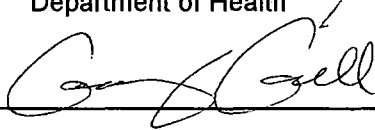


**Sign-In Sheet for HSERC Members  
Or their Voting Representatives**

**May 21, 1999**

Gary Gill  
Deputy Director, Environmental Health  
Department of Health  
Department of Health



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Dr. John Harrison  
Environmental Coordinator  
UH Environmental Center  
University of Hawaii Environmental Center

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



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

---

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

---

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



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Chris Takeno  
Hazardous Materials Officer  
Department of Transportation  
Department of Transportation

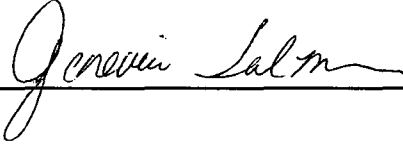


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# Sign-In Sheet for HSERC Members Or their Voting Representatives

May 21, 1999

Director  
Environmental Quality Control Office  
Environmental Quality Control Office



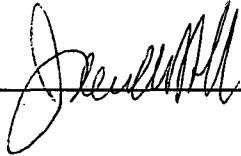
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Joseph Blackburn  
Maui Representative/LEPC Chair  
Maui Fire Department  
Maui Representative



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James Bobb  
Coordinator, Logistics, Preparedness and  
Planning  
American Red Cross  
American Red Cross



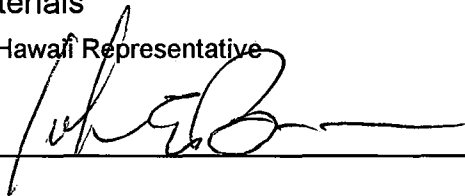
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for Robert A. Boesch  
Pesticides Program Manager  
Pesticides Branch, Department of Agriculture  
Board of Agriculture



---

John Bowen  
Hawaii Representative/LEPC Chair  
Consultant and Instructor in Hazardous  
Materials  
Hawaii Representative



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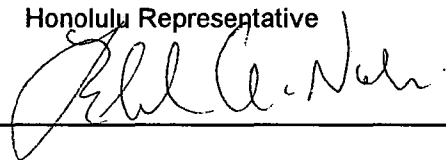
Russel Charlton  
Manager  
Occupational Health Branch  
Department of Labor and Industrial Relations



---

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

for Captain Carter Davis  
Honolulu Representative/LEPC Chair  
Honolulu Fire Department  
Honolulu Representative



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# Sign-In Sheet for the May 21, 1999 HSERC Meeting

Name	Organization (If we don't already have this information.)	Phone	Fax	E-mail
Jim Vinton	TESORO HAWAII	547-3414		
MIKE LATHAM	TESORO HAWAII	547-3179	547-3689	mlatham@tesoropetroleum.com
<del>JEFF STAMEN</del>	<del>HHS</del>	674-3303		
Helen Mary Wessel	CIP Compliance Council	674-3365		hwessel@doha.net
Keith Kawadka	DOH HERR	586-4249	586+	
J. PREKEL	USCG MSD	522-8264 x144	522-8270	FPREKEL@D14.USCG.MIL
M. YOUNG	DLNR STATE	582-0148		
KEVIN SUADA	DOH / HERR	586-4695		

1/2/08  
to be prepared;  
update; send  
out for comments;  
ready for vote  
in Oct.

9/08

1.) Welcome  
Introduction

Minutes #33 no corrections  
#34 no corrections

2. John Bowen Hawaii

Quarterly meetings  
membership had fallen off  
Mayor will submit new list of  
members next meeting  
compliance assistance efforts - would like to  
do:  
radio spots  
direct mail to businesses  
tabletop 22 June 1999  
will follow up with full scale later this  
year.

2 wk Hilo Tech Tactics  
Working on EOP update

Clifford Ikeda Kauai

VC Davis - classes deferred in Oct.

July training from John Bowen  
eg. response immediate

Van Zoi grounded 3AM on ~~East~~ diesel Sat/ beach  
closed Sun.  
Civil Defense was called for police assistance

gg? What is the command structure? <sup>lessons learned?</sup>

CM Unified command - informs county.  
need county to control <sup>restricted</sup> areas

MC Lucky 16,000 gallons of diesel but  
the high winds and surf, which  
kept from pumping, also blew the  
material out to sea.

Would ~~it~~ have been helpful to talk to  
the county to make them aware  
that the impact was unknown.

Joint Information command had  
trouble getting info to radio  
and newspaper.

Radio <sup>and newspaper</sup> speculated about the  
toxicity of diesel and overstated.

Then, is a role for the LEPC in information  
management?

Mayor had not been briefed ~~to~~ until Gary Gill called.

JB

Joe B

Maui

① Evacuated children and decontaminated them.

Maui Memorial

elementary  
school at

Lahaina harbor - something affecting  
nausea - eye irritation  
classroom nearest harbor.

② Bomb scare at public building

Teland Nakkai

Feb 4 1999 meeting

- ① Weapons of mass destruction
  - ② RMP dept of Gov. Services  
are reducing chlorine use  
5 of 7 are out of RMP  
2 remaining will switch to  
sodium hypochlorite before  
June 1999.
  - ③ V2K  
Mayor has a web site - lincan  
EPA will be in compliance this summer.
  - ④ Clean
    - 20P CIP update
    - Emergency alert radios will be distributed soon.
  - ⑤ Election of chair  
have asked for nominations  
Carter will remain until there is a  
replacement.
- CM RMP CAA 112r - EPA did training also,  
Clean put on workshop for CIP regarding  
RMP and facility emergency contact.  
Propane stay - so a lot of covered  
facilities will drop out.

3) Gerald Kinro

2 press releases

Attorney General  
EPA

} \* an agricultural worker  
was poisoned while  
applying a black  
market pesticide

Diversified agriculture

\* copy of overheads

- monthly report to state on sale of restricted  
use pesticides

- farmers are also required to make a report of  
use of restricted use pesticides

<sup>update</sup>  
\* Oxydemeton-methyl inherited by a non english speaking  
farmer, applicator had a leak, skin  
absorption put him in the hospital for  
3 days.

Legal applicators follow the rules.

How do we educate the rest?

How do we get data?

Will regulation help?

4 state educators 2 on call

tracking <sup>through</sup> sufficient

10/ of unknowns

poison control and food  
distributors

state is beginning a  
pesticide exchange program  
would like to provide collection

People bring in pesticides from other countries

CT Education in English?

Yes

Pilot program

VA has asked for a grant

NY How many incidents? Better put forward to the  
legislature if its a problem & get funding.

MC Large fire in small building  
multi colored flames

person inspecting had organophosphate  
poisoning

pallets of 5 lb packages of pesticides  
one was Kelthane

non english speaking farmers

Arson was investigated

Soil sampling to determine if smoke  
and water had contaminated  
area.

A drive through of the neighborhood  
revealed another shed of  
unregulated pesticides

Have prioritized areas for education

gg. enforcement? # fines disposed of  
confiscated



Ag - Don't confiscate  
put a seal or get find someone to use  
Hay waste <sup>on illegal</sup> or Hazardous Materials Transport

FP EPA has emergency transport regulations  
can get a permit in 5 minutes  
Fines non certified  
limited in \$ wouldn't pay for complete  
disposal.

Sampling is done on final products - find  
some illegal compounds that way

most is currently legal ~~in~~ compounds in the  
hands of unlicensed applicators.

JB Household hazardous waste collection  
Small company

CM ~~to~~ Need county support for leg.

gg 2 times in the last five months found  
pesticide tainted produce - couldn't track  
to grower so maybe we have to come  
down on the whole salers.

MOA between Ag & Health to cross report

gg Perhaps a drive once or twice a year on the  
whole salers - inspect 50-100 at once.

H) Tesoro

117 Barrels IFO 380 from the Single Buoy Mooring

Floating bunker line failed

Crew made a quick response

Violation Water Poll Control Act \$ 10,000  
now have

FR camera to detect subsurface oil

NOAA trajectories  
CM Modeling did not predict Hawaii impact.  
Have asked NOAA to redo models.

CM Pursuing State NRDA

Break

- ① Equipment Core Grant \$7,000 / HEPC available now
- 5) ② Appropriation for filing fees  
\$15,000 / HEPC & proposals for the rest.
- ③ Local Government Reimbursement under CERCLA  
MC Fed Reg. 40 CFR 310 <sup>final rule</sup> Feb 18, 1998

for hay materials response  
to County from federal - State is not  
involved  
\$25,000 max  
30-60 day turnaround  
city/county will get the check

city and say fire department must have  
an MOA to insure that money is returned  
to those who spent it

Maureen Touk EPA contractor  
Chris Wheat EPA region IX

Eligible costs - CERCLA substances only  
Beyond what you would ordinarily  
respond to.

\* send e-mail when the \$5,000 comes through

### Pipeline Safety Committee

April 1, 1999 last meeting

State would do audits - not taken on

next mtg 13 July 1999

### HSERC Responsibilities

see packet HSERC Resp.

LEPC Resp

draft Bylaws

Jim Vinton  
Leland Hake

\* update and adopt Bylaws

\* review EOPs

\* committee to set policy

\* Kathy Ho - do we have to have a charter/bylaw

\* HHHW and other projects Take on one at a time.

Domestic Preparedness  
6) 2 yrs 3 months - The city has been  
working on this.

Exercises  
May 26, 1999 Tabletop

May 28, 1999 Functional at Stadium

Armoured  
99 Troop carrier at Hawaii National Guard

7) next meeting ~~late Sept.~~ (~~last week~~)  
~~Friday~~ Oct. 1, 1999

11:30

**BENJAMIN J. CAYETANO**  
Governor



**JAMES J. NAKATANI**  
Chairperson, Board of Agriculture

**LETITIA N. UYEHARA**  
Deputy to the Chairperson

State of Hawaii  
DEPARTMENT OF AGRICULTURE  
1428 So. King Street  
Honolulu, Hawaii 96814-2512

Mailing Address:  
P. O. Box 22159  
Honolulu, Hawaii 96823-2159

FAX: (808) 973-9613

May 12, 1999

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

HSERC Members:

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

Name: Gerald Y. Kinro  
Title: Pesticide Specialist  
Organization: Board of Agriculture  
Address: 1428 South King Street, Honolulu, HI 96814  
Phone: 973-8411  
Fax: 973-9418

as my alternate representative to the HSERC for the Board of Agriculture.

Sincerely,

James J. Nakatani  
Chairperson, Board of Agriculture





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: 5/20/99 NO. OF PAGES: 34 35

TO: Gary Gill

COMPANY: Deputy Director

TELEPHONE: 6-44287 FAX: 6-44444

FROM: Marsha Graf

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

**COMMENTS:**

Notes on your questions

+ draft HERC bylaws and work load estimates

## **For the May 1999 HSERC Meeting:**

### Mission Statement for the HSERC

See the attached draft materials from the files.

### Review of Emergency Operating Plans

HEPCRA Coordinator read and made comments on the plan updates submitted by Oahu and Maui.

See the attached table from the HMEP grant.

### Proposed Legislation

The state intends to seek full delegation of the Risk Management Program (RMP), under the Clean Air Act Amendments 112r, within a couple of years. The HEER Office, in conjunction with the Clean Air Branch, will need to introduce state legislation adopting the amendments.

### Subcommittees

Explosives

Established at HSERC Meeting #21 August 15, 1995

Legislation, Policy and Funding

Business, Industry and Information Management

Planning, Exercise and Training

# Tab D Progress Report

## 1. Planning Grant October 1997-September 1998

The following emergency plans and exercises address planning and preparedness requirements under the Hawaii Emergency Planning and Community Right-to-Know Act, HRS 128e.

Island	EOP Revision	Date of Revision	Facility Profiles	Exercise	Date of Exercise
Hawaii	Annex M	October 1988	Yes	Hawaii County - Tabletop	6 Dec 1993
	Entire County EOP under Review by the USEPA <i>EPA comments are done</i>	Final comments due Fall 1998			
Kauai	Annex P	January 1991	Yes	Lihue Wastewater Treatment Chlorine Release - Tabletop	8 May 1991
				Operation Garden Isle II - Field	15 Feb 1995
Maui	Annex P <i>Working Plan</i>	1998	No		
Oahu	Annex S	November 1996	No	Operation Harbor Response	4 March 1992
	Emergency Management Plan for the Campbell Industrial Park	March 1998 <i>I believe there is a more recent copy</i>	RMP style maps provided	NPREP USCGMSO Honolulu 94	8 June 1994
				Operation Diamond Head	August 1995
				Operation Koolau	August 1997





# Making It Work

HEER

REC'D MAR 16 1993

✓ MUSA

## Secrets Of Successful SERCs

### Put It In Writing

*Written by-laws can make the difference between organization and chaos.*

The 1986 Emergency Planning and Community Right-to-Know Act outlined the basics of what a SERC is and what it's supposed to do: collect and distribute Title III data, establish Local Emergency Planning Committees (LEPCs) and supervise their activities, and review local emergency plans.

