 3, 4, 5 and 6 for HSERC Meeting #30 February 27, 1998

January Training Needs Meeting

- The meeting was held as requested at the last HSERC meeting.
- There was discussion on all the issues such as types of training necessary, identifying persons who require training persons and sources of funding.
- The priorities were clear and a consensus was made and noted by Warren Chung of SCD who will put together a training schedule.
- There was an action item for the HSERC. The HSERC should put out guidelines for the LEPCs specifying the training required to maintain HazMat Technician Level.
- The next meeting will be scheduled for November before the calendar needs to be redone for the following year.

Food Sector

- In order to enforce at the state level, administrative rules must be adopted and a enforcement policy written but we can be eyes and ears for the EPA.
- It is the intent of the HEER Office to schedule monthly evaluations as part of the Emergency Response and Planning Sections work plan. Under this plan, a few facilities would be chosen for site visits each month and a team composed of HEER, LEPC and Fire would make the visits.
- EPA Region IX has recently made a request for the state teams to do follow up with food sector facilities who have not answered repeated inquiries.
- See attached letter.
- Members are invited to participate on the site visit teams:

Filing Fee Distribution

- I suggest that the filing fees collected and deposited to the special fund be distributed back to the LEPCs in proportion to the amount collected for that county with a minimum set and the funds for Oahu making up the difference.

VOG

- Questions have been raised regarding the determination of background for VOG components when sampling for those same compounds in the workplace.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street

San Francisco, CA 94105-3901

January 29, 1998

Marsha Graf
HEPCRA Program Manager
Hawaii State Department of Health
919 Ala Moana Boulevard, Room 206
Honolulu, HI 96814-4912

Re: Results of EPA's National Food Sector Initiative

Dear Marsha:

I would like to share with you the results of EPA's National Food Sector Initiative in Hawaii and nationwide, and to request your assistance in following up with four facilities in your jurisdiction that have not responded to EPA's inquiries.

Results of initiative. Enclosed is EPA's press release on the results of the initiative. As described in the press release, EPA targeted the food manufacturing and processing business sector because of the potentially large number of facilities that stored regulated quantities of hazardous substances, including ammonia, chlorine, sulfuric acid and nitric acid. In accordance with EPA's objective of achieving compliance, 131 facilities filed chemical inventory information with appropriate state and local authorities. Five of the facilities that filed the inventory forms are located in Hawaii. In exchange for voluntarily coming into compliance, the facilities paid a greatly reduced penalty of \$2,000 per facility. Each facility has now entered the regulatory system and is part of the important process of emergency planning.

At the outset of the initiative, EPA provided a list of facilities to the Hawaii State Emergency Response Commission (SERC). The Hawaii SERC checked its database in 1996 to determine whether the facilities had filed inventory forms. Those facilities that filed were eliminated from further action. EPA sent a screening letter to the remaining facilities. Those facilities that responded indicating that they were not subject to EPCRA were eliminated from further consideration. EPA sent a followup letter and compliance assistance package to the remaining facilities. Those facilities that responded demonstrated that they were not subject to EPCRA, or filed the inventory forms and settled with EPA. EPA made telephone calls to the remaining facilities, and interviewed personnel to determine whether they were subject to EPCRA.

Remaining facilities. The four facilities regarding which your assistance is requested did not appear in the Hawaii SERC database as having filed inventory forms. They did not respond to EPA's screening letter or followup letter. They have not returned EPA's followup calls seeking

Marsha Graf
Page 2

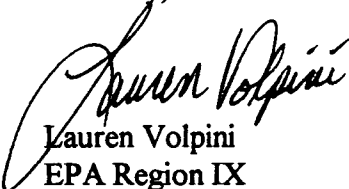
to determine, by telephone interview, whether the facilities are subject to EPCRA. Enclosed are summaries of the information that EPA has obtained on each facility to date.

EPA believes that a site visit to these facilities is necessary to determine whether they are subject to EPCRA. Because of the distance that EPA's inspection personnel would need to travel, we wanted to ask if your office would be willing to visit the facilities and inspect them for compliance with EPCRA. We are making a similar request to the LEPC for each facility, so you might want to coordinate your response. We request that you determine whether the facility has been subject to EPCRA's chemical inventory reporting requirements for the 1994, 1995 or 1996 calendar years. We would appreciate information on the identity of any chemicals onsite, the quantity of each chemical, changes in chemical quantities over the years, and any releases of any chemicals.

Followup enforcement. If the facilities are subject to EPCRA, EPA intends to issue an enforcement action against them. The facilities have received ample previous opportunities to come into compliance at a greatly reduced penalty, yet they have chosen not to respond to EPA's correspondence and telephone calls. This approach is necessary to be fair to all of the other Hawaii facilities that have come into compliance on a timely basis. As with all cases, if the business can establish inability to pay the assessed penalties, EPA will adjust the penalties appropriately.

I appreciate your consideration of this request. We are being supported on this project by Ed Oyarzo, Work Assignment Manager, with EPA's contractor SAIC. Ed or a member of his staff will be telephoning you shortly to discuss this letter and answer any questions that you may have. You may also call me at 415.744.2333 or reach me by e-mail at: volpini.lauren@epamail.epa.gov.

