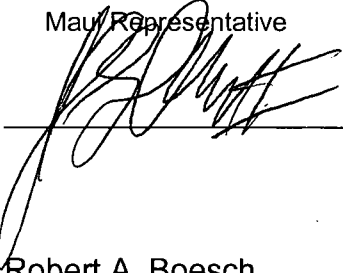


**Sign-In Sheet for HSERC Members
Or their Voting Representatives**

October 1, 1999

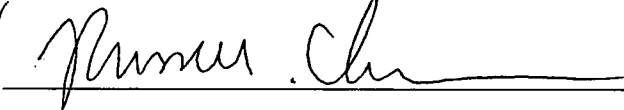
✓ Joseph Blackburn
Maui Representative/LEPC Chair
Maui Fire Department
Maui Representative



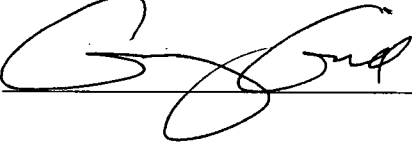
Robert A. Boesch
Pesticides Program Manager
Pesticides Branch, Department of Agriculture
Board of Agriculture



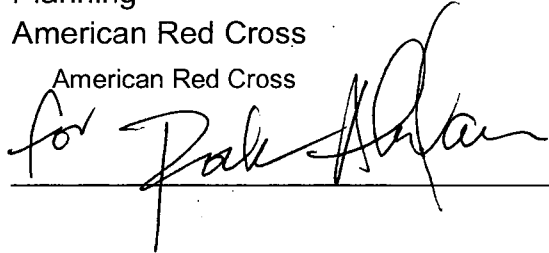
Russel Charlton
Manager
Occupational Health Branch
Department of Labor and Industrial Relations



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




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

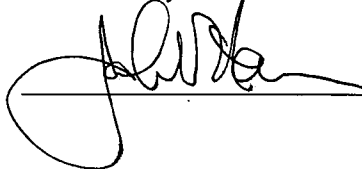


John Bowen
Hawaii Representative/LEPC Chair
Consultant and Instructor in Hazardous
Materials
Hawaii Representative

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




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



Sign-In Sheet for HSERC Members Or their Voting Representatives

October 1, 1999

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

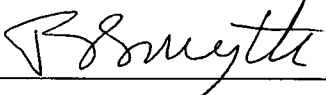
✓ 

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

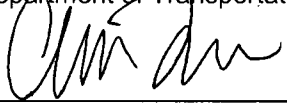
Roy C. Price, Sr.
Vice Director
Civil Defense Division
Department of Defense

Genevieve Salmonson
Director
Environmental Quality Control Office
Environmental Quality Control Office

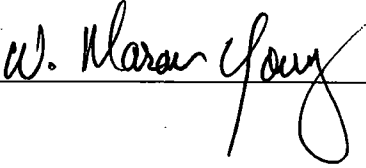
Thomas J. Smyth
Business Services Division
Dept. of Business, Economic Dev. & Tourism
Business, Economic Development & Tourism

✓ 

Chris Takeno
Hazardous Materials Officer
Department of Transportation
Department of Transportation

✓ 

W. Mason Young
Staff
Department of Land and Natural Resources
Department of Land and Natural Resources

✓ 

Sign-In Sheet for the October 1, 1999 HSERC Meeting

Name	Organization (If we don't already have this information.)	Phone	Fax	E-mail
LELAND NAKAI	HONOLULU LEPC	523-4121	5243439	lnakai@w.honolulu.hi.us
Jim VINTON	TESORO HAWAII	547-3414		
Patricia Martin	DOH/HEER	586-4249		
Marsha Graf	DOH/HEER			
Sharon L. Luedke	DOH/HEER			
Helen May Wessel	CIP Coordinator	674-3303	674-3361	
Aaron Meadows-Hills	USCGI MSO	522-8256	70	ameadows-hills@d14.uscg.mil
Terry Seelig	HFD, Training	422,0827		tseelig@co.honolulu.hi.us
Keith Kawacka	DOH/HEER	586-4249	586-4237	
MASON YOUNG	DMR	587-0148		
KAREN CHUNG	SCD	7334300		
John Harrison	UH	956-7561		jth@hawaii.edu

From: "Nakai, Leland A" <LNakai@co.honolulu.hi.us>
To: Curtis Martin <CMARTIN@eha.health.state.hi.us>
Copies to: Marsha Graf <mgraf@eha.health.state.hi.us>, Carter Davis
<cwdavis@hcc.hawaii.edu>
Subject: LEPC Budget
Date sent: Wed, 1 Sep 1999 10:51:45 -1000

Curtis,

We are still reviewing the budget MOA & hope to get some feedback to you by next week. Question concerning HMEP planning grant funds. Do you still intend to voucher these grant funds just like the HEPCRA fees?? Will that require another MOA, since there are additional stipulations & conditions for federal funds??

Leland

*Keep
9/27
9/30*

9/15

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

Date: Sept 13, 1999

TO: DAGS, Automotive Management Division
Parking Control Branch Phone: 586-0344 Fax: 586-0364

FROM: Health/Env. Health Admin./HEER Office Fax: 586-7537
Department/Division

SUBJECT: **REQUEST FOR SPECIAL FUNCTION PARKING**

PURPOSE: Hawaii State Emergency Response Commission Meeting

No. of Permits Requested: 7 Preferred Parking Lot: WA WB

Date(s) of Function: Oct. 1, 1999 Time: 9:30 a.m. to 12:00 p.m.