Beyond these broad guidelines, though, the law left many of the specifics of carrying out Title III to the individual states. That gives each SERC the freedom to tailor its program to fit the state's own particular needs. For example, a densely populated industrial state with many chemical facilities and a great deal of rail and highway transport of hazardous materials may want to set up a different program than a rural state.

However the program is structured, it's important to have the duties and

### What's Inside....

Even though the Emergency Planning and Community Right-to-Know Act (commonly known as Title III) is a federal law, the real job of making it work takes place most often at the state and local level. Citizens' groups, local emergency responders, business people, and government officials all play a critical part in reducing the risk from chemicals in the community. Because all these groups don't always have the chance to talk directly to one another, EPA publishes the *Making It Work* bulletins as a forum for people in the Title III community to trade ideas and exchange information. (For more detailed discussions of some of the state activities mentioned in this publication, see the "Successful Practices in Title III Implementation" series of bulletins listed on page 11.)

In this issue, a number of State Emergency Response Commissions (SERCs) share their "secrets" about what makes a Title III program work at the state level:

- Having written by-laws that clearly establish procedures and responsibilities;
- Delegating jobs and authority to all SERC members;
- Managing and using Title III information in creative ways;
- Providing assistance to LEPCs;
- Finding a variety of sources of funding; and
- Being proactive rather than just following the letter of the law.

As it turns out, there's very little secret about most of these practices — the most important factors in creating an effective state Title III program are energy, creativity, dedication, and leadership.

authority of the SERC clearly spelled out, either through state legislation, an executive order from the governor, or some other formal means. It may seem like yet another burden of paperwork, but the alternative can be a muddle of confusion over who's responsible for what.



Before Maine enacted its own state right-to-know law in 1989, many issues came up that were difficult to settle among all the groups involved in emergency response, says David Brown of the Maine SERC. The process of writing a state law helped to focus the debate and establish clear and orderly procedures.

The first order of business was to copy and codify the requirements of the federal Title III into the state law, says Brown. "We found that this was very important in order to make compliance easier and to make things easier to understand," so that

# MAKING IT WORK

people wouldn't have to run to the federal documents whenever a question came up.

"Then we added the specifics that would be unique for Maine," says Brown. For example, the state law mandated that facilities develop emergency plans and conduct annual exercises, and that an environmental group be included on the SERC and on each of Maine's 16 LEPCs. It set term limits for non-permanent SERC members, with expiration dates staggered so that new members are folded in gradually.

An important part of writing by-laws for a SERC is to establish who's in charge. "It's absolutely necessary" to have a designated lead agency, says Brown. "If that position of leadership is abdicated, then the splinter groups will go off in ten different directions."

In Maine, as in many states, the SERC is headed by the state emergency management agency, but the responsibilities of other agencies — environmental protection, police, etc. — also were spelled out clearly either in the statute or in an executive order from the Governor that "fleshed out the little details," according to Brown.

Rules governing each agency's participation in the SERC should specify positions, not individuals, so that when key people leave, their replacements will know what their roles and duties are. In Maine, the commissioner of the department of public safety is required by executive order to name a state police person to sit on the SERC. But if that person can't make a meeting, the commissioner is responsible for making sure that someone else *does* attend. That way, the SERC is never without a quorum.

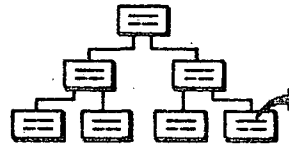
After Maine passed its state right-to-know law, the SERC then produced a "plain English" primer that put the new law into ordinary language so that LEPCs, facilities, firefighters, and other groups would be even more clear about what was required of them.

As a result, says Brown, "We've moved from feeling our way around in the dark to a situation where most of the LEPCs have conducted at least one exercise, most facilities have submitted an emergency plan for review, and 95 percent of our facilities that have hazardous materials are now registered with us." ●

## Delegate!

*The lead agency shouldn't do everything. That's what the SERC is for.*

Along with money, the resource that every state Title III program needs most desperately is manpower. Effective SERCs have learned to spread the workload around to as many people as possible so that the lead agency—the agency responsible for administering the state's Title III program—doesn't become overburdened.



"Delegation is the first logical step," says Delaware SERC representative Gordon Henderson. "You sure as heck don't want to set up a bureaucracy, even if you did have the money."

It starts with using the resources that are already on hand, beginning with the other state agencies represented on the SERC. When Title III passed in 1986, there was no additional money provided to perform its functions, says Henderson, so Delaware

divided the new responsibilities among agencies that already were doing similar jobs. The state EPA, for example, had been handling chemical release notifications from facilities, so it took on Title III's additional requirements. The public health department expanded its collection of worker-right-to-know information to include reports required under sections 311 and 312.

Once the jobs are delegated, it's important for the lead agency to coordinate all the efforts into a single coherent program. Agencies working on chemical emergency planning, for example, should be aware of who is collecting TRI (Toxic Release Inventory) data collected under section 313, which may be of value to them. Similarly, state agencies that handle risk assessment, clean air, transportation, and other programs related to Title III should be encouraged to join the SERC and add whatever help and resources they can. This is particularly important since the 1990 passage of two new laws that could affect SERC activities significantly — the Clean Air Act Amendments (CAAA) and the Hazardous Materials Transportation Uniform Safety Act (HMTUSA).

# MAKING IT WORK

Participation in the SERC isn't limited to government agencies, however. Each state should aim to create a balanced and active commission that represents all sectors of the community, then make sure that each of the members takes an active role. "We are demanding of our SERC members," says Ohio SERC chairman Grant Wilkinson. "If they miss two meetings in a row and don't have a good reason for it, we remove them from the commission." Wilkinson

also encourages lots of interaction in SERC meetings, not only among commission members but with the audience as well: "I don't generally let someone sit there without saying something." As a result, he says, Ohio's SERC meetings have been well-attended and productive.

"This has to be a dynamic process if it's going to work," says Joe Quinn of the Nevada SERC. "New members

should be brought in regularly — new blood, if you will." In Nevada, transportation of hazardous chemicals has become more of an issue recently, so representatives from railroads and the trucking industry are being introduced into the SERC.

One key "player" on any SERC has to be local industry, says Quinn. "The public sector cannot set itself up in automatic opposition to

the private sector — it's got to be a partnership."

The Nevada SERC has been very successful in getting real participation from its industrial members: a chemist from a local mine might give a training course, or a facility might donate use of its vehicles to haul equipment. The companies are generally happy to help, says Quinn. "The PR doesn't hurt them at all, and it's of mutual benefit. They live here, too. Their kids go to the same schools."

Including state political figures as active members of the SERC also is "critical," says Quinn. "Without that conduit to the legislative body of the state, the SERC is not going to be anywhere near as effective as it should be. If it works correctly, [the SERC] can be a tremendous force in getting needed legislation passed."

As the numbers of people involved in Title III issues grow, the SERC membership could become unwieldy. To avoid this, it may be helpful to create committees and working groups for ongoing jobs that require more attention.

## What the Law Says about SERCs

According to section 301 of the Emergency Planning and Community Right-to-Know Act (EPCRA) — also known as Title III — each State Emergency Response Commission (SERC) is required to:

- "...designate emergency planning districts in order to facilitate preparation and implementation of emergency plans."
- "...appoint local emergency planning committees [LEPCs] members...and supervise and coordinate the activities of such committees..."
- "...review the [LEPC] plan and make recommendations to the committee... necessary to ensure coordination of such plans with...plans of other [LEPCs]..."
- "...notify the Administrator of facilities subject to...[section 302]...by notifying the Administrator of:
  - 1) each notification received from a facility under subsection (c) and,
  - 2) each facility designated by the Governor or State emergency response commission..."
- "...establish procedures for receiving and processing requests from the public for information...;" and
- "Upon receipt of a request for tier II information... (from a state or local official)...request the facility owner or operator for the tier II information and make available such information to the official."

# MAKING IT WORK

The Maine SERC has three standing committees for dealing with training, budget, and community right-to-know issues. There are 25 members on the training committee alone, including fire fighters, police, medical emergency responders, and industry representatives. Because all these groups have their different perspectives on emergency response, the committee hashes out whatever disagreements might arise over policies and plans before making a recommendation to the overall SERC for approval or disapproval.

Short-term projects can be delegated to subcommittees. In Connecticut, the SERC formed an LEPC Advisory Task Force to develop a guidance manual giving LEPCs a basic overview of Title III requirements, along with sample emergency plans and public notices. With half its members drawn from industry and half from LEPCs, the task force was able to tackle a job that the SERC would have been unable to take on itself.

Advisory committees are another way to get much-needed help while at the same time broadening the base of support for Title III programs within the state. R. C. Dawson serves on a hazmat

response advisory committee in Virginia, one of several such groups that provide advice to the SERC in a specific area where it can use more expertise. Some advisory committees meet monthly, others less often, depending on the tasks at hand. The hazmat advisory committee involves police, firefighters, rescue officials, and others "from a variety of disciplines," says Dawson. "Once you break down the barriers and start networking, you open up a whole avenue of help."

In Ohio, a task force set up by the state legislature to conduct a one-time outside review of the SERC's activities has been helpful as a kind of reality check, says SERC chairman Grant Wilkinson. With its membership drawn from the regulated community, LEPCs, and environmental groups — no state employees allowed — the task force can assess how effectively the SERC is fulfilling its charter and recommend how its operations might be improved. Then, after the group makes its report, it simply disbands instead of leaving behind another permanent layer of bureaucracy.

When looking for resources to draw into the SERC, it's useful to think regionally. Many chemical safety issues extend across state lines and even international borders. Neighboring SERCs, the federal Regional Response Team, and EPA's regional office all can be of help. It may be a simple matter of two counties on opposite sides of a state line conducting joint safety exercises. Or it may involve cooperation on a larger scale. In Delaware, a recent LEPC regional conference drew 275 people from 13 states who were able to share ideas about solving common problems.

As with most Title III work, regional cooperation depends on people in different organizations in different states talking to each other and exchanging information about their programs.

"The job title I have of Title III 'coordinator' is pretty descriptive," says Delaware's Gordon Henderson. "What I do all day long is coordinate. I'll be on the phone to FEMA, to EPA's regional office or headquarters, to my counterpart in another state, or to one of our LEPCs. You pick up the

telephone and you talk to a lot of people."

As SERCs delegate work to more and more "helpers," the issue of legal immunity may eventually arise. Volunteers who participate on LEPCs and SERCs may become concerned that they are legally liable if an accident occurs in a facility for which they've helped to create an emergency response plan.

In order to allay these fears, states such as Arizona have passed laws that specifically grant immunity to SERC and LEPC members. Most states have some form of liability protection for individuals involved in emergency planning, or have existing laws that cover volunteers in general. In any case, the SERC may want to address this issue as it seeks to recruit people willing to carry out the work of Title III. ●

## Information that Informs

*Collecting a mountain of data isn't your goal — understanding and using it is.*

A large part of Title III work is collecting information — about facilities, about the chemicals they handle, and about the risks these chemicals pose to the community. Managing that flood of information, and using it in creative ways, is one of the great challenges facing any SERC.

The first concern should be who's going to collect the data. Tier II forms, Form R reports, Material Safety Data Sheets, and other Title III data can all go to the same state agency or to several different ones. But if the information is scattered, it should eventually be put into a format compatible with different uses, or integrated into a single database that contains *all* Title III information in a form that everyone can use.

Pennsylvania made the decision that one-stop shopping was the best way to go, says SERC representative Jim Tinney. One agency collects all Title III information, assembles it into a statewide computer database, then sends the updated data twice a year to LEPCs, who can plug the latest

information into dBase, CAMEO (Computer-Aided Management of Emergency Operations), or other computer programs of their choice. That way, says Tinney, instead of having the data exist in different forms all over the state, "We all have up-to-date files."



One way for SERCs to get the most out of Title III data is to make LEPCs familiar with the latest computer database programs. "Information is power," says Karl Birns of the Kansas SERC, "and one way to empower the LEPCs is to support a system that gets them usable information."