Sincerely,



Lauren Volpini

EPA Region IX
EPCRA Compliance and Enforcement Program Manager

Enclosures:

1. EPA Press Release
2. Facility Data Summaries for A. Decoite Packing House Inc., Designer Meats Inc., Excelsior Dairy Inc., and Hilo Homemade Ice Cream

EPA PRESS RELEASE

FOR RELEASE: FRIDAY, OCTOBER 3, 1997

EPA ENFORCEMENT PROGRAM MEETS WITH SUCCESS IN FOOD MANUFACTURING AND PROCESSING SECTOR

EPA has completed an industry-wide sector compliance incentives initiative which has increased the data that state and local emergency responders receive from food manufacturing and processing companies on hazardous chemicals stored on site. The food products sector was chosen because of the potentially large number of facilities which stored regulated quantities of hazardous chemicals including ammonia, chlorine and sulfuric and nitric acids. This is one of several compliance incentive programs adopted by EPA to encourage industry to correct violations as an alternative to the Agency's use of more traditional enforcement measures. Through this initiative, the food manufacturing and processing companies provided information about hazardous chemicals stored at facilities in response to a time-limited offer by EPA to reduce penalties for violations of the Emergency Planning and Community Right to Know Act (EPCRA). One hundred thirty one companies submitted hazardous chemical data, for which EPA fined them \$262,000, significantly less than they otherwise would have been liable. The EPCRA hazardous chemical inventory report is due on March 1 of each year to state emergency response commissions, local emergency planning committees, and local fire departments. Data on hazardous chemical inventories provided by facilities are crucial for local communities to effectively develop and implement emergency response plans for hazardous spills or releases, and to enhance community awareness of the chemical hazards within the local area. EPA first conducted compliance assistance, followed by enforcement for failure to submit hazardous chemical inventory information. Facilities were contacted directly by EPA and given a time-limited opportunity to come into compliance while paying a greatly reduced penalty of \$2,000 per facility under the national sector enforcement agreement. This initiative is now concluded and the sector enforcement agreement is no longer available. EPA has established the EPCRA Hotline to provide technical assistance free of charge to facilities at 1-800-424-9346.

HAWAII FIRE DEPARTMENT • COUNTY OF HAWAII • HILO, HAWAII 96720


DATE: February 24, 1998

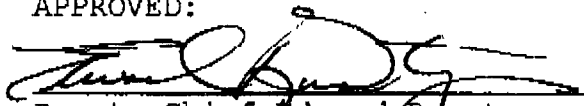
Memorandum

TO : JAY SASAN, COUNTY SAFETY COORD./LEPC MEMBER
 FROM : TRAINING/SAFETY DIVISION
 SUBJECT : FIRE DEPT. HAZMAT PROGRAM UPDATE (FEB98)

As of November 12, 1997:

1. 38 persons completed Level2 refresher training.
2. 85 Persons received in-service training on Ammonia Safety Awareness
3. Medical surveillance program have not been formalized as of this date. Still awaiting recommendations from County Physician.


 Thomas J. Bell, Battalion Chief

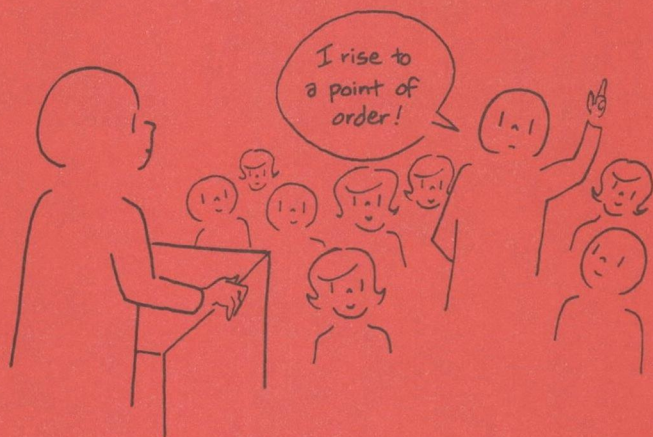
APPROVED:

 Deputy Chief Edward Bumatay

Distribution: AC's, 1-5, 10, 17 & 18

Post-it® Fax Note	7071	Date	2/27	# of pages	1
To	MARSHA GRAY	From	SAFETY		
Co./Dept.	HEER	Co.			
Phone #	586-4674	Phone #	961-8215		
Fax #	586-7537	Fax #			

The a-b-c's of

PARLIAMENTARY PROCEDURE



WHAT IS PARLIAMENTARY PROCEDURE ?



It's a
SET OF RULES
for conduct
at meetings.

It allows **EVERYONE**
to be heard and to
make decisions
without confusion!

Parliamentary procedure has a **LONG HISTORY.**

IT ORIGINATED

in the early English
Parliaments (discus-
sions of public affairs).



IT CAME TO AMERICA

with the first settlers.



IT BECAME UNIFORM

in 1876, when Henry
M. Robert published
his manual on Parlia-
mentary Law.



Today

ROBERT'S RULES OF ORDER

NEWLY REVISED is the basic handbook
of operation for most clubs, organizations
and other groups.



Because
it's a time-tested
method of conducting
business at meetings
and public gatherings.

**WHY is
parliamentary
procedure
IMPORTANT
?**

PARLIAMENTARY PROCEDURE MEANS:



It can be
adapted to fit
the needs of any
organization.

So it's important
for everyone to
know these
BASIC RULES!

Organizations using parliamentary procedure usually follow a fixed

AGENDA.