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

Participants arriving from: * Outer Island, other offices

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

Account No. to charge: G 014 H 371 HTH 849

SUBMITTED BY: Keith Kawaka, Manager, EHA/HEER Office

APPROVED FOR DIRECTOR: *[Signature]*

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

PARKING CONTROL USE ONLY

7 permits Valid

DATE RECD: SEP 30 1999 APPROVED BY: *[Signature]* LOT AUTHORIZED: WB. Grave/One

No. of Validated Tickets: _____



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: 9/28/99 NO. OF PAGES: 3

TO: Gary Gill

COMPANY: Deputy Dir. Office

TELEPHONE: 6-44220 FAX: 6-4368


FROM: Marsha

TELEPHONE: (808) 586-4249

FAX: (808) 586-7537

COMMENTS:

Final letter from the EPA regarding
contractor assistance money for
Maui's Haymat exercise. To be presented
at ^{the} 1st HSERC meeting. Original
signed document is on its way to
you by mail.

DATE: 9/28/99			-- FAX TRANSMISSION --		
To	Name: Curtis Martin / Marsha Graf				
	Organization: HDOH / ASERC				
	Mail Stop: Honolulu				
	FAX No.:	Area Code 808	Number 586-7337		
	Verification No.:	Area Code 808	Number 586-4698		
From	Name: Mike Ardito				
	 U.S. Environmental Protection Region 9, Field Operations, HWMD, SFund 75 Hawthorne Street San Francisco, California 94105				
	Division / Branch (mail stop): SFund / CEPP				
	Phone No.:	Area Code 415	Number 744-2328		
	Fax No.:	Area Code 415	Number 744-1916		
Pages	(including cover) 3				
Subject	Letter to Gary Gill				
Note	The hard copies of this letter are going out in the mail today - but you may not receive them before Friday. Please fax or forward a copy to Gary Gill. This is Mike Ardito				

FIRE DEPARTMENT CITY AND COUNTY OF HONOLULU

3375 KOAPAKA STREET, SUITE H425
HONOLULU, HAWAII 96819-1889



JEREMY HARRIS
MAYOR

ATTILIO R. LEONARDI
FIRE CHIEF

JOHN CLARK
DEPUTY FIRE CHIEF

Facsimile Transmittal

TO: Marsha Jrey

DATE: 9-16-99

FAX: () 586-7537

PH: ()

FROM: BC Wassman

FAX: (808) ⁸³¹⁻⁷⁷⁵⁰ ~~831-7780~~

PH: (808)

TRANSMITTING THE FOLLOWING:

Marsha, the State Fire Council has its quarterly meeting on
October 1, I can't make a presentation @ HSERC. Are there
other possibilities.

COMMENTS: and what would be discussed - Explosive Safety.

TOTAL PAGES (INCLUDING COVER SHEET): _____
IF YOU HAVE PROBLEMS RECEIVING THIS FAX, PLEASE CALL: (808) 831-7765



P. O. BOX 3378
HONOLULU, HAWAII 96801

**STATE OF HAWAII
DEPARTMENT OF HEALTH**

**HAZARD EVALUATION
AND
EMERGENCY RESPONSE OFFICE**

DATE: 9/14/99 NO. OF PAGES: 2

TO: Chief Wassman

COMPANY: HFD

TELEPHONE: 831-7729 FAX: 831-7750

FROM: Marsha Graf

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

COMMENTS:

Will you speak at the Oct. 1st
HSERC meeting? Thanks. Let
me know.

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

**HAWAII STATE EMERGENCY RESPONSE COMMISSION
MEETING #36**

Friday, October 1, 1999 from 9:30 a.m. to 12:00 p.m.
Department of Health
919 Ala Moana Boulevard, Fifth Floor Conference Room
Honolulu, Hawaii 96814

AGENDA

1) 9:30 Call to Order Gary Gill, Deputy Director for Environmental Health
Opening Remarks and Discussion
Approval of Minutes from Mtg #35

2) 9:45 LEPC Updates and John Bowen, Hawaii LEPC Representative
Membership Changes Clifford Ikeda, Kauai LEPC Representative
Joe Blackburn, Maui LEPC Representative
Carter Davis, Oahu LEPC Representative

3) 10:30 Adoption of Documents

The State of Hawaii, Oil and Hazardous Substances Emergency Response Plan, Supplement to State of Hawaii Plan for Emergency Preparedness, Volume III

Memorandum of Agreement between the Hawaii State Emergency Response Commission (HSERC) and the Local Emergency Planning Committees (LEPCs) and

Hawaii State Emergency Response Commission, Draft Operating Guidelines July, 1999

11:00 Break

4) 11:15 Explosives Safety BC Charlie Wassman, HFD

5) 11:30 EPA Contractor Assistance Funds Mike Cripps, SOSOC, HEER Office
For a Maui HazMat Exercise

6) 11:50 Other Business

7) 11:55 Schedule next HSERC meeting

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Date: 9/24/99
Pages: 2
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Date: 9/24/99
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Type: FAX
Phone #: 64368
User ID: 8085864368
Name: Gary Gill
Time: 9:13 AM
Date: 9/30/99
Pages: 4
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Speed: 14400
Status: Sent

Date sent: **Fri, 03 Sep 1999 11:14:55 -0700**
From: **Ardito.Michael@epamail.epa.gov**
Subject: **Next HSERC Meeting**
To: **cmartin@eha.health.state.hi.us, mgraf@eha.health.state.hi.us**

EPA may have an action item for the next HSERC meeting (scheduled for October 1?). It will be a request, probably a letter from Keith Takata to Gary Gill, that the HSERC vote to allow attendance at EPA Region 9's first chemical emergency prevention and preparedness conference next January in San Francisco an eligible cost for interested HSERC and Hawaii LEPC members under the HEPCRA funds.