The Kansas SERC makes CAMEO software — which includes databases on chemicals, facilities, and transportation, along with street maps to assist planning and response personnel — widely available to counties. The SERC provides the CAMEO software to any LEPC that wants it, along with maps and local Title III data.

Once it's up and running, the CAMEO database includes "names of the companies, contacts, what chemicals are present, where they're found, everything," says Birns. "CAMEO is a real live link to information. It's the kind of thing that takes the program out of the theoretical and makes it practical."

Aside from helping LEPCs with their emergency planning, these kinds of powerful computer programs allow the LEPC to establish "linkages" with other agencies outside the chemical safety community, says Birns. CAMEO can be useful to officials responsible for zoning and highway planning, or to health departments who can use it to track private wells and septic systems. Birns suggests that counties make CAMEO data available to road departments, water departments, and many other users so that the LEPC becomes a respected source of information.

This empowerment, he says, is probably the single most important thing a SERC can do for LEPCs. "If the LEPC is in a position to be a source of good information to

everybody, then they become a formidable force in their community, and they will accrue support. People will come to them."

The ultimate goal of community "right-to-know" laws is to get the information out to the general public, and here too, the SERC can take an active role. The first thing the Pennsylvania SERC did in this regard was to establish a citizens' reading room where the public could come in and review submitted Title III forms on paper. When computer automation became more widespread and affordable, the reading room substituted a laser-disc "Citizen's Access Workstation" for the paper files. With only a little bit of instruction, users from the general public can create their own queries and get copies of Title III reports.

People visit the reading room and make written requests, says Tinney, or "they call us on the phone, and we provide customized responses." In order to let the public know that the service is available, the SERC sends out press releases and does an annual mailing to every employer in the state. Other Title III outreach activities in Pennsylvania include seminars for

trade groups and citizens' associations, exhibits at environmental conferences, and an electronic bulletin board carrying general information about Title III that's accessible to anyone with a computer modem.

Currently, says Tinney, the Pennsylvania SERC is working with a fire company and a private vendor to develop a way for remote users to dial directly into the state's Title III data system. Using touch-tone voice prompts, he says, "You could, in effect, order up your own fax of a site plan or a Tier II or TRI form." The system is being designed initially for emergency responders, but ultimately, he says, it could be made available to the public.

This movement to convert Title III data to more "user-friendly" formats also is underway in Hawaii, where the SERC is using grant money from EPA to install computer displays in public places such as libraries. The system would use hands-on, interactive video displays to present basic information about chemicals in the community.

In Minnesota, the SERC found that it was routinely asked for information about Title III by citizens' groups around the state. But, says SERC representative Bob Dahm, "What can you do with a bunch of handouts and a six-foot table?"

So, using grant money from EPA, the Minnesota SERC developed a portable display booth — complete with photo panels explaining how facilities use chemicals and what Title III is all about — that could be used as a traveling exhibit. Along with the booth, the SERC produced a video and printed booklets that could be handed out to the public.

The first stop on the "tour," says Dahm, was the Minnesota State Fair. After that, the booth traveled to meetings of fire chiefs, environmental conferences, citizens' groups — "anywhere we found a large enough audience." The SERC also has made the booth available to any county that wants to display it in shopping malls or other public forums.

Minnesota's other outreach efforts include developing a speaker's kit for people giving talks to citizens groups and producing public service announcements that have aired on local radio stations.

Interestingly, the SERC found that television commercials were not the best way to spread the word. "We were told by stations, 'We'll air [a public service announcement], but it will be somewhere between the 53rd episode of *I Love Lucy* and the Home Shopping Channel,'" says Dahm. "For the cost of producing something like that, we decided it wouldn't be money well spent." ●

## LEPCs: How You Can Help

*The local level is where most of the work is — and should be — done.*



If SERCs often find themselves strapped for resources, the situation can be even worse at the local level. Because LEPCs often receive very little direct financial support, says Delaware's Gordon Henderson, "You start having LEPCs run on sort of a bake-sale basis, scrounging for filing cabinets or xerox machines." The result, he says, is that "A lot of them were feeling alienated, saying, 'We're the ones who have the liability if the plant fails, but nobody's talking to us.'"

There are a number of ways a SERC can help. One way is to help LEPCs get organized by giving them guidance on writing their own by-laws. What's true for states also is true at the local level: Without written rules, the implementation of Title III can dissolve into chaos.

# MAKING IT WORK

The Arizona SERC discovered a simple way to be of assistance in this area. After one county in the state, Cochise, produced a good, workable set of by-laws — covering everything from where the LEPC office was located to who was responsible for public information — the SERC merely sent the Cochise by-laws around to each of the other 15 Arizona LEPCs as a model to copy or adapt to their own needs. “Why reinvent the wheel?” says Carl Funk of the Arizona SERC. Since then, half of the state’s LEPCs have adopted their own by-laws.

SERCs can help LEPCs in other ways, by running public information campaigns to draw volunteers, or by providing general guidance and relevant documents on state and federal Title III requirements.

By law, each SERC also is required to conduct regular reviews of LEPC emergency plans. Here the SERC’s oversight can be of immeasurable help in making sure that local communities are building an effective Title III program.

Virginia is a good example of a state that “takes care” of its LEPCs by offering expert guidance on emergency planning. A branch within the state’s emergency management agency takes responsibility for helping LEPCs to develop their emergency plans. The branch reviews the plans, sends them back with recommendations, and conducts training courses to help LEPCs solve their problems if the plans don’t meet certain criteria. These courses are often group sessions where several LEPCs that have similar problems can compare notes. After the group session, a state representative follows up to address the individual issues in each jurisdiction.

The other important supervisory role that SERCs have is to provide guidance in creating training programs. Here again, Virginia offers an extensive program. Each year, the SERC puts on two to three contingency planning courses, along with two emergency exercise design courses, at least two conferences for public officials (which may include LEPC members), and 60 to 70 courses for hazardous materials responders.

The courses are free to all attendees and are offered at different locations around the state — because, says SERC representative Norman McTague, “It’s a heck of a lot easier to get people to drive 100 miles than 200 or 300 miles.”

As part of its LEPC outreach program, Virginia (through a grant from EPA) also has aired a full-day satellite TV program on Title III emergency planning, complete with call-in from the LEPCs. The emergency management agency also keeps four people “in the field” to help support the 114 LEPCs in the state. As a

result, says McTague, “We keep in fairly close contact all the time.”

When the SERC can’t go to the LEPCs, the LEPCs can come to the SERC. One simple way is to hold statewide meetings so that people from different jurisdictions can share ideas. Often, says Sue Vaughn of the Connecticut SERC, “There’s no other mechanism for LEPC members to get together and exchange ideas.”

Michigan has had great success with its annual LEPC conference, says SERC representative Diane Ogren. With 97 LEPCs in the state, the conference draws an attendance of some 250

## Bringing Neighbors Together

One LEPC has a problem. Another has the solution. The trouble is, they’re on opposite sides of the state and neither one is aware of what the other is doing.

That’s where the “peer exchange” grant program sponsored by EPA and the International City Management Association (ICMA) comes in. LEPCs can apply to the program to serve either as “advisors” or “recipients” of assistance. At the ICMA offices in Washington, D.C., the applications are entered into a database that matches LEPCs who have specific needs with those who offer that same expertise. The two parties get together for a workshop, compare notes and both go home a little wiser. The grants cover up to \$600 of travel costs and other basic expenses for workshop attendees.

ICMA expects to award approximately 30 of these peer exchange grants in 1992. To receive an application, write to Sarith Guerra, International City Management Association, 777 North Capitol Street NE, Suite 500, Washington DC 20002, or call (202) 962-3649.

people each year, who hear presentations and trade information. "We don't just invite LEPC members," says Ogren. "We also invite members of hazardous materials response teams, so the planners and the responders get a chance to interact." Carl Funk of Arizona agrees that the rejuvenation that takes place at these statewide meetings justifies paying travel expenses for LEPC members to be there. It's a good way, he says, of "maintaining constant contact."

SERCs also can encourage neighboring LEPCs to share emergency equipment and other resources through mutual aid agreements. The Minnesota SERC currently is putting together a database of emergency response personnel, equipment, and supplies that could be made available to all local governments within the state. The information would go into a database tended by a 24-hour duty officer. That way, says Bob Dahm, "When someone calls and says they need [emergency equipment] in a hurry, you call the duty officer and he pulls up the list of sources."

Cooperative agreements across political boundaries also extend to Minnesota's dealings with Indian reservations, which are sovereign nations. The state has a Memorandum of Understanding with the Minnesota Chippewa Tribe whereby the tribe works in cooperation with the SERC, sharing planning, training, and response resources as well as facility information.

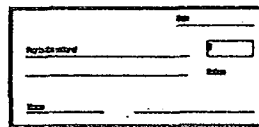
Mutual aid agreements are just a matter of common sense, says Joe Quinn of the state of Nevada, which has set up "Project Oasis" to integrate information about regional resources and response capabilities into a single comprehensive computer database. "There's no way some rural districts can support a hazmat team of their own," says Quinn, "whereas if the resources are focused, a regional team is a much more logical approach to the problem—and a lot more economically feasible."

### Paying the bills

*Money is always a problem, but for most SERCs there's more than one source of revenue.*

No Title III program can run without funding, of course, and the perpetual battle to raise money preoccupies many a SERC chairperson.

Most states appropriate some amount of public funds in their annual budget for Title III programs.



Another option is to do what many states already have done: establish fees for industry who file reports under Title III. Maine, for example, established a fee system based on the amount of hazardous chemicals stored at each facility (with a ceiling of \$5,000 per facility per year). Not only does that raise revenue, it also discourages facilities from storing large amounts. According to the 1991 edition of the National Governors Association's publication, *Emergency Planning and Community Right-to-Know: A Status of State Actions*, 18 states have Title III fee systems in place, while two others

have fee programs that provide funds to support Title III activities. Ten other states plan to introduce fee bills during their 1992 legislative sessions.

Be warned, however: if you don't already have a fee system, getting the legislation through the statehouse may be a long process. In Delaware it took three years to agree on a bill that wasn't considered too burdensome on industry. "That wasn't easy legislation to draft," says Gordon Henderson. "I remember spending an hour and a half one day on the committee just trying to say 'gas station' in legal language."

The key to success, he says, is to get industry actively involved in the process of creating a fee system from the start, instead of springing it on the facilities without their participation.

"You have to work with the community that you're regulating," Henderson says. "Industry wanted something that would work. Better to have a good, workable system that [they] helped to develop than to let a bunch of bureaucrats do it."

Before establishing its fee system, the Delaware SERC set up a subcommittee with



# MAKING IT WORK

members from industry, fire fighters, and state representatives (who head two of the state's LEPCs). The subcommittee worked out several compromises, including exemptions for non-profit associations. But even if there are compromises, the result can be thousands of additional dollars coming to the SERC every year, and a way to decrease its reliance on general appropriations.

In some states, money from fees or appropriations are passed through directly to LEPCs. In others, the SERC itself administers the funds, which can be a good way of keeping abreast of local activities.

To qualify for grants, Wisconsin LEPCs have to be able to show that they did a certain amount of work, says William Clare of the Wisconsin SERC. "They don't automatically get the grant whether they do something or not." The SERC uses a formula based on population and the number of planning and reporting facilities to determine grants that cover each LEPC's planning and administrative costs. Grants also can provide matching funds for computer equipment and emergency response equipment. Along with their grant application, however, the LEPC is

required to fill out a work plan detailing its planned activities in developing emergency response plans, conducting emergency exercises, and meeting other requirements of Title III. If any of these milestones are not met, a percentage of the total grant is deducted for each task the LEPC has not completed. That way, says Clare, funding is tied to performance, and the state gets the best possible result from its appropriated money.

Civil action settlements and fines for non-compliance can be another source of revenue. Although "We've discovered that encouragement works a lot better," says David Brown of the Maine SERC, "We'll still do it [enforcement]. We're not going to ignore violators."

Even when it isn't mandatory, facilities in the state can be an important source of financial help. "One of the things we found [in Delaware] is that all you have to do is ask industry," says Henderson. "We haven't been turned down yet."

He advises that SERCs ask not for money so much as specific services — perhaps free training courses or secretarial

help. These kinds of industry donations "have magnified our Title III budget a hundred-fold," says Henderson. For one regional LEPC conference, a company donated the conference center, the food, and the audiovisual equipment, as well as printing the conference program. The cost to the facility was over \$35,000, which, says Henderson, is "twice my whole year's training budget."