Here's a typical example:



I. CALL TO ORDER

The chair says, "The meeting will please come to order."

II. QUORUM*

The chair notes if a quorum is present.

III. MINUTES

The secretary reads a record of the last meeting.

IV. OFFICERS' REPORTS

Often limited to a report from treasurer, but others may report at this time.

V. COMMITTEE REPORTS

First come reports from standing (permanent) committees, then from special (temporary) committees.

VI. SPECIAL ORDERS

Important business previously designated for consideration at this meeting.

VII. UNFINISHED BUSINESS

Business left over from previous meetings.

VIII. NEW BUSINESS

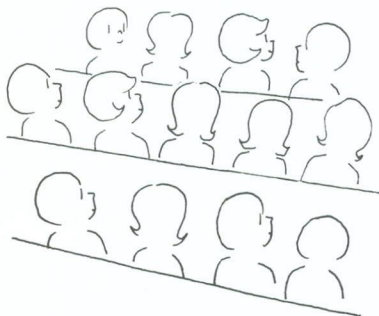
Introduction of new topics.

IX. ANNOUNCEMENTS

Informing the assembly of other subjects and events.

X. ADJOURNMENT

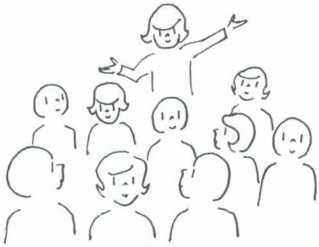
The meeting ends by a vote, or by general consent (or by chair's decision if time of adjournment was pre-arranged by vote).



*QUORUM...

The number of members that must be present for business to be conducted legally.

The actual number is usually stated in the bylaws.



**HOW DO MEMBERS
GET THEIR SAY
?**

THEY MAKE MOTIONS!

A motion is a proposal that the assembly **TAKE A STAND** or **TAKE ACTION** on some issue.

Members can:

PRESENT MOTIONS

(make a proposal)



SECOND MOTIONS

(express support for discussion of another member's motion)



DEBATE MOTIONS

(give opinions on the motion)



VOTE ON MOTIONS

(make a decision).



There are

4 GENERAL TYPES OF MOTIONS.

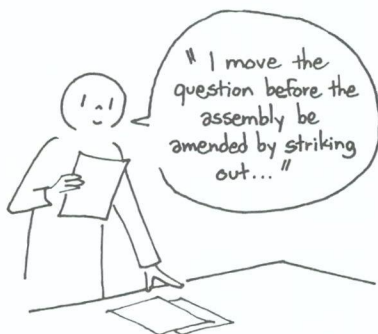
① MAIN MOTIONS

introduce subjects to the assembly for its consideration. They cannot be made when another motion is before the assembly. They yield to privileged, subsidiary and incidental motions. For example:



② SUBSIDIARY MOTIONS

change or affect how the main motion is handled. (They are voted on before the main motion.) For example:



SOME QUESTIONS RELATING TO MOTIONS:

IS IT IN ORDER?

Your motion must relate to the business at hand, and be presented at the right time. It must not be obstructive, frivolous or against the bylaws.

DO I NEED A SECOND?

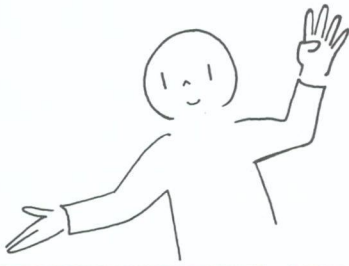
Usually, yes. A second indicates that another member would like to consider your motion. It prevents spending time on a question which interests only one person.

MAY I INTERRUPT THE SPEAKER?

Some motions are so important that the speaker may be interrupted to make them. The original speaker regains the floor after the interruption has been attended to.

IS IT DEBATABLE?

Parliamentary procedure guards the right to free and full debate on most motions. However some subsidiary, privileged and incidental motions are not debatable.



③ PRIVILEGED MOTIONS

are most urgent. They concern special or important matters not related to pending business. For example:



④ INCIDENTAL MOTIONS

are questions of procedure that arise out of other motions. They must be considered before the other motion. For example:



CAN IT BE AMENDED?

Some motions can be altered by striking out, inserting, or both at once. Amendments must relate to the subject as presented in the main motion.

CAN IT BE RECONSIDERED?

Some motions can be debated again and revoted to give members a chance to change their minds. The motion to reconsider must come from the winning side.

WHAT VOTE IS NEEDED?

Most require only a majority vote, but motions concerning the rights of the assembly or its members need a 2/3 vote to be adopted.



The table on pages 8 and 9 answers these questions for some common motions.

PARLIAMENTARY PROCEDURE

— at a glance.



TO DO THIS:	YOU SAY THIS:
ADJOURN MEETING	"I move that we adjourn"
CALL AN INTERMISSION	"I move that we recess for..."
COMPLAIN ABOUT HEAT, NOISE, ETC.	"I rise to a question of privilege"
TEMPORARILY SUSPEND CONSIDERATION OF AN ISSUE	"I move to table the motion"
END DEBATE AND AMENDMENTS	"I move the previous question"
POSTPONE DISCUSSION FOR A CERTAIN TIME	"I move to postpone the discussion until..."
GIVE CLOSER STUDY OF SOMETHING	"I move to refer the matter to committee"
AMEND A MOTION	"I move to amend the motion by..."
INTRODUCE BUSINESS	"I move that..."