To offset this, we may make an exchange offer to provide requested contractor assistance for an exercise on Maui. This would be contrary to our previous position and funding status. It appears we may have very limited, if any, invitational travel money -- but it appears we may have an excess of contractor assistance dollars! We will be discussing this with you over the next few weeks, since the offer is still negotiable and will work with you on the wording of the letter. However, I wanted to let you know before the HSERC agenda is finalized.

I'll be back in the office on September 13 -- after the Continuing Challenge Workshop in Sacramento.

File: FFMOA
Type: FAX
Phone #: 9,7356829
User ID:
Name: Capt. Carter Davis
Time: 10:45 AM
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Name: John Bowen
Time: 5:31 PM
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Pages: 3
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Time: 5:24 PM
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User ID: 8082416335
Name: Clifford Ikeda
Time: 5:21 PM
Date: 8/19/99
Pages: 3
Duration: 2:12
Speed: 14400
Status: Sent



The Health State

HAWAII STATE DEPARTMENT OF HEALTH

P. O. BOX 3378
HONOLULU, HAWAII 96801

**STATE OF HAWAII
DEPARTMENT OF HEALTH**

**HAZARD EVALUATION
AND
EMERGENCY RESPONSE OFFICE**

DATE: 9/14/99 NO. OF PAGES: 2

TO: Chief Wassman

COMPANY: HFD

TELEPHONE: 831-7729 FAX: 831-7750

FROM: Marsha Graf

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

COMMENTS:

Will you speak at the Oct. 15th
HSERC meeting? Thanks. Let
me know.

Date sent: Thu, 09 Sep 1999 11:16:47
To: mgraf@eha.health.state.hi.us
From: wchung@scd.state.hi.us (Warren Chung)
Subject: HSERC Agenda Item
Copies to: rprice

Marsha,

Roy Price asked me to contact you to put an explosive safety item on your agenda for the next HSERC Meeting. The issue came up from BC Wassman of the State Fire Council. Please contact him (Wassman 831-7729) on the specific issues and on how much time he will need to present it.

On another note, I am in process of reviewing and coordinating the draft documents (Response Plan, LEPC MOA, HSERC guidelines) you sent to us for comment. I will give you feedback before the meeting or at least be able to comment on these documents at the meeting.

Warren

fax 831-7750

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User ID: 8085870390
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User ID: 808 586 4186
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Pages: 2
Duration: 1:25

Speed: 14400
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Phone #: 9,9564585
User ID: 808 956 4585
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Time: 11:18 AM
Date: 9/8/99
Pages: 2
Duration: 1:43
Speed: 9600
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Phone #: 73833
User ID: 5873833
Name: Thomas J. Smyth
Time: 11:16 AM
Date: 9/8/99
Pages: 2
Duration: 1:44
Speed: 9600
Status: Sent

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Phone #: 72168
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Name: Chris Takeno
Time: 11:13 AM
Date: 9/8/99
Pages: 2
Duration: 1:08
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User ID: 8085869104
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User ID: 8089563980
Name: Dr. John Harrison
Time: 11:10 AM

Date: 9/8/99
Pages: 2
Duration: 1:44
Speed: 9600
Status: Sent

File: 36AGENDA
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Phone #: 39418
User ID: 808 973 9418
Name: Bob Boesch
Time: 11:08 AM
Date: 9/8/99
Pages: 2
Duration: 1:44
Speed: 9600
Status: Sent

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Phone #: 9,7334287
User ID:
Name: Roy C. Price, Sr.
Time: 11:05 AM
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Pages: 2
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Speed: 9600
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Type: FAX
Phone #: 8,18082424479
User ID: 808 242 4479
Name: Captain Joe Blackburn
Time: 11:03 AM
Date: 9/8/99
Pages: 2
Duration: 1:23
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Status: Sent

File: 36AGENDA
Type: FAX
Phone #: 8,18082416335
User ID: 8082416335
Name: Clifford Ikeda
Time: 11:00 AM
Date: 9/8/99
Pages: 2
Duration: 1:24
Speed: 14400
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File: 36AGENDA
Type: FAX
Phone #: 64368

User ID: 8085864368
Name: Gary Gill
Time: 10:57 AM
Date: 9/8/99
Pages: 2
Duration: 1:16
Speed: 14400
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 #36

Friday, October 1, 1999 from 9:30 a.m. to 12:00 p.m.
Department of Health
919 Ala Moana Boulevard, Fifth Floor Conference Room
Honolulu, Hawaii 96814

99 SEP 15 P2:53

LIEUTENANT GOVERNOR'S
OFFICE

AGENDA

- 1) 9:30 Call to Order Gary Gill, Deputy Director for Environmental Health
Opening Remarks and Discussion
Approval of Minutes from Mtg #35
- 2) 9:45 LEPC Updates and John Bowen, Hawaii LEPC Representative
Membership Changes Clifford Ikeda, Kauai LEPC Representative
Joe Blackburn, Maui LEPC Representative
Carter Davis, Oahu LEPC Representative
- 3) 10:30 Adoption of Documents