Along with state appropriations, application fees, and industry donations, SERCs also receive funds from the federal government. EPA has provided a limited number of grants for everything from community outreach to training programs, and the Federal Emergency

Management Agency (FEMA) has provided grants for training.

Beginning in fiscal year 1993, a portion of fees collected under the Hazardous Materials Transportation Uniform Safety Act (HMTUSA) of 1990 will be applied to state and local Title III programs: a total of \$5 million for annual planning grants to states (with 75 percent of that amount passed through to LEPCs) and \$7.8 million in annual emergency response training grants to states and Indian tribes (with 75 percent going to train public employees, primarily firefighters). LEPCs should contact the state agency designated by the Governor as the primary lead for the HMTUSA program to learn more about the state's planning grant application. ●

## SERC Contacts

### SERC representatives mentioned in this bulletin:

Arizona	Carl Funk	(602) 231-6309
Connecticut	Sue Vaughn	(203) 566-4856
Delaware	Gordon Henderson	(302) 834-4531
Hawaii	Mark Ingoglia	(808) 543-8249
Kansas	Karl Birns	(913) 296-1690
Maine	David Brown	(207) 289-4080
Michigan	Diane Ogren	(517) 334-5107
Minnesota	Bob Dahm	(612) 643-3002
Nevada	Joe Quinn	(702) 687-4240
Ohio	Grant Wilkinson	(614) 644-2782
Pennsylvania	Jim Tinney	(717) 783-2071
Virginia	Norm McTague	(804) 674-2459
	R.C. Dawson	(804) 270-2931
Wisconsin	William Clare	(608) 266-1509

# MAKING IT WORK

## Get Active!

*The best SERCs go beyond the letter of the law.*

Being a successful SERC means looking for innovative programs in unexpected places and encouraging participation from every sector of society. It also

means keeping the spirit of Title III in mind, rather than just fulfilling the letter of the law.

"You can't wait for legislation," says Joe Quinn of the Nevada SERC. "You've got to be very proactive."

Many SERCs already have most of the ingredients they need to be successful — the next step is organization, followed by learning what others in their region and around the country are doing to further the goal of chemical safety.

"When I took this job," says Gordon Henderson of the Delaware SERC, "I thought, 'This is never going to work. Government people and industry are not supposed to be able to cooperate.'" Nonetheless, he says he's learned that SERCs really can accomplish good things: "Title III is an idealistic dream that shouldn't be working, but is." ●

## EPA Regional Title III Offices

EPA - Region 1  
New England Regional Lab  
60 Westview Street  
Lexington, MA 02173  
617-860-4301  
(CT, MA, ME, NH, RI, VT)

EPA - Region 2  
2890 Woodbridge Avenue  
Edison, NJ 08837-3679  
908-321-6620  
(NJ, NY, PR, VI)

EPA - Region 3  
Oil & Title III Section  
841 Chestnut Street  
Philadelphia, PA 19107  
215-597-5998  
(DE, DC, MD, PA, VA, WV)

EPA - Region 4  
345 Courtland Street, NE  
Atlanta, GA 30365  
404-347-1033  
(AL, FL, GA, KY, MS, NC, SC, TN)

EPA - Region 5  
77 West Jackson HSC-9J  
Chicago, IL 60604-3590  
312-353-1964  
(IL, IN, MI, MN, OH, WI)

EPA - Region 6  
Allied Bank Tower  
1445 Ross Avenue  
Dallas, TX 75202-2733  
214-655-2270  
(AR, LA, NM, OK, TX)

EPA - Region 7  
ARTX/TOPE/TSCS  
726 Minnesota Avenue  
Kansas City, KS 66101  
913-551-7308  
(IA, KS, MO, NE)

EPA - Region 8  
One Denver Place  
999 18th Street, Suite 500  
Denver, CO 80202-2466  
303-293-1723  
(CO, MT, ND, SD, UT, WY)

EPA - Region 9  
75 Hawthorne Street (H-1-2)  
San Francisco, CA 94105  
415-744-2100  
(AS, AZ, CA, HI, NP, NV, GU)

EPA - Region 10  
1200 6th Avenue (HW-114)  
Seattle, WA 98101  
206-553-4349  
(AK, ID, OR, WA)

# MAKING IT WORK

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To	Gary Gill	From	Mursha Graf		
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Phone #		Phone #	64-694		
Fax #	6-4368	Fax #	64-11917		

## RE INFORMATION?

To provide additional insight into the various programs and activities discussed in this publication, EPA has published many documents that might be helpful in implementing Title III at the state level. Below is a partial listing of documents available through the Emergency Planning and Community Right-to-Know Information Service:

EPCRA Information Service  
US EPA (OS-120)  
401 M St. S.W.  
Washington D.C. 20460  
Telephone: 1-800-535-0202

*Chemicals in Your Community: A Guide to the Emergency Planning and Community Right-to-Know Act* (OSWER-90-002), September 1988.

*Computer Systems for Chemical Emergency Planning* (Technical Assistance Bulletin 5) (OSWER-89-005), September 1989.

*Criteria for Review of Hazardous Materials Emergency Plans* (NRT-1A), May 1988.

*Digest of Federal Training in Hazardous Materials* (FEMA 134), July 1987)

*Guide to Exercises in Chemical Emergency Preparedness Programs* (OSWER-88-006), May 1988.

*Hazardous Materials Emergency Planning Guide* (NRT-1), March 1987.

*It's Not Over in October: A Guide for Local Emergency Planning Committees; Implementing the Emergency Planning and Community Right-to-Know Act of 1986* (OSWER-90-004), September 1988.

*Managing Chemicals Safely* (EPA-510-K-92-001), March 1992.

*Risk Communication About Chemicals In Your Community: A Manual for Local Officials* (EPA 230/09-89-066), EPA/FEMA/DOT/ATSDR.

*Successful Practices in Title III Implementation, Volumes 1-9.* A series of bulletins highlighting state and local Title III programs that are particularly innovative or effective. Each bulletin profiles the activities of several different SERCs and LEPCs, along with "lessons learned" and contacts for more information.

Successful Practices #1 (OSWER-89-006.1), January 1989.

- State of Kansas
- Washienaw County, Michigan
- Butler County, Kansas
- Jefferson County, Kentucky

Successful Practices #2 (OSWER-89-006.2), August 1989

- Calhoun County, Alabama
- Pampa, Texas
- Cuyahoga County, Ohio
- Racine County, Wisconsin
- State of Idaho

Successful Practices #3 (OSWER-89-006.3), December 1989.

- Woodbury County, Iowa
- State of Virginia
- Fairfax County, Virginia
- Pierce County, Washington

Successful Practices #4 (OSWER-90-006.1), March 1990.

- New York, New York
- El Paso County, Colorado
- Alexandria, Virginia
- State of Maine

Successful Practices #5 (OSWER-90-006.2), June 1990.

- Tinker Air Force Base, Oklahoma
- State of Connecticut
- Cumberland County, Maine
- Wyandotte County, Kansas

Successful Practices #6 (OSWER-90-006.3), September 1990.

- State of Ohio
- Hamilton County, Ohio
- Wallingford, Connecticut
- Ouachita Parish, Louisiana

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**Successful Practices #7 (OSWER-91-006.1), February 1991.**

- Cameron County, Texas
- Bucks County, Pennsylvania
- Harford County, Maryland
- Dallas County, Texas

*Title III List of Lists (Consolidated List of Chemicals Subject to Reporting Under the Emergency Planning and Community Right-to-Know) EPA 560/4-92-011, January 1992.*

*Tort Liability in Emergency Planning (OSWER-89-007), January 1989.*

**Successful Practices #8 (OSWER-91-006.2), October 1991.**

- Cherry Hill, New Jersey
- Manitowac County, Wisconsin
- Green County, Missouri
- State of Hawaii
- Arapahoe County, Colorado

*When All Else Fails! Enforcement of the Emergency Planning and Community Right-to-Know Act (OSWER-89-010), September 1989.*

**Successful Practices #9 (OSWER-92-006.1), September 1992.**

- Natrona County, Wyoming
- Erie County, New York
- State of Arizona
- Mohave County, Arizona



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HAWAII STATE EMERGENCY RESPONSE COMMISSION  
HAWAII STATE DEPARTMENT OF HEALTH  
P.O. BOX 3378  
HONOLULU, HI 96801-9904

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**STATE OF HAWAII  
DEPARTMENT OF HEALTH**

**HAZARD EVALUATION  
AND  
EMERGENCY RESPONSE OFFICE**

DATE: 5/18/99 NO. OF PAGES: 5

TO: Gary Gill

COMPANY: Deputy Dir. for Env. Health

TELEPHONE: 6-4424 FAX: 6-4444

FROM: Marsha Graf

TELEPHONE: (808) 586-4249

FAX: (808) 586-7537

**COMMENTS:**

Brief for Friday's HSERC meeting

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Minutes

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Duration: 4:00  
Speed: 9600  
Status: Sent

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Type: FAX  
Phone #: 64444  
User ID: 8085864444  
Name: Gary Gill  
Time: 11:35 AM

Date: 5/14/99  
Pages: 4  
Duration: 3:58  
Speed: 9600  
Status: Sent

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Type: FAX  
Phone #: 9,7356829  
User ID: 8087356829  
Name: Capt. Carter Davis  
Time: 11:31 AM  
Date: 5/14/99  
Pages: 4  
Duration: 3:59  
Speed: 9600  
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Type: FAX  
Phone #: 8,18082416335  
User ID: 8082416335  
Name: Clifford Ikeda  
Time: 11:26 AM  
Date: 5/14/99  
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Status: Sent

File: 34DMIN  
Type: FAX  
Phone #: 8,18082424479  
User ID: 808 242 4479  
Name: Captain Joe Blackburn  
Time: 11:23 AM  
Date: 5/14/99  
Pages: 4  
Duration: 3:03  
Speed: 14400  
Status: Sent

File: 34DMIN  
Type: FAX  
Phone #: 9,7334287  
User ID:  
Name: Roy C. Price, Sr.  
Time: 11:19 AM  
Date: 5/14/99  
Pages: 4  
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Type: FAX  
Phone #: 64186  
User ID: 808 586 4186  
Name: Genevieve Salmonson  
Time: 4:50 PM  
Date: 5/14/99  
Pages: 4  
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File: 35AGENDA  
Type: FAX  
Phone #: 64186  
User ID: 808 586 4186  
Name: Genevieve Salmonson  
Time: 4:47 PM  
Date: 5/14/99  
Pages: 2  
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Type: FAX  
Phone #: 9,5243439  
User ID: 808 524 3439  
Name: Leland Nakai  
Time: 1:43 PM  
Date: 5/17/99  
Pages: 4  
Duration: 3:37  
Speed: 9600  
Status: Sent



**STATE OF HAWAII  
DEPARTMENT OF HEALTH**

**HAZARD EVALUATION  
AND  
EMERGENCY RESPONSE OFFICE**

DATE: 5/15/99 NO. OF PAGES: 4

TO: James Bob

COMPANY: ARC

TELEPHONE: 739-8114 FAX: 735-8626

FROM: Marsha Graf

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

**COMMENTS:**

Draft, meeting notes from  
mtg # 34.