THE MOTIONS LISTED ABOVE ARE IN ORDER OF PRECEDENCE... E

PROTEST BREACH OF RULES OR CONDUCT	"I rise to a point of order."
VOTE ON A RULING OF THE CHAIR	"I appeal from the chair's decision"
SUSPEND RULES TEMPORARILY	"I move to suspend the rules so that..."
AVOID CONSIDERING AN IMPROPER MATTER	"I object to consideration of this motion"
VERIFY A VOICE VOTE BY HAVING MEMBERS STAND	"I call for a division" or "Division!"
REQUEST INFORMATION	"Point of information"
TAKE UP A MATTER PREVIOUSLY TABLED	"I move to take from the table..."
RECONSIDER A HASTY ACTION	"I move to reconsider the vote on..."

NOTES:

- 1 Affirmative votes may not be reconsidered.
- 2 Unless vote on question has begun.
- 3 Unless the committee has already taken up the subject.
- 4 Unless the motion to be amended is not debatable.



Here are some motions you might make, how to make them, and what to expect of the rules.

MAY YOU INTERRUPT THE SPEAKER?	DO YOU NEED A SECOND?	IS IT DEBATABLE?	CAN IT BE AMENDED?	WHAT VOTE IS NEEDED?	CAN IT BE RECONSIDERED?
NO	YES	NO	NO	MAJORITY	NO
NO	YES	NO	YES	MAJORITY	NO
YES	NO	NO	NO	NO VOTE	NO
NO	YES	NO	NO	MAJORITY	NO ¹
NO	YES	NO	NO	$\frac{2}{3}$	YES ²
NO	YES	YES	YES	MAJORITY	YES
NO	YES	YES	YES	MAJORITY	YES ³
NO	YES	YES ⁴	YES	MAJORITY	YES
NO	YES	YES	YES	MAJORITY	YES

BELOW THERE IS NO ORDER..

YES	NO	NO	NO	NO VOTE ⁵	NO
YES	YES	YES	NO	MAJORITY	YES
NO	YES	NO	NO	$\frac{2}{3}$	NO
YES	NO	NO	NO	$\frac{2}{3}$ ⁶	YES ⁷
YES	NO	NO	NO	NO VOTE	NO
YES	NO	NO	NO	NO VOTE	NO
NO	YES	NO	NO	MAJORITY	NO
YES	YES	YES ⁸	NO	MAJORITY	NO

⁵ Unless the chair submits to the assembly for decision.

⁶ A $\frac{2}{3}$ vote in negative is needed to prevent consideration of main motion.

⁷ Only if the main question has not been debated yet.

⁸ Unless the motion to be reconsidered is not debatable.

How do I present my motion ?

Here's what to do
when it's your turn
to speak:



① OBTAIN THE FLOOR

- a. Wait until the last speaker is finished.
- b. Rise and address the chair.
Say, "Mr. (or Madam) Chairperson" or "Mr. (or Madam) President."
- c. Give your name. The chair will recognize you by repeating it.

② MAKE YOUR MOTION

- a. Speak clearly and concisely.
- b. State your motion affirmatively.
Say, "I move that we . . ." instead of "I move that we do not . . ."
- c. Avoid personalities and stay on the subject.



3 WAIT FOR A SECOND

- Another member will say, "I second the motion."
- Or the chair will call for a second.
- If there is no second, your motion will not be considered.



4 CHAIR STATES YOUR MOTION

The chair must say, "It is moved and seconded that we . . ."

After this happens, debate or voting can occur.

Your motion is now "assembly property" and you can't change it without consent of the members.



5 EXPAND ON YOUR MOTION

- Mover is allowed to speak first.
- Direct all comments to the chair.
- Keep to the time limit for speaking.
- You may speak again after all other speakers are finished.
- You may speak a third time by a motion to suspend the rules with a 2/3 vote.



6 PUTTING THE QUESTION

- The chair asks, "Are you ready for the question?"
- If there is no more discussion, or if a motion to stop debate is adopted, a vote is taken.
- The chair announces the results.



The method of **VOTING ON A MOTION**

depends on the SITUATION
and on the laws of
your organization.



BY VOICE

The chair asks those in favor to say "aye" and those opposed to say "no." (For majority votes only.) A member may move for an exact count.



BY SHOW OF HANDS

Members raise their hands as sight verification of or as an alternative to a voice vote. It does not require a count. A member may move for an exact count.



BY ROLL CALL

If a record of each person's vote is needed, each member answers "yes," "no" or "present" (indicating the choice not to vote) as his or her name is called.



BY BALLOT

Members write their vote on a slip of paper.

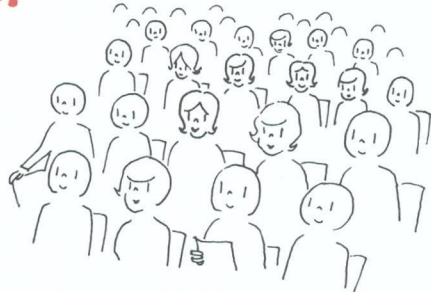
This is done when secrecy is desired.



BY GENERAL CONSENT

When a motion isn't likely to be opposed, the chair says, "If there is no objection . . ." Members show agreement by their silence.

If someone says, "I object," the matter must be put to a vote.



More about VOTING

Are we ready for the question?