The State of Hawaii, Oil and Hazardous Substances Emergency Response Plan, Supplement to State of Hawaii Plan for Emergency Preparedness, Volume III

Memorandum of Agreement between the Hawaii State Emergency Response Commission (HSERC) and the Local Emergency Planning Committees (LEPCs) and

Hawaii State Emergency Response Commission, Draft Operating Guidelines July, 1999

11:00 Break
- 4) 11:15 Explosives Safety BC Charlie Wassman, HFD
- 5) 11:30 EPA Contractor Assistance Funds Mike Cripps, SOSOC, HEER Office
For a Maui HazMat Exercise
- 6) 11:50 Other Business
- 7) 11:55 Schedule next HSERC meeting

10:00

1) adopted w/ no changes

2) John No →
Clifford DOD has lots of money
Joe Will meet once they have money.
CD Sept 12

1. budget

2. equipment list - in progress

3. new bus. RMP update - changes

CAMEO → NSC → EPA

now its free!
web site

4. Need a common platform for providing information

5. Gas Company - propane safety training available from them

6. EPA Region IX EPCRA/RMP/SPCC training and inspections

Schofield - EPCRA

7. CLEAN update

public warning and educ. committee

495 EAS Radios purchased

353 have been distributed

Looking for ^{sponsor} Wally Wise Guy project

8. Procedures for activating EAS

9.

10. Chris DOT proposed bills. HB 286-8 restricting hazmat in Wildcat tunnel

10. Def of Hazmat changed to align with Fed

11. Continuing Challenge.

12. Hazmat?

13. State SOP review

14. Env. Crimes course

will be presented by EPA

1 wk late October at Navy fac.

3) MOA

If ^{the} NEPC receives a gift, the it will be deposited to the

goods go onto State inventory and an MOA is developed for the NEPC's use of the goods.

Vote: Accept unanimous

Bylaws

Incorporate into rule making

SOP

accordance with
and One Plan

Frank Pichel
gift

Subcomm

1. Joe Blackburn

3. Zeland Nakai

2. Jim Jinton

X? Terry Selig

First part of Nov to develop a scope of work to contract an update of the SOP

Curtis will set a date.

4) defer

5) Curtis Martin

extra filing fees be committed for travel and attendance at the Jan. CEPP

motion: JB 2 from each LEPC

second CI funding from H

discussion ED 2 from HSEPC also chosen by HSEPC chair

second clarifying amendment

→ 10 total from HSEPC & staff

@ ~ \$1000/head

* Next mtg

- Agenda items: Report from Sea Grant

- " " "

& staff needs to find out when the exercise will be.

* Vote unanimous approval of proposal

6) Other business

from DOT
see handout

1. Redefine ~~part~~ 286 Part 12

2. Also looking at notification

3. Road usage another Bill routing restrictions

to give Director authority to establish ^{Wilson} tunnel ~~Baynat~~ transport in ~~restriction~~ 286.8

CM backlog of waste oil ^{for} reclamation

SHWB

warnings

Back log increases with pollution

Sea Grant review of oil preparedness
Should we have a presentation at
the next HSEPC meeting?
Will see if

Hono LEPC

Dec 2

Hawaii LEPC

Oct. 5

7) ^{last} Friday in Jan 28th

before the third Wed? deg

Adjourned 11:26



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

SEP 27 1999

Mr. Gary Gill
Chair, Hawai'i State Emergency Response Commission
Hawai'i Department of Health
P.O. Box 3378
Honolulu, Hawai'i 96801

Dear Mr. Gill:

U.S. EPA is writing to initiate a different approach with Hawai'i regarding future funding assistance for hazardous materials exercises. As indicated in a February 1997 letter to Dr. Bruce Anderson, chair of the Hawai'i State Emergency Response Commission at the time, EPA expressed its desire to discontinue financing contractor assistance for an annual hazmat exercise, on a rotational basis, to each of the four counties that began around 1990.

The last full-scale hazmat exercise using EPA contractor assistance was Operation Ko'olau, for the new H-3 tunnel, in August 1997. Since that time, EPA has received and turned down several requests from Maui County to provide contractor assistance for some form of hazmat exercise.

EPA may be able to set aside contractor dollars to be used no later than December 2000 to assist with a hazmat exercise on Maui. If the Hawai'i SERC is willing, EPA contractor assistance could be used in tandem with providing an opportunity to train one or more people in Hawai'i to build capacity, on a state and/or county basis, to plan and conduct a hazmat exercise.

Meanwhile, EPA Region 9 is in the midst of planning its first conference for representatives of State Emergency Response Commissions (SERCs) and Local Emergency Planning Committees (LEPCs). The conference is scheduled for January 19-21, 2000 in San Francisco. EPA will have few, if any, invitational travel dollars available to provide financial assistance for attendees to that January conference on chemical emergency prevention and preparedness (CEPP) here at the EPA Regional Office.

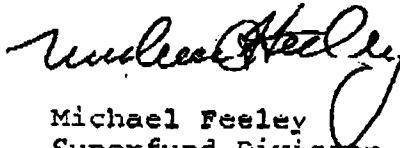
Therefore, as a funding exchange, EPA is willing to provide contractor assistance for a hazmat exercise on Maui in 2000. However, EPA's offer is coupled with a request that the Hawai'i State Emergency Response Commission (HSERC) consider endorsing

and making eligible CEPP conference attendance costs by some HSERC members and LEPCs through the Hawai'i Emergency Planning and Community Right-to-Know Act (HEPCRA) fees that are currently being distributed to the LEPCs. EPA requests that this funding eligibility for the January CEPP conference attendance be considered at the next HSERC meeting scheduled for Friday, October 1, 1999.