File: 35AGENDA  
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User ID: 8085869104  
Name: Russel Charlton  
Time: 12:34 PM  
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User ID: 8085870390  
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Name: Jim Vinton  
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Time: 12:05 PM  
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Date: 5/13/99  
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Name: Thomas J. Smyth  
Time: 12:00 PM  
Date: 5/13/99  
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Phone #: 72168  
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Name: Chris Takeno  
Time: 11:54 AM  
Date: 5/13/99  
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Name: John Bowen  
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Pages: 2  
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Status: Sent

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Phone #: 39418  
User ID: 808 973 9418  
Name: Bob Boesch  
Time: 11:50 AM  
Date: 5/13/99  
Pages: 2  
Duration: 1:41  
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Type: FAX  
Phone #: 9,9563980  
User ID: 8089563980  
Name: Dr. John Harrison  
Time: 11:48 AM  
Date: 5/13/99  
Pages: 2  
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Phone #: 64444  
User ID: 8085864444  
Name: Gary Gill  
Time: 11:45 AM  
Date: 5/13/99  
Pages: 2  
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Type: FAX  
Phone #: 9,7356829  
User ID: 8087356829  
Name: Capt. Carter Davis  
Time: 11:43 AM  
Date: 5/13/99  
Pages: 2  
Duration: 1:41  
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Type: FAX  
Phone #: 8,18082416335  
User ID: 8082416335  
Name: Clifford Ikeda  
Time: 11:41 AM  
Date: 5/13/99  
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Type: FAX  
Phone #: 8,18082424479  
User ID: 808 242 4479  
Name: Captain Joe Blackburn  
Time: 11:39 AM  
Date: 5/13/99  
Pages: 2  
Duration: 1:22  
Speed: 14400  
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Phone #: 9,7334287  
User ID:  
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Time: 11:37 AM  
Date: 5/13/99  
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Duration: 1:41

Speed: 9600  
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Phone #: 9,5243439  
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Time: 11:35 AM  
Date: 5/13/99  
Pages: 2  
Duration: 1:28  
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File: 35AGENDA  
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Phone #: 67537  
User ID: 808 586 7537  
Name: HEER Hawaii DOH  
Time: 11:32 AM  
Date: 5/13/99  
Pages: 2  
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User ID: 808 242 4479  
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Time: 9:13 AM  
Date: 4/26/99  
Pages: 1  
Duration: 0:46  
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Status: Sent

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Time: 8:52 AM  
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User ID: 8089563980  
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Pages: 1  
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Status: Sent

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Type: FAX  
Phone #: 69104  
User ID: 8085869104  
Name: Russel Charlton  
Time: 8:40 AM

Date: 4/26/99  
Pages: 1  
Duration: 0:38  
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File: (Coversheet)  
Type: FAX  
Phone #: 64444  
User ID: 8085864444  
Name: Gary Gill  
Time: 8:39 AM  
Date: 4/26/99  
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File: (Coversheet)  
Type: FAX  
Phone #: 9,7356829  
User ID: 8087356829  
Name: Capt. Carter Davis  
Time: 8:38 AM  
Date: 4/26/99  
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Phone #: 9,7334287  
User ID:  
Name: Roy C. Price, Sr.  
Time: 8:34 AM  
Date: 4/26/99  
Pages: 1  
Duration: 0:56  
Speed: 9600  
Status: Sent





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 #35

Friday, May 21, 1999 from 9:00 a.m. to 12:00 p.m.

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

AGENDA

- 1) 9:00 Call to Order Gary Gill, Deputy Director for Environmental Health  
Opening Remarks and Discussion  
Approval of Minutes from Mtg #34
- 2) 9:15 LEPC Updates and Membership Changes John Bowen, Hawaii LEPC Representative  
Clifford Ikeda, Kauai LEPC Representative  
Joe Blackburn, Maui LEPC Representative  
Carter Davis, Oahu LEPC Representative
- 3) 10:00 Black Market Pesticides Carter Davis, HFD  
Gerald Kinro, Agriculture/Pesticides
- 4) 10:30 Tesoro/Kauai Accident Investigation Lt Cmdr Weist, USCG MSO
- 10:45 Break
- 5) 11:00 LEPC Budgets Curtis Martin, HEER Office  
Pipeline Safety Committee  
HSERC Responsibilities
- 6) 11:20 Weapons of Mass Destruction Paul Takamiya, OCD
- 7) 11:50 Other Business
- 8) 11:55 Schedule next HSERC meeting

99 MAY 12 AIO:15

LIEUTENANT GOVERNOR'S  
OFFICE

BRIEF

Gary Gill, Deputy Director for Environmental Health

HAWAII STATE EMERGENCY RESPONSE COMMISSION  
MEETING #35

Friday, May 21, 1999 from 9:00 a.m. to 12:00 p.m.

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

AGENDA

▼ (CHECK FOR A QUORUM)

1 Call to Order

▼ THE MEETING WILL PLEASE COME TO ORDER.

Time: \_\_\_\_\_

Welcome

Discussion/Approval of Minutes from Meeting #33

WE WILL BE VOTING ON THE APPROVAL OF MINUTES FROM MEETING #33,  
WHICH WAS THE MEETING BEFORE LAST. MINUTES FROM MEETING #34 ARE  
NOT OFFICIAL SINCE THERE WAS NOT A QUORUM.

MEMBERS RECEIVED DRAFT COPIES OF THE NOVEMBER 16TH 1998, AS WELL  
AS THE FEBRUARY 19TH 1999, HSERC MINUTES BY FAX.

THERE ARE EXTRA COPIES FOR THOSE WHO WOULD LIKE THEM. PLEASE  
TAKE SOME TIME TO REVIEW THE DRAFT MINUTES.

▼DO I HEAR A MOTION TO ACCEPT THE MINUTES from meeting #33?

▼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.

2 I'D LIKE TO GIVE THE LEPC REPRESENTATIVES THE OPPORTUNITY TO UPDATE THE COMMISSION ON COUNTY EMERGENCY PLANNING ACTIVITIES AND MEMBERSHIP CHANGES.

1. **John Bowen**, Hawaii  
3. **Joe Blackburn**, Maui

2. **Clifford Ikeda**, Kauai  
4. **Leland Nakai** for Carter Davis, Oahu

3 THIS NEXT TOPIC WAS SUGGESTED AT A PREVIOUS HSERC MEETING AS AN AGENDA ITEM. FIRST RESPONDERS HAVE ENCOUNTERED DISCONTINUED PESTICIDES STOCKPILED AND INVOLVED IN FIRES IN AGRICULTURAL AREAS. CARTER IS ON THE AGENDA, BUT AS YOU KNOW, COULDN'T MAKE IT TO THIS MEETING. **Gerald Kinro** FROM THE STATE DEPARTMENT OF AGRICULTURE PESTICIDES BRANCH IS HERE TO OUTLINE THE POTENTIAL PROBLEM WITH THE STORAGE OF DISCONTINUED PESTICIDES FOR SALE OUTSIDE OF COMMERCIAL VENUES. FROM THIS DISCUSSION, WE'D LIKE TO ARRIVE AT AN OPINION FROM THE HSERC IF THIS ISSUE SHOULD BE PERSUED FURTHER.

4 THIS ITEM AND THE REPORT FROM THE PIPELINE SAFETY COMMITTEE ARE TO FOLLOW UP ON A REQUEST THAT THE STATE LEARN FROM ACCIDENTS AND TAKE STEPS TO IMPROVE ACCIDENT PREVENTION BASED ON THOSE LESSONS. I'D LIKE TO PRESENT **Lt Cmdr Weist**, FROM THE USCG MSO. HE WILL GIVE A REPORT ON THE COAST GUARD'S ACCIDENT INVESTIGATION

OF THE TESORO OIL SPILL WHICH IMPACTED KAUAI.

A BREAK IS SCHEDULED HERE.

- 5 **Curtis Martin** IS HERE TO REPORT ON THE FOLLOWING THREE TOPICS: THE ACTIVITIES OF THE PIPELINE SAFETY COMMITTEE, THE LEPC BUDGET SITUATION, AND HSERC MEMBER DUTIES AND RESPONSIBILITIES.
- 6 **Paul Takamiya**, OF THE OAHU CIVIL DEFENSE, IS HERE TO UPDATE THE COMMISSION ON COUNTY PREPAREDNESS ACTIVITIES SURROUNDING TERRORISM AND WEAPONS OF MASS DESTRUCTION.
- 7 Other Business

IS THERE ADDITIONAL BUSINESS TO BE DISCUSSED?

- 3 Schedule next HSERC meeting

THE CHAIR PROPOSES THAT THE NEXT MEETING BE HELD IN SEPTEMBER.

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

▼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 SEPTEMBER.

Time: \_\_\_\_\_

**DOMESTIC  
PREPAREDNESS UPDATE**

---

**Paul K. Takamiya  
PLANS AND OPERATIONS  
OFFICER  
OAHU CIVIL DEFENSE  
AGENCY**

**DOMESTIC PREPAREDNESS**

**PROGRAM**

# WHY DOMESTIC PREPAREDNESS

---

## INTERNATIONAL TERRORISM

- WORLD TRADE TOWERS, NY

- SARAN GAS, TOKYO SUBWAY

## DOMESTIC TERRORISM

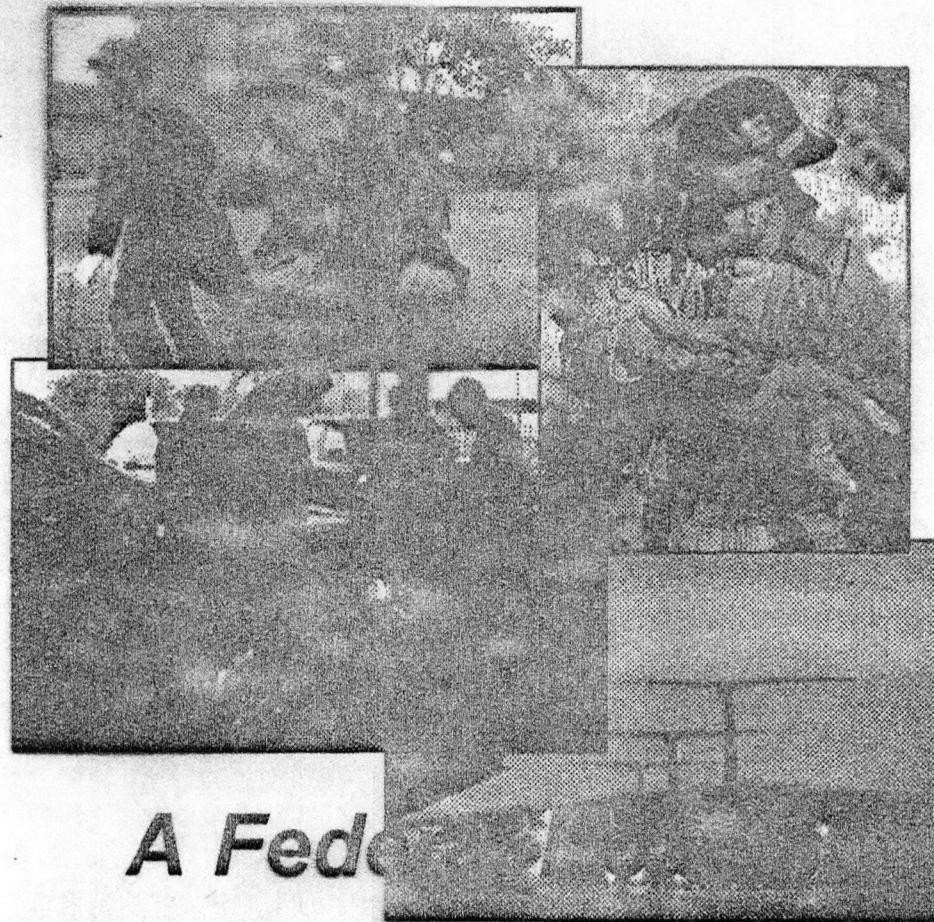
- ALFRED MURRAY FED BLDG, OK CITY

- UNABOMBER

- SUMMER OLYMPICS, ATLANTA



***Preparing for and Managing the  
Consequences of Domestic Nuclear,  
Biological and Chemical Terrorism***



***A Federal***



# The Federal Response

## ◆ *Presidential Decision Directive 39*

- *Establishes federal policies and agency responsibilities for counterterrorism*

## ◆ *Public Law 104-20.*

- *Defense Against Weapons of Mass Destruction (WMD) Act of 1996*

### ◆ *Nunn-Lugar Amendment*



# *Wagner-Lugar Amendment*

- ◆ *Enhance the federal response capability*
  - *Revise the Federal Response Plan*
  - *Strengthen NDMS (National Defense Medical System)*
  - *Develop 3 NBC "Rapid Response Teams"*
  - *Upgrade DMATs*
- ◆ *Enhance the local response capability*



# Enhancing Local Capability

## ◆ *Three areas of focus*

- *Assess local response capabilities*
- *Develop appropriate training programs*
- *Support development of local MMST systems*

• *MMST = Metro Medical Strike Team*



# FEDERAL PARTICIPANTS

DEPT OF DEFENSE

DEPT OF ENERGY

DEPT OF HEALTH AND HUMAN SERVICES

DEPT OF JUSTICE

ENVIRONMENTAL PROTECTION AGENCY

FEDERAL EMERGENCY MANAGEMENT AGENCY

# GRANTS AWARDED TO THE CITY

DHHS: \$300,000.00 TO PURCHASE EQUIPMENT AND  
PHARMACEUTICALS

DOD: \$300,000.00 IN TRAINING AND TRAINING  
EQUIPMENT

DOJ: \$350,000.00 FOR EQUIPMENT AND TRAINING  
(HAS NOT YET BEEN RELEASED)