A question (motion) is **PENDING** when it has been stated by the chair but not yet voted on.

The last motion stated by the chair is the first pending.

The **MAIN MOTION** is always the last voted on.

A MOTION TO TABLE

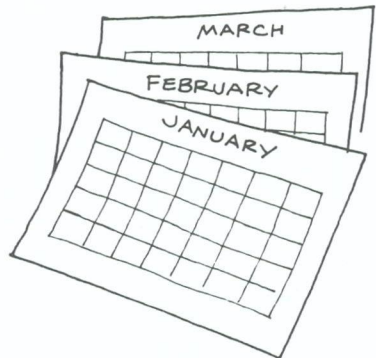
(lay on the table)

This motion is used to lay something aside temporarily to take care of a more urgent matter. There is always the option to "take from the table" any motion for reconsideration by the assembly.

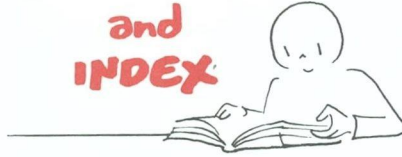


A MOTION TO POSTPONE INDEFINITELY

This is parliamentary strategy – it allows members to dispose of a motion without making a decision for or against. It is useful in case of a badly chosen main motion for which either a "yes" or "no" vote would have undesirable consequences.



GLOSSARY and INDEX



ADJOURN

Page

- To end the meeting
Ways to adjourn 4
How to move to adjourn ... 8-9

AGENDA

- Business to be considered
during a meeting 4

AMEND

- To change a motion
Ways to amend 7
How to move to amend ... 8-9

COMMITTEE

- A group of members
chosen for a certain task 4

DEBATE

- Discussion about a motion
Members' right 5
When to debate 6,8-9
Rules on debate 11

GENERAL CONSENT

- Accepting a motion
without a vote 12

IN ORDER

- Relevant to the
business at hand 6

MAJORITY

- More than one half of the members
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When required 8-9

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- A proposal that the assembly
take a stand or take action on
some issue
Types of motions 6-7
Procedures affecting
motions 7
Typical motions 8-9
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QUORUM

- Number of members that must
be present to conduct
business legally 4

ROBERT'S RULES OF ORDER NEWLY REVISED

- Manual of procedure for
nonlegislative assemblies 2

SECOND

- A verbal signal from a member
that he or she wishes to consider
a motion just made
Members' right 5
When required 6
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VOTING

- Means by which motions
are accepted or rejected by
the assembly
Members' right 5
What vote is needed 7,8-9
Method of voting 12

Soo--

PARLIAMENTARY PROCEDURE HELPS GET THINGS DONE!

BUT-- it only works if **YOU**
use it right !

- ✓ **MAKE MOTIONS** that are in order.
- ✓ **OBTAIN THE FLOOR** properly.
- ✓ **SPEAK** clearly and concisely.
- ✓ **OBEY** the rules of debate.

And, most of all,
BE COURTEOUS!



ORIGINAL

HSERC

November 14, 1997

Outstanding Statewide Issues/ Discussion Questions

1. Big Island - Hilo Hazmat: After a severe vehicle collision where human blood has contaminated sporadic areas of highway, is it acceptable to simply disinfect (with a bleach/water solution), wait a short period of time (15- 20 mins.) to allow the solution to kill off potential Bloodborne pathogens, then wash down the site?

Does the Incident Commander have the authority or assume any liability for this action?

Will the disinfectant/blood/water runoff mixture cause for further environmental concern or damage?

Does the runoff have to be collected and disposed of into a local sewage line or treatment plant?

2. Oahu - HPD Narcotics Div: Once HPD has seized a clandestine laboratory (Clan-lab) and criminal prosecution evidence is collected, the HEER office under HEER Standard Operating Procedure (SOP) and by informal agreement with HPD, will contract a hazmat removal contractor to remove and properly dispose of any remaining chemicals or items (cookware) used in the production or conversion process of crystal methamphetamine (Ice).

Which agency becomes responsible, liable, or assumes liability, and has legal authorization to certifying a Clan-lab space safe for occupancy?

or

Require an owner to conduct further decontamination, cleanup, removal and disposal activities of affected materials within a space at the owners expense?

BENJAMIN J. CAYETANO
GOVERNOR OF HAWAII



LAWRENCE MIKE
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. BOX 3378
HONOLULU, HAWAII 96801

IN REPLY, PLEASE REFER TO:
HEER OFFICE

MEETING SUMMARY
HAWAII STATE EMERGENCY RESPONSE COMMISSION
MEETING #28

Tuesday, August 26, 1997 from 9:00 a.m. to 12:00 noon.

Department of Health
919 Ala Moana Boulevard, Conference Room 215
Honolulu, Hawaii 96814

Attendees
Voting

Dr. Bruce Anderson, Chair, Department of Health, Environmental Health
Sean O'Keefe, Maui LEPC Representative
Bob Boesch, Board of Agriculture
Russell Charlton, Department of Labor and Industry
Sterling Yong, Department of Land and Natural Resources
Leland Nakai, Oahu Civil Defense, 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
Jay Sasan, Hawaii LEPC Representative

Non Voting

Mike Ardito, USEPA Region IX
LCDR Wipple, USCG MSO Honolulu, Planning Department
Jim Vinton, BHP Hawaii
Alden Kang, State Civil Defense
Allen Sugihara, NAVSTA, Pearl Harbor
Cynthia Pang, COMNAVBASE, Pearl Harbor
James Bac, DBEDT (For Tom Smyth)
Helen Mary Wessel, CIP Compliance Coordinator
Bryce Hataoka, Department of Health, Hazard Evaluation and Emergency Response Office
Marsha Graf, Department of Health, Hazard Evaluation and Emergency Response Office
Mike Cripps, Department of Health, Hazard Evaluation and Emergency Response Office

- 1) The meeting was called to order by Dr. Anderson at 9:08.
- 1.1) Opening Remarks and Discussion

Since Carter Davis could not attend today's meeting, the topic of the black market for pesticides will be put on the agenda for a later meeting.