It is hoped that Hawai'i will continue to pursue means of funding and establishing a permanent hazmat exercise program. Also, EPA encourages Hawai'i to pursue on-going funding sources to provide more hazmat response training and planning opportunities. California and Nevada have established hazmat exercise and training programs that use state fees collected under the Emergency Planning and Community Right-to-Know Act (EPCRA) combined with other federal grant funds available for training purposes.

If you should have any questions about the ideas put forth in this letter, you may contact Michael Ardito, EPA's state project officer for the chemical emergency prevention and preparedness program in Hawai'i, at (415) 744-2328.

Sincerely,



Michael Feeley
Superfund Division Deputy Director

cc: C. Martin, Supervisor, Emergency Response and Planning,
Hawai'i Dept. of Health
W. Chung, Hazmat Training Officer, Hawai'i State Civil
Defense



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

OFFICE OF THE
REGIONAL ADMINISTRATOR

Dear SERC, LEPC, TERC and CUPA representatives:

On behalf of U.S. EPA Region 9, I am pleased to invite you to the first Chemical Emergency Prevention and Preparedness (CEPP) Conference which will be held January 19-21, 2000 in our San Francisco office. You won't want to miss this opportunity to learn the latest and greatest about the many programs that make up CEPP -- Community Right-to-Know, Risk Management & Chemical Accident Prevention, U.S./Mexico Border planning, Federal Response Planning and Counter-Terrorism, to name a few.

First and foremost, this will be an excellent training opportunity. We're fortunate to have Dr. Paul Hill, Chair of the new U. S. Chemical Safety Board, who will bring us an update on the Board's first few years of work, focusing on Region 9 accidents. Some of our U.S. EPA headquarters folk who have worked on CEPP issues for many years will provide training and updates from a national perspective. We will also offer tours of the GIS lab and Region 9 library to all of you who are interested in accessing our information resources.

This will be a great networking opportunity. We've invited our Region 9 partners to share information, and we're hoping that you will tell all of us your best CEPP and Y2K "war stories." We have planned both conference and informal networking so all of us can exchange information with our local, state, tribal and federal peers, and I'm hoping to see all of you in San Francisco this January.

Yours,

A handwritten signature in cursive script, appearing to read "Felicia Marcus".

Felicia Marcus
Regional Administrator



PREVENT YEAR 2000 CHEMICAL EMERGENCIES

The Environmental Protection Agency (EPA) is issuing this Alert as part of its ongoing effort to protect human health and the environment by preventing chemical accidents. Alerts are issued when EPA becomes aware of a significant hazard. It is important that facilities, State Emergency Response Commissions (SERCs), Local Emergency Planning Committees (LEPCs), emergency responders and others review this information and take appropriate steps to minimize risk. The Alert is targeted at the chemical process industry to increase awareness of the potential for chemical safety problems due to upcoming date changes.

THE YEAR 2000 (Y2K) PROBLEM

It is 11:59 p.m. on December 31, 1999. The Year 2000 problem (also known as the "millennium bug") could disrupt your chemical process and storage operations. Is your facility prepared? Here are some examples of what could happen.

- ◆ A safety system, designed to detect emissions of deadly hydrogen sulfide gas, shut down during a Y2K test on an oil rig in the North Sea.
- ◆ At a smelter in New Zealand, all the process controls stopped working at midnight on December 31, 1996, because programmers had failed to take into account that 1996 was a leap year. The loss of process control damaged equipment valued approximately at \$600,000.
- ◆ A utility company in Hawaii ran tests on its system to see if it would be affected by the Y2K bug. The entire system shut down.

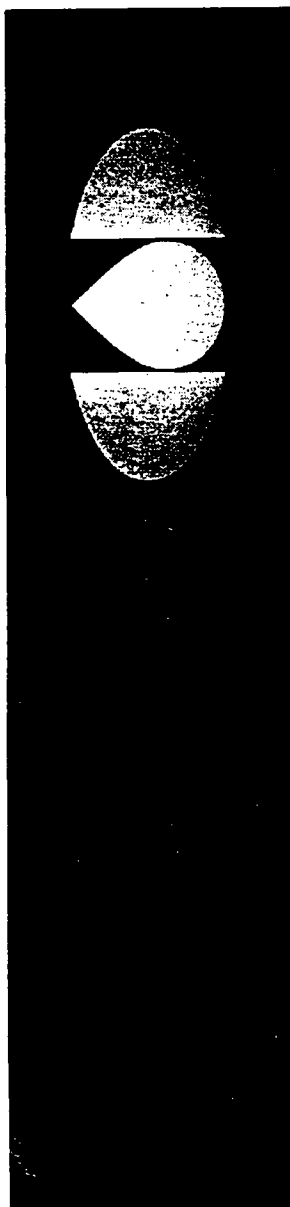
At any size company, the Y2K issue could threaten worker and community safety and health. It could cause complete shutdowns of machinery or safety-related systems or could generate erroneous information (e.g., wrong temperature) which could lead an operator to take unsafe or improper steps. For chemical process industries, the Y2K problem could increase the potential for process shutdowns and accidental chemical releases.

This alert raises awareness about the Y2K problem and offers a strategy to address the problem. However, given that the Year 2000 is approaching soon, facilities should dedicate increasingly more efforts on developing contingency plans to prepare for unanticipated events like those above. Contingency planning is especially important for facilities that have not started or have made little progress in assessing and remediating the Y2K problem.