## CURRENT STATUS

CITY'S MMST PLAN HAS BEEN APPROVED BY DHHS

DHHS EQUIPMENT AND PHARMACEUTICAL REQUISITIONS HAVE  
BE DEVELOPED AND IS PENDING APPROVAL

DOD EQUIPMENT REQUISITION BEGAN ARRIVING IN MARCH  
1999

WMD TRAINING IS IN PROGRESS: MFD, HPD, EMS,  
HOSPITALS

*DRAFT COPY*  
*November 13, 1998*

*City and County of*  
*Honolulu*

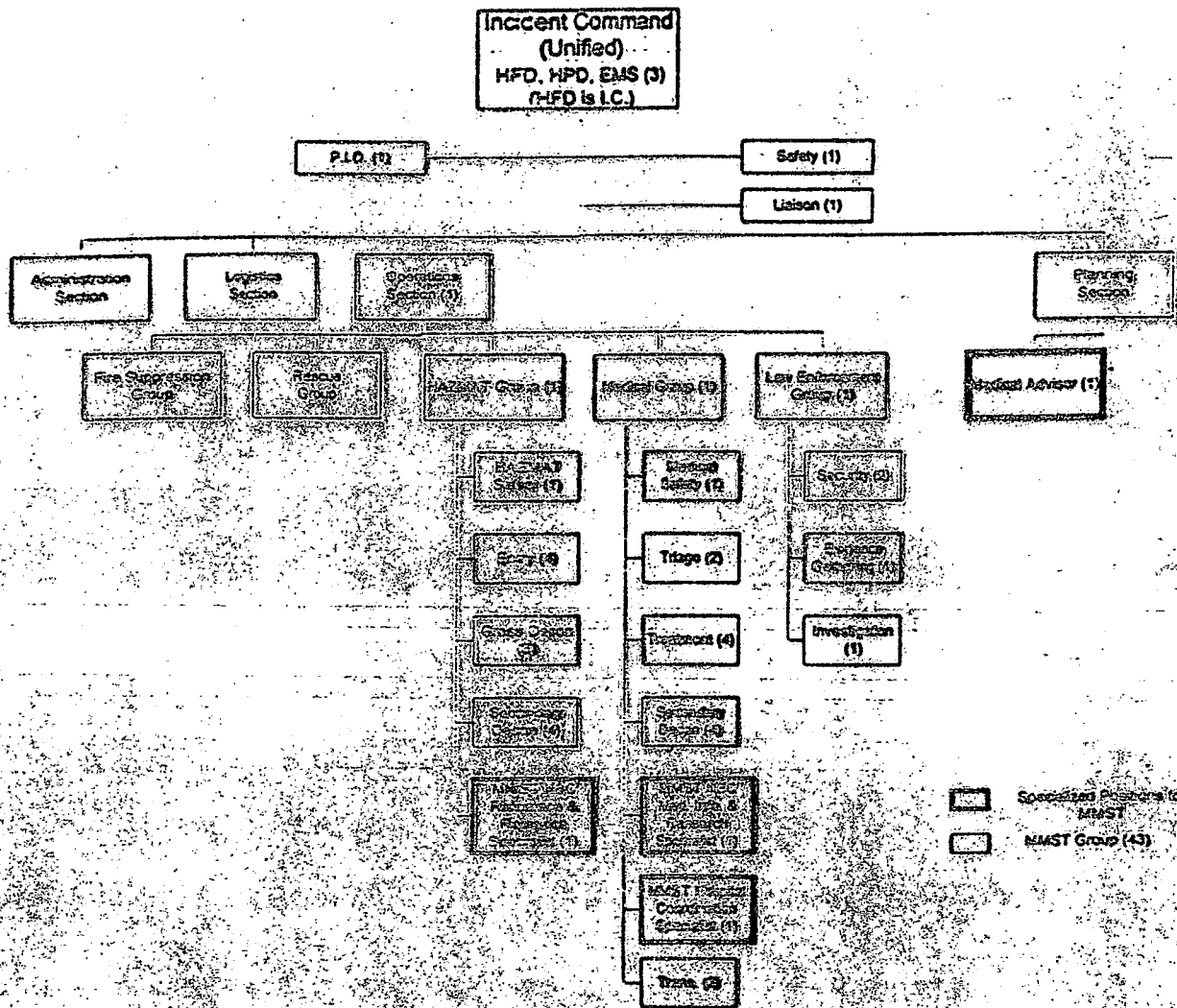
***RESPONSE PLAN***

for  
Terrorist Incidents involving  
Nuclear, Biological or Chemical  
Agents (NBC)  
or  
Weapons of Mass Destruction (WMD)

*Annex S*  
*Appendix 7*  
*(and Attachments)*



# HONOLULU MMST AND MMST SYSTEM RESPONSE PLAN



**COMING EVENTS**

**MAY 26, 1999: DOD BIOLOGICAL TABLETOP EXERCISE**

**150 PARTICIPANTS AND OBSERVERS**

**MAY 28, 1999: DOD CHEMICAL FUNCTIONAL EXERCISE**

**400 PARTICIPANTS AND OBSERVERS**

# Challenges

---

- Develop information links through chemical suppliers
- Rapid identification of unknown chemicals
- Develop information links through poison control center
- Develop information links through food distributors

# What to do?

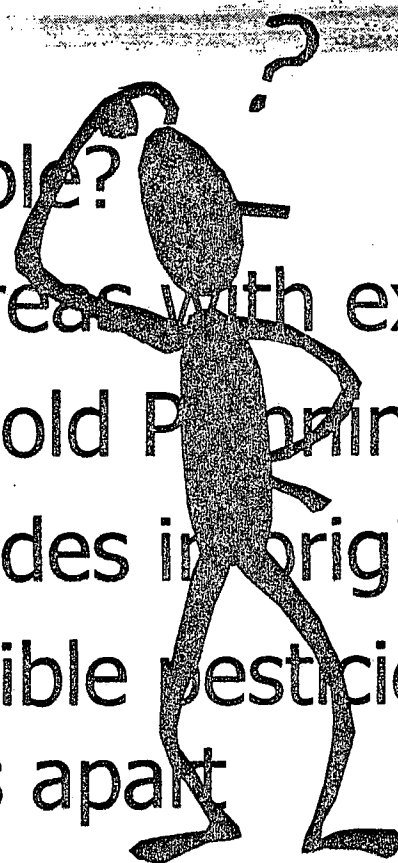
## What to do? (Two)

---

- Cultural chasm between new agricultural development and current regulatory programs
- How do we get data on extent of the problem?
- What is reasonable level of regulation?
- Is regulation appropriate?

# What to do?

# What to do?

- 
- What is desirable?
  - Post storage areas with exposure risks
  - Reduce Threshold Planning Quantities
  - Keep all pesticides in original container
  - Keep incompatible pesticides and other farm chemicals apart
  - Maintain secure pesticide storage areas

# **Black Market Pesticides**

## **What are they? (cont.)**

---

- are not appropriately labeled (insecticide chalk)
- Internet sales direct to consumer
- Mail order sales

# **Black Market Pesticides**

## **What are they?**

---

- Stolen or shared pesticides. Pesticides are transferred from original container. These pesticides lack the labeling that is needed for safe use. Many pesticides are only offered in large sizes.
- Unlicensed pesticides. Some pesticides offered in Swap Meets, Asian specialty stores and other non-traditional markets

# Agricultural Changes (continued)

---

- Residence away from the farm makes it difficult to identify farmers
- Farmers use pesticides that are generally available, not restricted pesticides which are reported
- Farmers know some requirements, but treat them as "guidelines"



# **Black Market Pesticides (Agricultural Changes)**

---

- More farms (4,500 in 1991, 5,500 Today)
- Smaller farms
- Less farmers certified (1,460 in 1991, 500 today)
- More non-English proficient pesticide users
- No one is on the farm during normal work hours

# Black Market Pesticides



A By-Product of Diversified  
Agriculture

## PROPOSED SUBCOMMITTEES

### LEGISLATIVE

**Objective:** To propose and promote legislation which enhances emergency response in Hawaii.

**Proposed Tasks:** In cooperation with the Funding Subcommittee, draft a bill explaining the purpose and history of the HCIF Filing Fee proposing that the funds be earmarked for use by the LEPCs.

Lobby legislators to pass environmental bills and attend hearings.

### POLICY

**Objective:** To draft statewide policy regarding emergency response, and EPCRA and 128E implementation (Enforcement, Cost Recovery).

**Proposed Tasks:** Propose bylaws for adoption by the HSERC.  
Draft an Enforcement policy for the State under 128D and 128E.  
Work with the AG Office and obtain AG's approval.  
Draft a ERRF cost recovery policy for the State under 128D.  
Work with the AG Office and obtain AG's approval.

### PLANNING

**Objective:** To review LEPC emergency response plans and to review and amend the State Oil and Hazardous Substances Emergency Response Plan.

**Proposed Tasks:** Respond to LEPCs with written comments on their county HazMat emergency response annexes once a year.  
Publish and distribute changes and updates to the State Oil and Hazardous Substances Emergency Response Plan once a year.

### EXERCISES

**Objective:** To plan, prepare and evaluate emergency response exercises.

**Proposed Tasks:** Run an exercise for a county each quarter.

## FUNDING

**Objective:** To explore and promote options for funding SERC and LEPC activities.

**Proposed Tasks:** In cooperation with the Legislative Subcommittee, draft a bill explaining the purpose and history of the HCIF Filing Fee proposing that the funds be earmarked for use by the LEPCs.

## BUSINESS/INDUSTRY

**Objective:** To promote industry involvement in SERC and LEPC activities.

**Proposed Tasks:** Develop outreach programs to industry to assure that businesses which are covered are reporting.  
Establish legal and ethical guidelines for gifts to the HSERC. (or should this be the Funding Subcommittee?)  
Solicit donations.

## INFORMATION MANAGEMENT

**Objective:** To establish protocols for uniform information management and insure that information is available to the public.

**Proposed Tasks:** Draft protocols for the format of electronic information stored under 128E.  
Draft protocols for the routine distribution of HEPCRA information to interested parties.  
Make HEPCRA Data available to the State GIS.  
Make HEPCRA Data available to the Civil Defense GIS.  
Establish electronic communications between the HSERC (HEER Office) and the CD system.  
Establish electronic communications between the LEPCs and the Civil Defense system.  
Make HEPCRA Data available to the State Library system.  
Make HEPCRA Data available to Hawaii FYI.

## August 24, 1998

- ⊕ Tesoro Hawaii spilled approximately 117 Barrels of IFO-380 from the Single Point Mooring, into the Pacific Ocean, when a floating bunkering line failed.
- ⊕ The transfer was suspended.
- ⊕ Tesoro initiated Cleanup operations.
- ⊕ The OSRV CLEAN ISLANDS and HAWAII RESPONDER were deployed.

## August 27, 1998

- ⊕ Cleanup operations were completed.

## September 4 1998

- ⊕ Numerous small tarballs were reported coming ashore in Kauai.
- ⊕ A Federally Funded Cleanup was opened
- ⊕ Oiled birds were observed and recovered.

## September 5, 1998

- ⊕ Oil samples were "finger printed" and found to be from the Tesoro spill.
- ⊕ Tesoro initiated response activities.
- ⊕ Oil impact was reported on all quarters of the island.
- ⊕ 32 birds were found oiled. 12 were rehabilitated and 29 died.

## September 24, 1998

- ⊕ Cleanup operations were completed

## Floating Bunkering Line Failure

Three conditions lead to the failure of the bunkering line

- (1) A slash cutting the radius of the floating bunkering line
- (2) The delamination of the floating bunkering line
- (3) The bending of the line as it was towed into position.

## Violation and Penalty

A violation of Federal Water Pollution Control Act [[33 USC 1321 (b) (3)]] was found -- discharge of oil into the navigable waters of the United States.

A penalty of \$10,000 was assessed.

### Prevention

careful monitoring of operations around floating hoses  
increase frequency of hose inspections.

HAWAII STATE  
EMERGENCY RESPONSE COMMISSION

*DRAFT*  
*OPERATING GUIDELINES*

Submitted  
September 10, 1992  
(HSERC.SOP)



## TABLE OF CONTENTS

I.	INTRODUCTION . . . . .	1
II.	NAME . . . . .	1
III.	PURPOSE . . . . .	1
	A. Purpose . . . . .	1
	B. Duties . . . . .	2
IV.	MEMBERSHIP . . . . .	3
V.	VOTING . . . . .	4
VI.	MEMBERSHIP RIGHTS AND PRIVILEGES . . . . .	4
VII.	OFFICERS, AND STAFF DIRECTOR . . . . .	5
VIII.	DUTIES OF THE CHAIRPERSON . . . . .	5
IX.	ELECTIONS, TERM OF OFFICE, AND SUCCESSION TO OFFICE . . . . .	6
X.	COMMITTEES . . . . .	7
XI.	FISCAL YEAR . . . . .	11
XII.	AMENDMENTS . . . . .	11
XIII.	MEETINGS . . . . .	12

## I. INTRODUCTION

- A. These guidelines are adopted by the Hawaii State Emergency Response Commission of the State of Hawaii. This Commission is empowered to implement the provisions of Title III of PL-99-499, the Emergency Planning and Community Right-to-Know Act of 1986 and the Hawaii Emergency Planning and Community Right-to-Know Act when enacted.