A presentation by EPA's lawyer will also be placed on a future agenda.

1.2) Approval of Minutes from Mtg #27

The minutes were accepted with changes.

2) EPA updates were provided by Mike Ardito, USEPA Region IX.

2.1) Chemical Accident Investigation Program

Mike circulated 4 handouts.

2.1.1) Handout 1: Fact Sheet

2.1.2) Handout 2: Letter to OSHA from the EPA

2.1.3) Handout 3: Memorandum of Understanding between the USEPA and OSHA

Page 7 describes the formation of a core team (Jan 1, 1997). Will keep the HSERC and LEPCs, etc. apprised.

Page 10 describes the contents.

Since Hawaii is a state plan state, Russel Charlton will be working with the EPA.

In 1999, Risk Management Plans will be due, so the MOA will probably be revisited then.

Page 5 describes the criteria which trigger an investigation.

Risk Management Training under 112r will be offered by the EPA.

2.1.4) Handout 4: Announcement for the International Conference on Risk Analysis, October 21-24, 1997 in Atlanta.

2.2) Campbell Industrial Park-EPCRA Compliance

Mike gave HSERC members copies of "An Industry Profile and Review of Selected U.S. EPA Compliance Evaluations, Campbell Industrial Park, Kapolei, Oahu, Hawaii."

2.2.1) EPA made an integrated search for industries actually operating at Campbell Industrial Park (CIP).

2.2.2) A survey was sent to the industries identified.

2.2.3) A number were chosen and eventually inspected.

2.2.4) Industry and Federal Facility Workshops were held following the site visits.

2.2.5) Findings included violations of EPCRA/HEPCRA, SPCC and the Uniform Fire Codes.

2.3) Operation Koolau-The unedited video shot during the exercise was presented.

2.3.1) On August 20, 1997 a full scale exercise involving H-3 was staged. It was the most complicated scenario in Hawaii to date.

2.3.2) The EPA spent about \$100,000.

2.3.3) 230 people from 7 federal, 5 state and 5 local agencies and private companies were involved.

2.3.4) The scenario was a gasoline/diesel spill Haiku, Kaneohe bound with a chlorine release 1/2 way down the tunnel and a pesticide spill outside the tunnel.

2.3.5) The objectives were:

validate the DOT Tunnel EOP,

build team work by practicing the Unified Command System (UCS) and

familiarize personnel in the locality with the tunnel.

2.3.6) Communications were tested.

2.3.7) Support was provided by EMS, BHP, GASPRO, Brewer, Menuhune Water and MCBKB.

Summary

Communications

Cellular providers will be placing boosters to fill in the gaps in cellular reception.

Incident Command

Not enough time to allow the unified incident command to develop and function.

Training

More training is needed to familiarize participants with ICS.

Planning

The planning, which began last November, and agency coordination was good both prior to and during the exercise.

The report will come out at the end of 1997 and the training video will be available by the beginning of 1998.

AK asked if the EPA intended to cease coordination of the yearly exercises. MA answered that the EPA is committed to an exercise on Hawaii next but will no longer take the lead after that.

JS commented that HSERC members might have benefitted by observing the exercise. Mike noted that there was no grand stand and observers were not allowed due to safety concerns.

GG asked if the ventilation system would clear a hazmat plume.

A smoke generator was operating during the exercise and the tunnel didn't fill with smoke.

The National Guard filled in the communication gaps.

3) A Budget Outline and Grants Update was presented by Marsha Graf of the HEER Office. Handouts describe budget proposal summary and filing fee and grant sources of funding for the LEPCs.

3.1) The filing fees should provide a somewhat stable income for the LEPCs.

3.2) BA indicated that we need to avoid a "bounty hunting" situation in collecting the filing fees.

3.3) Fines, as opposed to the filing fees, are deposited into the State General Fund.

RT suggests that filing fees be adjustable at the discretion of the department. This provides more autonomy. This could unlink the filing fee structure from the statute.

3.5) The filing fees may need to be restructured to support the program.

3.6) JH suggests long term planning with the participation of the stakeholders.

3.7) GG enforcement should include collecting retroactive filing fees and late fees into the ERRF.

Additional Topic) Kathy Ho presented an update on 128E.

DOH is increasing enforcement.

Sections 6 and 7 say that rules shall be adopted.

In order to enforce then, we must have rules.

Rules must be consistent with the Hawaii Chemical Inventory Form (HCIF).

BA noted that rulemaking costs about \$10,000 for hearings and travel.

4) LEPC Updates and Membership Changes

4.1) Jay Sasan, Hawaii LEPC Representative

See attached handout for a summary of the Hawaii LEPC presentation.