In addition to administrative and management systems, (payroll, financial records, inventory), the Y2K problem could affect three parts of your facility - your software, your control/process equipment, and critical services provided to you by others such as utilities and feedstock suppliers.

YOUR SOFTWARE

The Y2K dilemma is the result of a standard practice used in software programming. To save memory space and keep costs down, computer programs and microchips were traditionally designed to recognize only the last two digits of a year. This means that when the year 2000 rolls around, computers may not be able to distinguish whether 00 means 1900 or 2000. This could cause computer programs to crash and systems to shut down. For example, if you rely on computer systems to notify you to schedule maintenance or retire equipment, the system may not properly notify you because the computer cannot recognize dates after December 31, 1999. See the "Dates to Watch" box for a few other dates that might cause problems.



Your Control/Process Equipment

Even if your operations do not directly use computers, some of your control machinery, process equipment, automation equipment (e.g., valves, pumps), and emergency protection equipment (e.g., fire and gas detectors), may be embedded with computer chips that are date-sensitive. If these chips misunderstand the date change, the equipment could fail or malfunction, causing process upsets that lead to accidents. For example, an automatic valve with an embedded chip could fail in such a way that the valve turns off the feedstock supply. Because Y2K problems can affect so many devices, cascading failures are possible.

Your Service Providers

The Y2K problem can affect manufacturing, electric utilities and energy suppliers, water utilities, telecommunications, transportation, and other sectors that are critical to your facility operations. Disruption of these services can become your problem. For example, a water supply utility could shut down, causing loss of critical cooling water to chemical reactor systems. Most plants also have suppliers that produce raw and in-process materials that are vital to running their processes. Many plants have customers who accept products through "just-in-time" delivery schedules. Failure to receive these materials could result in safety hazards at your plant.

HAZARD AWARENESS AND REDUCTION

The Y2K concern is real, and the solution may not be easy. However, the effort now to identify and fix the problem will reduce the risk of more costly impacts of business disruptions, safety failures, and accidental chemical releases. While many large companies in the chemical industry already have started addressing the Y2K problem, many small businesses are just beginning to realize the impact that the Y2K problem may have on their operations.

SOME DATES TO WATCH

- ✓ **Sept. 9, 1999:** Many computer systems use 9/9/99 as file purge date
- ✓ **Jan. 1, 2000:** Rollover may halt, confuse, or otherwise disrupt many systems and devices
- ✓ **Feb. 29, 2000:** Many systems may not recognize 2000 as a leap year
- ✓ **Oct. 10, 2000:** First time date field uses maximum length
- ✓ **Dec. 31, 2000:** Some systems may not recognize the 366th day

Steps to Address the Problem

There are several steps you can take to identify and address the Y2K problem. Throughout this step process, you should be sure to document what you have done. For additional help in performing these steps, you could contact an appropriate association, trade group, or industry colleague for particular suggestions and best practices for your industry. If you are unable to implement these steps in-house, consider using an outside consultant. There is also a wealth of information on how to follow these steps (See the "Information Resources" at end of Alert).

1. Identify and check systems for Y2K compliancy. Each company should check its systems to determine if they are Y2K compliant. Make a list of the date-dependent components of your systems that are likely to be affected by the "millennium bug." (See box on "Examples of Equipment to Check"). Focus on software and equipment with embedded chips, and ask yourself if your equipment or systems use or depend on date information, for example, does the system order/retrieve information by date, or perform date-based calculations? Prioritize the items on your list based on their potential for causing health, safety, and environmental concerns and how critical they are to business production. You should review your risk assessments or hazard analyses (e.g., HAZOP) to be certain that Y2K vulnerable equipment and devices are inventoried and addressed. Starting with the most critical equipment, check with your supplier, installer, or manufacturer to determine if the system component is

Y2K compliant (see section on "Information Resources" for some vendor web sites).

2. Remedy problem. If critical equipment can be affected by the Y2K problem, you have several options including repairing, modifying, or replacing the equipment. Where mission-critical systems cannot be assessed, remediated, and corrected, you could consider operating the system in a manual over-ride mode. Staff would need training on new equipment or refresher training on procedures for manual operation. Additional staff may be needed when automated processes are switched to manual.

3. Test systems. Your systems and equipment should be tested to make sure the Y2K malfunction is remedied. Do not forget to test dates other than January 1, 2000 (see the "Dates to Watch" box). Before you test, alert local emergency officials and make sure your employees and community are prepared for any possible failures that may have an adverse effect on health and safety or the environment. (See EPA's new enforcement policy on Y2K testing in section "*It's Your Duty*").

4. Develop and implement contingency plans. Contingency plans are essential in your strategy to address the Y2K problem. Even if you believe your system is Y2K compliant, you should develop a Y2K contingency plan to prepare for unanticipated problems. Your contingency plan should not depend on backup equipment and systems that could also fail because of the Y2K complication (e.g., backup generator, automatic shutdown system). Also, you may need to address staffing and training for meeting Y2K contingency plans and to handle disruptions to transportation infrastructure and telecommunications. Facilities should not overlook the possibility that non-Y2K compliant computers and chips in telecommunications and radio may prevent police, fire, and mutual aid assistance from arriving promptly or at all. Inform local officials concerned with emergency situations when testing equipment, and involve employees in planning for testing and in responding to unexpected system changes. As part of your contingency planning you could:

- ◆ Work with and share solutions and lessons learned with your partners, suppliers, neighbor facilities, associations, and customers to ensure that they, too, are addressing the Y2K issue.