## II. NAME

- A. The name of this commission shall be the Hawaii State Emergency Response Commission. Hereinafter referred to as HSERC or the Commission.

## III. PURPOSE

- A. Purpose: The purpose of the HSERC shall be to carry out the provisions of the Emergency Planning and Community Right-to-Know Act of 1986, and amendments thereto. These include providing assistance in the coordination of state agencies activities relating to:
1. Chemical emergency training, preparedness, and response;  
and

2. Chemical release reporting and prevention, transportation, manufacture, storage, handling, and use.

B. Duties.

1. The commission shall perform such duties as specified in the federal act to be performed by such Commissions and, in addition thereto such duties as specified in the laws of this state or as are deemed necessary and appropriate by the Commission to achieving its purposes in accordance with the requirements of the federal act.
2. The Commission shall establish local planning districts, subject to approval by the Director of Health and shall appoint a local planning committee for each such district.
3. Local planning committees shall perform such duties as specified in the federal act to be performed by such committees, and in addition thereto, such duties as are assigned by the Commission or by any member of the Commission acting on behalf of or at the direction of the Commission, or are as deemed necessary and appropriate by each such committee to achieve its purposes.

#### IV. MEMBERSHIP

- A. The membership of the Commission shall consist of those state officers and individuals designated by the Governor.
- B. Members of the Commission appointed by the governor shall serve for terms to two years. Any vacancy in the office of an appointed member of the Commission shall be filled for the unexpired term by appointment of the governor.
- C. State officers shall provide written notice to the chairperson of the Commission of their appointed designee. Designees may be appointed for any period at the discretion of the state officer making the appointment. Such appointments shall be noticed to the chairperson prior to their effective date and further the chairperson shall be noticed when the term of such appointment shall expire or when a new appointment is made.
- D. Designees shall serve at the pleasure of the state officer making their appointment and have the authority to act on behalf of the state officer in all matters before the Commission in a manner consistent with the equivalent to that authority residing in the state officer which the designee represents. The term of the appointment of the designee shall expire with that of the individual state officer appointing said designee unless otherwise reappointed by a successor to the state officer.

## V. VOTING

- A. Quorum: A quorum shall consist of the majority of the members or their voting designees. A quorum is necessary for the conduct of any official business or official votes of the Commission.
- B. One vote is allocated to each state officer or their designee, and each appointed member. A majority of those voting yea or nay shall determine all presented at regular or special meetings of the Commission.
- C. Counts of all votes, including abstinence, shall be recorded in the minutes of all meetings.

## VI. MEMBERSHIP RIGHTS AND PRIVILEGES

- A. The Chairperson is the sole individual authorized to represent the Commission unless otherwise provided for in these guidelines. In addition, the Chairperson on behalf of the Commission may call upon the DOH to perform special studies and surveys or provide other support services within reason and consistent with the goals and objectives of the Commission, and resources available.
- B. Resignation: Any designee for a state officer may resign by filing a written resignation with the executive director or chairperson and their appointing state officer.

- C. Annual meeting: The first meeting in April of the Commission shall be considered the annual meeting for purposes of election of officers, appointment of committee chairperson, and date for commission for filling vacancies of appointed member.

## VII. OFFICERS, AND STAFF DIRECTOR

- A. Administration of the HSERC is vested in a Chairperson, Vice-Chairperson and HSERC coordinator. The HSERC coordinator is the chief staff person provided by the Hawaii Department of Health as staff support to the Commission. The HSERC coordinator is authorized to serve on all committees and sub-committees of the Commission at the direction of the Chairperson. The Chairperson shall be elected annually by member of the Commission. A Vice-chairperson shall be designated by the Chairperson on an annual basis to serve in the absence of the Chairperson.
- B. The Chairperson and the HSERC coordinator shall carry out the routine work of the Commission and may further act on the behalf of the Commission between meetings.

## VIII. DUTIES OF THE CHAIRPERSON

- A. The Chairperson shall establish standing and temporary sub-committees for those purposes necessary to carry out the work of the Commission. The Chairperson shall appoint committee and

sub-committee chairpersons and membership.

- B. The Chairperson shall be responsible for coordinating Commission administrative activities with the HSERC Coordinator. These activities shall include staffing various committees and sub-committees, providing research, preparing and signing correspondence, preparing reports, representing the Commission before public bodies, at public meetings, and to carry out other such business as directed by the Chairperson. The Chairperson may delegate the authority to carry out these activities on behalf of HSERC to the HSERC Coordinator or any member of the Commission, acting instead of the Chairperson.

IX. ELECTIONS, TERM OF OFFICE, AND SUCCESSION TO OFFICE

- A. The Chairperson shall be elected annually by member of the Commission. The Chairperson is the only officer elected by the Commission. A Vice-chairperson shall be designated by the Chairperson to serve in the absence of the Chairperson.
- B. Vacancy in office:
  - 1. In the event a vacancy in the office of the Chairperson the Vice-Chairperson shall immediately succeed into the position of Chairperson for the remainder of the term. He/She may

in turn appoint an interim Vice-Chairperson who shall serve also until the remainder of the term.

2. In the event of a vacancy in the office of the Chairperson and Vice-chairperson the Commission at its next scheduled meeting shall elect an interim Chairperson from its members to serve out remainder of the term. The Chairperson so elected may in turn appoint an interim Vice-Chairperson to serve out the remainder of term.

X. COMMITTEES-*This section is borrowed from Kansas and is submitted as an example only, to be used for discussion purposes.*

A. The Chairperson may establish such standing and special committees as are needed to promote the work of the Commission and the Chairperson may appoint committee and sub-committee chairperson and committee or sub-committee members. The Chairperson may further, as discretion dictates, appoint non-voting member to such committees of individuals with skills, experience, or interests that the Chairperson considers would contribute to the work of said committees or sub-committees. These members may be from the public, private sector, or academia.

B. The following shall be standing committees for the commission.

1. Administrative Committee which would include by-laws, funding, and strategic planning (legislative and regulation).



2. Information Management Committee which would include CAMEO, Spill Reporting, and Compliance and Enforcement.
3. Emergency Planning Committee, which would include Local Emergency Planning Committees' training.

C. Functions of committees:

1. The Administrative Committee shall consist of the Cent Chairperson and department head or designee from the Kansas Department of Health and Environment and the Adjutant General's Department. The staff director and vice-chairperson are nonvoting members of the Administrative Committee. The Administrative Committee shall provide counsel to the Chairperson in the performance of the routine functions of management of the affairs of the Commission between Commission meetings including proposal and adoption of administrative policies and procedures, consistent with these by-laws. Major actions take by the Administrative Committee which reflect upon policy not previously established by the Commission shall be presented to the full Commission for ratification at the next subsequent full Commission meeting. In addition, the Administrative Committee shall recommend the adoption of by-laws to clarify operating procedures; evaluate and recommend

alternative funding mechanisms to pay for activities to be accomplished under the Kansas Emergency Planning and Community Right-to-Know Act; and shall have a broad mandate to investigate, review and advise the Commission on matters effected by or effecting legislation, rules and regulations, policy, or other actions at the federal, state, or local level impacting upon or impacted by the activities of the Commission.

2. The Information Management Committee shall review and advise the Commission regarding technologies and options for information management including the state wide Data Management System and CAMEO applications; and coordinate state agency programs for receipt and handling of reports of spills incidents which may result in episodic releases of hazardous material. Further, the committee shall investigate and coordinate agency compliance and enforcement activities associated with emergency response planning, hazardous chemical releases, and other activities associated with hazardous chemicals in the community.
3. The Emergency Planning Committee shall recommend adoption of standards, procedures, and methods of accreditation of training courses and instructors; and shall assist the Division of Emergency Preparedness in implementation of a registration program for accredited

training courses, instructors and students successfully completing such courses. Further the committee shall investigate and recommend to the Commission adoption of policies or guidelines regarding regionalization of state and local response and planning activities associated with hazardous chemical release prevention and discharge clean-ups. The committee shall consult with LEPCs and make recommendations to the Commission regarding LEPC activities, appointments of members, Designation of Local Emergency Planning Districts, and/or any other state actions effecting LEPCs.

- D. The Administrative Committee shall provide recommendations on behalf of the Commission to the Secretary of Health and Environment regarding budgetary needs of the Commission. The Administrative Committee, with the advice of the Staff Director, shall be authorized to direct expenditures on behalf of the Commission, its members, or for any other purpose consistent with those limitations provided on the Commission by the Legislature through legislative appropriation for the Commission contained within the Kansas Department of Health and Environment budget.
- E. The Administrative Committee, on behalf of the Commission and after consultation with the Adjutant General's Department and Kansas Department of Health and Environment is authorized to apply for and receive monies, grants, contracts, or awards from

any source where such activities are contingent upon approval or concurrence of the State Emergency Response Commission. The Administrative Committee may, as necessary, delegate this authority to state agency acting on behalf of SERC.

## XI. FISCAL YEAR

- A. The fiscal year of the Commission shall coincide with that of the State and ending on June 30 of each year.

## XII. AMENDMENTS

- A. These guideline may be amended by majority vote of the quorum present at an annual meeting or special meeting of the State Emergency Response Commission, providing notice of proposed amendments has been sent to all members not less than thirty (30) days before the annual meeting, and providing a copy of the proposed amendment accompanies the notice.
- B. For purpose of taking action on amendments to guideline a quorum shall mean two-thirds of the current membership of the HSERC.
- C. All amendments to such proposed amendments must be in writing and may be adopted immediately by a two-thirds vote of those present. If adopted the amended amendment shall then be voted upon. Amendments may be proposed to the Commission by any

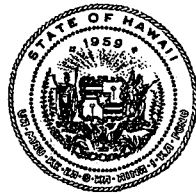
member and at any time prior to an annual or special meeting consistent with subsection "A" of this article.

### XIII. MEETINGS

- A. The Commission shall have an annual meeting as specified by these by-laws.
- B. Meeting of the Commission shall be held on the second Thursday of the month unless otherwise designed by the Chairperson or Commission.
- C. At any meeting of the Commission, issues may be discussed briefly before formal motion is made. Whenever a question of procedure is raised, Roberts Rules of Orders newly revised shall prevail. Federal and state statute, rules and regulations shall have priority where conflicts with Roberts Rules may occur.
- D. Records of all meetings, votes, discussions and other transaction at annual meeting, special meetings and or committees shall be maintained by the HSERC Coordinator. Such reports shall be available at the next regular meeting of the Commission. Summary reports will be mailed or presented at each meeting to Commission members by the HSERC Coordinator or by appropriate committee or sub-committee chairperson.

E. Prior notice of Commission meetings shall be posted in the Lieutenant Governor office. All meetings of the Commission are open to the public consistent with the Sunshine Law and all records of the Commission unless otherwise designated and consistent with provisions of the Sunshine Law shall be open to the public.

**BENJAMIN J. CAYETANO**  
GOVERNOR OF HAWAII



**BRUCE S. ANDERSON, Ph.D.**  
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 #33**

Monday, November 16, 1998 from 9:00 a.m. to 12:00 p.m.

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

**Attendees**  
**Voting**

Dr. Bruce Anderson, Chair, Department of Health, Environmental Health  
Joseph Blackburn, Maui LEPC Representative  
James Bobb, Emergency Services American Red Cross  
Bob Boesch, Board of Agriculture  
Russell Charlton, Department of Labor and Industry  
Leland Nakai, Oahu Civil Defense, Oahu LEPC Representative  
Gary Gill, Environmental Quality Control Office  
Roy Price, State Civil Defense  
Jay Sasan, Hawaii LEPC Representative  
Thomas Smyth, Department of Business, Economic Development and Tourism  
Chris Takeno, Department of Transportation

**Non Voting**

Dave Hoffman, Tesoro Hawaii  
Bill Perry, Department of Health, Hazard Evaluation and Emergency Response Office  
Kelvin Sunada, Department of Health, Hazard Evaluation and Emergency Response Office  
Marsha Graf, Department of Health, Hazard Evaluation and Emergency Response Office  
Davis Bernstein, Department of Health, Hazard Evaluation and Emergency Response Office  
Allen Sugihara, NAVSTA, Pearl Harbor  
Cynthia Pang, COMNAVBASE, Pearl Harbor  
Helen Mary Wessel, CIP Compliance Coordinator  
Senior Chief Petty Officer Frank Prekel, USCG MSO Honolulu, Planning Department  
Warren Chung, State Civil Defense

1) **Call to Order**

The meeting was called to order at 9:10 by Bruce Anderson, Deputy Director for Environmental Health

Approval of Minutes from Meeting #32.