4.2) Clifford Ikeda, Kauai LEPC Representative

See attached handout for a summary of the Hawaii LEPC presentation.

4.3) Leland Nakai, Oahu LEPC Representative

4.3.1) Hazmat training to the technician and operations level has been provided.

4.3.2) Carter Davis attended the LEPC Conference and the Continuing Challenge.

4.3.3) NBC

4.3.3.1) A \$300,000 proposal has been put out for a contract for pharmaceuticals, planning and exercising.

4.4.3.2) On July 7th, several fire department personnel attended the Training Assistance Program.

4.3.3.3) In 1998, will train the trainers.

4.3.3.4) The fire department will be the lead for DOD training initiatives.

4.3.4) An ESF 10 Table Top Exercise was held on August 21st.

The scenario was a direct hurricane hit to Oahu with resulting hazmat releases.

A propane leak at CIP.

A liquid chemical leaking into the Honolulu Harbor at Sand Island. and
Human and animal waste from the Ala Wai.

4.3.5) CLEAN will begin a Public Notification, Education Response Project in September which will be ongoing for the next couple of years.

4.4) Sean O'Keefe, Maui LEPC Representative

4.4.1) The EOP came back with comments so the approved draft will be signed by the mayor in the next couple of weeks.

4.4.2) The LEPC will begin to meet again.

4.4.3) Joe is entering facilities.

5) 11:45 Other Business

To summarize the comments, there are two issues:

5.1) In writing the HEPCRA rules, the focus will be enforcement, not management (such as requiring management plans from the facilities.)

JS suggests providing a technical consultation function like HIOSH does.

5.2) A budget task force should be formed.

Members will include: LEPC representatives, BHP Environmental, SCD and HIOSH and a federal facility representative. Other industries should be contracted regarding their interest in participating.

AK says SCD can provide HMEP training and training on arson and terrorism.

MA estimates the usual cost for running an exercise is \$20,000-30,000.

RT reminds the commission to make use of private sector contributions and to strike a balance between what the State and industry does to promote safe chemical use.

RC says that OSHA has a requirement for Emergency Response Plans.

RT Identify the type of responses needed from our resources, one type, for example, is oil spill clean up. Forward the Coast Guard Threat Assessment to the legislature.

A motion was carried to form the budget task force.

Include the Joint Armed Services Civil Defense Disaster Coordination Commission, Ken Suiso 655-5253.

6) 11:55 Schedule next HSERC meeting

The next meeting will be scheduled for a Friday in mid November.

The meeting was adjourned at 11:18.

Respectfully Submitted,


Marsha Graf

BENJAMIN J. CAYETANO
GOVERNOR OF HAWAII



LAWRENCE MIKE
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. BOX 3378
HONOLULU, HAWAII 96801

IN REPLY, PLEASE REFER TO:
HEER OFFICE

**DRAFT MEETING SUMMARY
HAWAII STATE EMERGENCY RESPONSE COMMISSION
MEETING #29**

Friday, November 14, 1997 from 9:00 a.m. to 12:00 noon.

Department of Health
919 Ala Moana Boulevard, Fifth Floor Conference Room

Attendees

Voting

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

Non Voting

Senior Chief Frank Prekel, USCG MSO Honolulu
Jim Vinton, BHP Hawaii
Donna Maiava, Department of Health EMS
Bryce Hataoka, Department of Health, Hazard Evaluation and Emergency Response Office
Marsha Graf, Department of Health, Hazard Evaluation and Emergency Response Office
Allen Sugihara, NAVSTA, Pearl Harbor
Cynthia Pang, COMNAVBASE, Pearl Harbor
Curtis Martin, HEER Office
Mike Choy for Pat Wong, HECO
Mike Cripps, Department of Health, Hazard Evaluation and Emergency Response Office

- 1) The meeting was called to order by Dr. Anderson at 9:18.
 - 1.1) The Minutes from Meeting #28 were approved with no changes.
 - 1.2) Approval of Letters of Commendation

1.2.1) The Letter commending Steve Armann will be sent on DOH letterhead with Dr. Anderson's signature as Chair of the HSERC.

1.2.2) The letter to CLEAN will be reformatted as a resolution.

1.2.2.1) HSERC letterhead will be developed by MG.

2) Budget Outline and Grants Update

Marsha Graf, HEER Office

2.1) The EPA CEPPPO Technical Assistance Grant should be added to the available resources for LEPCs.

2.2) Turn Back of FEMA Federal Funds

Roy Price presented information addressing the letter of March 31, 1997 to Dr. Lawrence Miike, Director of Health, from Carter Davis, Chair of the Honolulu LEPC, regarding the Federal Funding for Hazardous Materials Training.

2.2.1) The funds were available to SCD from FEMA.

2.2.2) It was a mid year redistribution in February outside of the normal fiscal period.

2.2.3) A work plan and action plan under the performance partnership agreement needed to be written before the funds could be awarded.

2.2.4) Only one administrative person was available at the time and had other responsibilities.

2.2.5) The funds had to spent by October 1st and it was not possible to put together the administrative package to meet that time frame.