EXAMPLES OF EQUIPMENT TO CHECK

- ✓ Controllers
- ✓ Alarms
- ✓ Lighting
- ✓ Robots
- ✓ Air monitoring/leak detection devices
- ✓ Hazard communication databases
- ✓ Underground storage tank monitors
- ✓ Security systems
- ✓ Generators
- ✓ Lab instruments
- ✓ Environmental control systems
- ✓ Controllers for refrigeration, valves, pumps, sensors and analyzers
- ✓ Programmable control systems
- ✓ Safety shutdown systems
- ✓ Fire detection systems
- ✓ Explosion suppression systems
- ✓ Elevators
- ✓ Conveyors
- ✓ Vehicles

- ◆ Work with your SERC, LEPC, and other off-site emergency management support to review emergency response procedures and ensure that the procedures and resources available cover possible Y2K consequences.
- ◆ Make sure employees are trained and prepared to shut down the process manually, if necessary.
- ◆ Consider scheduling downtime and maintenance over the end of 1999 and beginning of 2000. During shutdowns, systems can be isolated and Y2K tested. However, before you schedule downtime, recognize that startups and shutdowns have their own risks which must be balanced against the potential risks from Y2K problems. Also, if you are a large power user, notify your utility if you plan to have a shutdown. Utilities could have operating problems if power demands unexpectedly drop, particularly if many facilities shut down.
- ◆ Have a full staff available for a number of hours just before and after critical date changes for unanticipated emergencies.

- ◆ Consider conducting an exercise using a Y2K scenario to improve emergency response capabilities. One community, Lubbock, Texas, already has successfully conducted such an exercise and learned a number of important lessons, including the need to prevent emergency communications failure.

Remember, in terms of contingency planning, facilities should take advantage of the one positive piece of information that the Y2K problem offers us: the ability to know when it will occur.

IT'S YOUR DUTY

Under the General Duty Clause of the Clean Air Act (CAA section 112(r)(1)), owners and operators of facilities with hazardous substances have a general duty to prevent and mitigate accidental releases, including those caused by Y2K failures. Also, under EPA's Risk Management Program (RMP) Rules (CAA section 112(r)(7)), accidental release scenarios related to Y2K problems (e.g., loss of utilities, interruption of raw material deliveries, failure of monitoring devices) would be reasonable alternative scenarios to consider. The public may view any Y2K-related operating problems that occur in January 2000 as a test of the quality and reliability of your RMP. In addition, EPA has initiated an enforcement policy designed to encourage prompt testing of computer-related equipment to ensure that environmental compliance is not impaired by the Y2K computer bug. Under this policy, EPA intends to waive 100% of the civil penalties and recommend against criminal prosecution for environmental violations caused by tests designed to identify and eliminate the Y2K-related malfunctions. This policy is limited and subject to certain conditions. (See complete policy on EPA's Year 2000 web site listed in "Information Resources.")

The Occupational Safety and Health Act (OSHA) has a similar General Duty Clause (section 5(a)(1)) for protection of employees from hazardous situations involving the use of highly hazardous substances. Also, OSHA's Process Safety Management (PSM) Standard is intended to prevent or minimize injury to employees from accidents (including those caused by Y2K problems) involving highly hazardous chemicals.

INFORMATION RESOURCES

Below are some resources that will help you to get started to address the Y2K problem at your facility. Future updates of this resource list can be found at the EPA CEPPPO Website below.

Environmental Protection Agency (EPA)

Provides information on EPA's efforts to address the Year 2000 problem. This includes EPA's Y2K enforcement policy, and under the heading "Environmental Y2K Sectors," the Office of Water guidance for wastewater systems (including a checklist of basic systems) and the Office of Solid Waste flyer on waste management and the Y2K problem.

<http://www.epa.gov/year2000/>

EPA's Office of Solid Waste and Emergency Response Y2K information.

<http://clu-in.com/y2k.htm>

EPA's Chemical Emergency Preparedness and Prevention Office (CEPPPO) has this Y2K alert and updates.

<http://www.epa.gov/ceppo>

Occupational Safety and Health Administration (OSHA)

The OSHA web site has a bulletin on Y2K.

<http://www.osha.gov/Y2knews.pdf>

Chemical Safety and Hazard Investigation Board (CSB)

The CSB has sponsored a conference and report on the Y2K problem and the potential for accidental chemical releases. Relevant Year 2000 sites can be found on the CSB Web site by clicking on Chem Links and then searching on "Year 2000."

<http://www.chemsafety.gov>

U.S. Small Business Administration (SBA)

This web site offers information specific to helping small businesses address the Y2K problem. It provides a list of questions to help identify date-sensitive equipment. SBA also has an extensive list of links to major corporations that post their Y2K status online.

<http://www.sba.gov/y2k/>

Hotline: 1-800-U-ASK-SBA (1-800-827-5722)

General Accounting Office

Guide: "Year 2000 Computing Crisis: Business Continuity and Contingency Planning" has general principles for use by businesses as well as government agencies.

<http://www.gao.gov/special.pubs/bcpguide.pdf>

National Institute of Occupational Safety & Health (NIOSH)

NIOSH has Y2K case studies, a web forum, vendor list, and an equipment manufacturer directory.