The minutes were unanimously approved with changes. Change Kapolei Hazardous Waste Fund from 1 year to 1 month.

## 2) LEPC Updates and Membership Changes

### 2.1 Jay Sasan, Hawaii LEPC Representative

Senator Wayne Metcalf will not be in office next term. The LEPC will have a change of membership at the next HSERC meeting following a decision in December.

### 2.2 Joe Blackburn, Maui LEPC

Items discussed at the last LEPC meeting included funding for LEPC activities and holding a household hazardous waste day.

The HSERC members supported a meeting between the HSERC, LEPCs, and state and county solid and hazardous waste managers. The purpose of the meeting is to develop the HSERC's position on hazardous waste issues and to determine how the HSERC can best support the LEPCs and counties in their efforts to provide complete waste handling options for citizens and businesses in Hawaii.

### 2.3 Leland Nakai, Oahu LEPC

2.3.1 The training needs survey collected for the county reflects that 80% of needed training is performed in house.

2.3.2 May 12 is targeted for a terrorism exercise which will be followed by a biological weapons tabletop.

2.3.3 The HazMat vehicle was totaled in a traffic accident. A new one is on order but will take about nine months for delivery.

2.3.4 Jim Vinton gave a CLEAN update. CLEAN has purchased ten emergency alert sentinel radios to test in upcoming exercises.

2.3.5 Carter will be relinquishing the chair of the Honolulu LEPC. A vote for a new chair will take place at the next meeting.

2.4 Clifford Ikeda, Kauai LEPC Representative, could not attend the meeting.

## 5) HEER Office Updates (moved up in the schedule)

Davis Bernstein, HEER

5.1 The HEER Office managers position has been announced.

### 5.2 LEPC Funding

5.2.1 Filing fees will not be available to the LEPCs before July 1, 1999. The appropriation request is for two years worth of fees. We'll know more for the May HSERC meeting after the budget has gone through.

5.2.2 The equipment grant from the HEER Office CORE monies is available. Each LEPC may request \$7,000 in response equipment.

5.2.3 LEPCs should check for HMEP grant reimbursement for training trips related to emergency planning.

5.3 A fish risk advisory was posted for Pearl Harbor. Citizens are advised not to eat fish or shellfish in order to avoid adverse health impacts.

5.4 A Natural Resources Damages Assessment (NRDA) is underway for the impact of the Tesoro spill in Kauai.

5.4.1 There will be a chance for public comment in the NRDA.

5.4.2 The EMAG is an appropriate forum to bring up public participation issues.

5.4.3 The HSERC will receive updates from the Pipeline Safety Committee and the Coast Guard Accident investigation to learn what preventive measures have been instituted as lessons learned from the Chevron and Tesoro oil spills.

5.5 The HEER Office is requesting an environmental risk assessor position from the legislature this year. HEER currently works with DLNR as they have expertise.



5.6 The Voluntary Response Program has three projects underway. The VRF provides an incentive to clean up properties and limits liability.

### 3) Mike Cripps, SOSC

#### 3.1 Cylinder Venting SOP

There has been a marked increase in the number of cylinders washing up on the shores of all islands in the last year. The cylinders are usually pitted and are often of foreign manufacture, which means that they do not conform to CGI guidelines. This makes them difficult to identify. So they are handled as unknowns. The process for puncturing the cylinders has evolved from shooting from a distance with a rifle to the use of a de-armor, a 50 caliber shell positioned a half inch from the wall of the cylinder. Disposal costs per cylinder have gone down as the process has improved. A possible course of the increase is a global tightening of policies wherein distributors won't take back cylinders in poor condition.

#### 3.2 Kure Atoll Ship Grounding

A ship holding 11,000 gallons of diesel ran hard aground on Kure Atoll. The threat was deemed imminent and substantial. If the diesel were to be released it would emulsify with the sea water and scour the reef, killing it. Kure Atoll is also home to several protected bird species and a Kure population of Monk Seals. Green sea turtles haul out on the beaches to lay eggs.

Mike and Captain Wipple of the USCG took a C140 to the site. There they oversaw the removal of 7,000 gallons of Diesel (the rest was blown out to sea due to off shore winds.) The ship was under an American flag and carried \$1,000,000 of pollution insurance plus P&I liability and \$600,000 of collision. OPA 90 drove the response to secure and remove the petroleum. A 1970's YTB happened to be available to pump and receive the product. Lobster traps, lead sinkers and 15 miles of line and net were also removed. The DOH contends that the hulk of the boat is also a pollutant or contaminant. Since the insurance funds and OPA 90 were expended, a stronger tug could not be brought from San Francisco.

### 6) Other Business

A meeting may be needed in December to summarize the training needs information.


#### 4) Administrative Enforcement Documents Bill Perry, SOSC

See handout. Notice of Interest, Notice of Undertaking, Notice of Improper Response Action  
Three letters have been approved for use by the Attorney General's Office. They're good field tools to promote progress at sites. The letters are similar to letters which have been in use Federally for the last ten years.

#### 7) Schedule next HSERC meeting

The meeting was adjourned until mid February.

Respectfully submitted,



Marsha Graf  
HEPCRA Coordinator

**BENJAMIN J. CAYETANO**  
GOVERNOR OF HAWAII



**BRUCE S. ANDERSON, Ph.D.**  
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 #34**

Friday, November 19, 1998 from 9:00 a.m. to 12:00 p.m.

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

**Attendees**

Voting      No Quorum

Gary Gill, Chair, Department of Health, Environmental Health  
James Bobb, Emergency Services American Red Cross  
Bob Boesch, Board of Agriculture  
Russell Charlton, Department of Labor and Industry  
Capt. Carter Davis, Oahu LEPC Representative  
Clifford Ikeda, Kauai LEPC Representative  
Thomas Smyth, Department of Business, Economic Development and Tourism

**Non Voting**

Leland Nakai, Oahu Civil Defense  
Helen Mary Wessel, CIP Compliance Coordinator  
Warren Chung, State Civil Defense  
Leighton Au Cook, State Civil Defense  
Kelvin Sunada, Department of Health, Hazard Evaluation and Emergency Response Office  
Jim Vinton, BHP Hawaii  
Davis Bernstein, Department of Health, Hazard Evaluation and Emergency Response Office  
Wayne Awai, Hawaii Fire Department  
Dave Hoffman, Tesoro Hawaii  
Tom Simmons, CLEAN  
Mason Young, DLNR  
John Shin, CLEAN  
Mike Ardito, USEPA Region IX  
Marsha Graf, Department of Health, Hazard Evaluation and Emergency Response Office

1. Introduction      Bruce Anderson/Gary Gill, Department of Health  
Organized response program has come into being over the last ten years.  
Vicechair will remain Joe Blackburn.

Meeting minutes could not be approved since there was no quorum.

## 2. LEPC Updates

### 2.1 Hawaii Wayne Awai

The LEPC has been holding regular meetings.

There would be a tabletop exercise for the Big Island April 6, 1999. It is in planning now. Mike Ardito of the USEPA has been holding meetings.

A 160 hour technician course will be attended by fire personnel.

### 2.20 Kauai Clifford Ikeda

Makani Pahili

Kauai is participating in the planning. Will add a hazmat scenario.

Computers

Finally have computers on order for hazmat team.

All stations will be connected by a LAN.

Response equipment

Will submit requests to HEER.

2.3 A representative from Maui was not in attendance.

### 2.4 Oahu Carter Davis

2.4.1 A current membership list is being assembled.

2.4.2 LEPC budgets were discussed.

2.4.3 Federal EPCRA changes will reduce filing fees as gas stations will no longer be reporting.

2.4.4 There will be a December 9 tabletop on counter terrorism. Of concern are secondary devices which go off after the first responders are on scene, with the intention of seriously undermining the city's ability to care for victims and control the scene.

Scheduled: May 26 tabletop of biological weapons and May 28 full-scale exercise on chemical weapons.

2.4.5 Y2K update

City moving in the right direction.

2.4.6 Jim Vinton gave a clean update on subcommittee activities with regard to emergency alert.

2.4.7 Waste handling meeting discussed

The meeting was a good opportunity for counties to share information on their programs.

2.4.8 The committee will be electing a new chair; they are accepting applicants currently.

2.4.9 March 15 - Cameo training will be held at Pearl Harbor.

## 3. EPA Updates Mike Ardito

3.1. EPA CEPPPO has reorganized. There is a new team leader, Nate Lau.

3.2 Counter terrorism

EPA has published pamphlet (see handout).

By 2003, the EPA wants > 50 percent of SERCs/LEPCs to have counterterrorism in their emergency plans.

3.3 Clean Air Act

Risk Management Plans are due before June 21st, 1999.

The EPA wants LEPCs to include info from RMP's into their ongoing efforts. An outline is provided.

The RMP course will be offered again in Hawaii on March 15 and 16.

RMPs and counter terrorism

An agreement between the EPA and the FBI was made in November not to put the worst-case scenarios on the Web page.

3.4 EPA has completed its review of the Hawaii emergency operating plan and the Puna Geothermal Venture emergency operating plan.

The public review begins today and goes through May 31st.

The report is available on the EPA Web page, at the EPA PICO Office and at five Hawaii libraries.

We can include report in the HSERC's review of the emergency operating plan.

Russel Charlton - What is the process for review? Provide status and HSERC responsibilities. Put a vote on sending the LEPC plans to the EPA for review on the next agenda.

Carter Davis asks that all LEPC committees receive the EPA review document.

### 3.5 Year 2000

FEMA will be holding a conference March 24th and 25th.

3.6 There is a CAMEO conference upcoming in mid May.

3.7 Las Vegas millennium 2000 conferences is upcoming.

3.8 Continuing Challenge takes place Sept. 7.

## 4. CLEAN

CLEAN needs government support for the preparedness effort.

4.1 Emergency Alert Radios - have and use. Fifty dollars per radio.

Clean has purchased ten radios and placed five in schools and others in hospitals. State Civil Defense's George Burnett will also be placing one in each of the public schools, for a total of 275.

Tom Smythe commented that businesses will need them to. Plan to buy one for each business in Campbell Industrial Park.

A new update to the Campbell Industrial Park emergency operating plan will be sent in March 1999.

## 5. Waste handling

What county programs for household hazardous waste exist?

A meeting was held between the State, County refuse and county responders to answer this question. (See handout.) Each county has analyzed their waste stream in the past and each county has created a program at a level deemed appropriate. Oahu has the most extensive program. It spends \$70,000-100,000/year manning a household hazardous waste collection program.

Legislation has been proposed.

Senate Bill 124 onetime household hazardous waste collection day. Will not pass.

Senate Bill 117 overall program to assist counties.

Senate Bill 118 commercial establishments must accept Household hazardous waste back.

The State Solid and Hazardous Waste Branch met with the Department of Education. Schools will be issued letters reminding them to use existing hazardous waste disposal mechanisms available to them through their Auxillary Services Department.

## 6. Grants Warren Chung, SCD

### 6.1 Training

Technician training will be held on the Big Island.

A train the trainer class will be offered to help departments which have undergone budget cutbacks.

6.2 Warren is making sure that our curriculum complies with grant requirements.

### 6.3 Measuring Performance

What is a good method? Manny Nevus, of the fire department, collects incident information. There have been 524 hazmat incidents. No deaths, injury or property damage was reported.

6.4 HMEP monies may be used for planning exercises.

County or state spends money and receives reimbursement.

Frank Prekel, USCG MSO

1. The Area Contingency Plan will be published in the next couple of weeks.

2. A cruise ship exercise will be held on April 21st.

3. The Coast Guard is beginning Marine fire fighting training.

4. March 3rd is Hawaii Maritime Industry Day '99.

## 7. New business

Agenda item for the next HSERC meeting - review the legal mandate of the HSERC. Ask Kathy Ho to speak. Discuss Web administration.

Schedule the next HSERC meeting for May but avoid the first week due to Makai Pahili.