Comments

2.2.6) Want to garner administrative support from the HSERC and LEPCs to write grants that will help LEPCs.-MG

2.2.7) Carter Davis offers the LEPC's help.-LN

2.2.8) Roy Price can bring potential grants to the attention of the HSERC.-BA

2.2.9) The letter was intended to bring the issue of grant administration before the HSERC.-JV

2.2.10) Hawaii county can provide help if directed by the HEPCRA Coordinator.-JS

2.2.11) The bottom line is to send HazMat responders to the Continuing Challenge and similar training. The Continuing Challenge is very appropriate training; two people from each county should attend each time it is presented.-MC

2.2.12) The HSERCs and LEPCs should respond to the training surveys sent annually by SCD.-RP in response to a question by BA on what specifically can be done.

2.2.12.1) The SCD training surveys should be sent to the HSERC and LEPCs in addition to the existing mailing list. It should be determined why the survey is not being answered.-BA

2.2.12.2) LEPCs should present needs to the next HSERC meeting.-RP

2.2.15) The LEPCs should meet together on training needs.-CT

2.2.16) A Training Needs meeting should be scheduled before the next HSERC meeting and should include LEPCs, SCD, DOT, etc.-BB

2.2.17) DOA has sources for training on pesticides.-BB

2.2.2.18) The LEPCs should follow up locally.-CI

2.3) HMEP Grant

2.3.1) The web page project was disapproved but the HEER Office will cover the cost and the project is already underway.

2.3.2) Funds will be requested in the next period for the traditional use of plan review and exercise.

2.3.3) Copies of the proposed MOA between SCD and DOH were distributed.

Comments from RP

2.3.3.1) The Federal DOT requires one point of contact for the State. In Hawaii, its the SCD who must apply for the whole package.

2.3.3.2) The HSERC can't approve projects but can make recommendations.

2.3.3.3) SCD is required to make the HSERC and LEPCs aware of these grants.

3) Technical Assistance Grant

Curtis Martin, HEER Office

3.1) The OnePlan Project for Hawaii will integrate HazMat and Oil Pollution Response Plans.

3.2) The Coast Guard is already working on a statewide threat assessment and resource accounting.

3.3) EPA and Coast Guard approaches will be combined.

3.4) Will coordinate with the counties.

3.5) Then the One Plan will be formatted along ICS lines.

3.6) The goal is a user friendly, consistent plan.

3.7) A table top exercise on the use of the plan will be held.

3.8) The grant runs for a two year period and has just been signed and awarded.

4) LEPC Updates and Membership Changes

4.1) See handout for Hawaii County updates from Jay Sasan, Hawaii LEPC Representative.

4.2) See handout for the Kauai County updates from Clifford Ikeda, Kauai LEPC Representative

4.2.1) Cable TV is being used in Fire Stations to promote training.

4.2.2) Barbara Henry can provide EMI tapes but doesn't downlink discs.-RP

4.3.3) Now broadcasting in Galaxy 9; this may make it available.

4.3.4) The State lab has a satellite facility. The facility can be made available as its currently under utilized.-BA

4.3) Honolulu County Updates Leland Nakai, Oahu LEPC Representative

A Honolulu County LEPC meeting was held on October 17, 1997.

4.3.1) NBC

The City has signed a contract to develop an MMST and have met to discuss concepts.

4.3.2) CLEAN

4.3.2.1) The Public Participation Committee made 49 comments. These comments will be addressed by the Special Project Team, which will be in place early next year. The Special Project Team will have 6 sub teams.

4.3.2.2) The second wave of EOP distribution is planned due to the high demand.

4.3.2.3) A CLEAN manned a booth for the local Hoolaulea.

4.3.3) COMNAVBASE

Nine county people will go to the CAMEO Windows course offered by the Navy.

4.4) Joe Blackburn, Maui LEPC Representative could not attend.

5) Natural Resources Damage Assessment

Curtis Martin, HEER Office

5.1) The Natural Resources Damage Assessment is significant as it is costing more than the chemical response side of the spill, on the order of millions of dollars.

5.2) Authority comes from OPA 90, Superfund, Clean Water Act and the Department of the Interior federally and within the State from HRS 128D Sections 5 and 6 and HAR 11-451.

5.3) Trustees are developing a process to determine costs and collect reimbursement.

5.4) Trustees can be from the Federal, State, County and Tribal levels and include DOH (Bruce Anderson), DLNR and specific county park administrators. Need to identify who the trustees are down to the county.

5.5) The assessment process includes:

5.5.1) Pre Assessment

Type A

Can open within the first 24 hours.

\$100,000 cap for minor incidents.

Type B

Detailed procedures must be laid out.

Scientific and economic considerations are made.

5.5.2) Write Assessment Plan

5.5.3) Make the Assessment/Implement the Assessment

5.5.4) Post assessment activities.

5.6) The Chevron Waiiau case is still in negotiation.

5.7) Smaller spills look at natural resource damage assessment too.

5.8) DOI must participate. If the spill is contained entirely within the state, the state trustees can bring the case to DOI.

5.9) The intent of the process is that the resource be made whole. Compensation can include clean up, substitute land or money.

6) Other Business

6.1) A web page administrators meeting will be held in conjunction with the Training Needs meeting.-MG

6.2) Carter Davis offered to brief the HSERC on food irradiation.-LN

6.3) Bill Perry, one of the State On-Scene Coordinators, has posed questions regarding waste disposal. These will be put on the next agenda.

6.4) A major exercise on HazMat releases resulting from power failures will be held in May.

7) The next HSERC meeting will be scheduled for the end of February during a break in the legislative session.

The meeting was adjourned at 11:06.