<http://www.cdc.gov/niosh/y2k/y2k-hmpg.html>

Health & Safety Executive (UK)

The British Health and Safety Executive web site offers several reports on the Y2K problem. Of particular interest to the chemical industry is "Health and Safety and the Year 2000 Problem - Guidance on Year 2000 Issues As They Affect Safety-Related Control Systems" and "Contingency Planning for a Safe Year 2000."

<http://www.open.gov.uk/hse/dst/2000indx.htm>

National Fire Data Center

A basic system check that can help you determine if your organization's computer system is Y2K compliant is available on this website.

<http://www.usfa.fema.gov/y2k/y2kcom.htm>

Electronic Systems Center of the Air Force Materiel Command (site maintained by Mitre Corporation)

The site provides information on Y2K certification, compliance, solutions, testing and evaluations, contingency plans, cost estimation, tools and services.

<http://www.mitre.org/technology/y2k>

National Institute of Standards and Technology

The site has links to free software tests, self-help tools and product compliance status databases for use in Y2K assessment, testing, contingency planning and remediation. Information is provided for smaller manufacturers through the Manufacturing Extension Partnership, a nationwide network of centers providing technical and business assistance to smaller manufacturers. Small manufacturing firms can call 1-800-MEP-4MFG.

<http://www.nist.gov/y2k>

President's Council on Year 2000 Conversion-Product Compliance Information

The site has a list of computer manufacturers' Y2K sites.

http://www.y2k.gov/java/product_compliance.html

Mary Kay O'Connor Process Safety Center

The site has links to compliance status of some manufacturers' control systems. Click on Y2K information.

<http://process-safety.tamu.edu/y2k/y2k.htm>

Chemical Manufacturers Association (CMA) Survey

CMA has developed a standard survey form for the use of its members. This survey package is designed to help companies assess Y2K efforts of critical suppliers and customers and minimize the risk of service interruption. The survey (posted on 12/14/98) can be found in the "What's New" section of the CMA website.

<http://www.cmahq.com>

Case Study of One Chemical Manufacturer's Approach to Y2K Problem

<http://www.dell.com/smallbiz/y2k/studies.htm#merisol>

American Petroleum Institute

The site provides industry activities, company status reports, Y2K database, and technical links.

<http://www.api.org/ecity/y2k/index.html>

Year 2000

The site has a list of Year2000 vendors and consultants.

<http://www.year2000.com>

National Bulletin Board for Year 2000

Provides tools for analysis, conversion, and testing for Y2K problems.

<http://it2000.com/solutions/index.html>

Y2K Freeware and Shareware

<http://www.aphis.usda.gov/y2k/wares.html>

Year 2000 Embedded Systems Vendors, Associations, and Manufacturers

http://ourworld.compuserve.com/homepages/roleigh_martin/y2k_com.htm

Some PC Test Results for Y2K Problems

<http://www.hqisec.army.mil/y2kweb/y2kresults.html>

<http://www.nim.com.au/year2000/ye02001.htm>

FOR MORE INFORMATION...

CONTACT THE EMERGENCY PLANNING AND COMMUNITY
RIGHT-TO-KNOW HOTLINE

800 424-9346 OR (703) 412-9810
TDD (800) 553-7672

MONDAY-FRIDAY, 9 AM TO 6 PM, EASTERN TIME



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<http://www.epa.gov/ceppo>

NOTICE

The statements in this document are intended solely as guidance. This document does not substitute for EPA's or other agency regulations, nor is it a regulation itself. Site-specific application of the guidance may vary depending on process activities, and may not apply to a given situation. EPA may revoke, modify, or suspend this guidance in the future, as appropriate.



Chemical Safety Information, Site Security and Fuels Regulatory Relief Act

Under Section 112(r) of the Clean Air Act (CAA), by June 21, 1999, certain facilities were required to have in place a risk management program and submit a summary of that program - called a Risk Management Plan (RMP) - to the Environmental Protection Agency. On Aug. 5, 1999, President Clinton signed legislation that removes from coverage by the RMP program any flammable fuel when used as fuel or held for sale as fuel by a retail facility. The legislation also limits access to Off-Site Consequence Analysis (OCA) data that are reported in RMPs by covered facilities. For one year beginning Aug. 5, 1999, OCA information will not be available to the public except in certain ways. During that one year period, the federal government will conduct an assessment and issue regulations governing future public access to OCA data.

What's New?

The recently enacted Chemical Safety Information, Site Security and Fuels Regulatory Relief Act establishes new provisions for reporting and disseminating information under Section 112(r) of the Clean Air Act. The law has two distinct parts that pertain to:

- Flammable fuels; and
- Public access to OCA (also known as "worst-case scenario") data.

Despite the removal of flammable fuels from the RMP program, firefighters and other local emergency responders should receive information on the potential off-site effects of accidents involving flammable fuels. EPA and industry are working with the National Fire Protection Association (NFPA), a group that develops fire protection codes and standards, to ensure that local responders receive that information. The new law directs the General Accounting Office (GAO) to assess in two years whether this goal has been accomplished.

Flammable Fuels

Flammable fuels used as fuel or held for sale as fuel at a retail facility are removed from coverage by the RMP program. However, flammable fuels used as a feedstock or held for sale as fuel at a wholesale facility are still covered. A retail facility is a facility "at which more than one-half of the income is obtained from direct sales to end users or at which more than one-half of the fuel sold, by volume, is sold through a cylinder exchange program."

Public Access to OCA Data

The law exempts OCA data from disclosure under the Freedom of Information Act (FOIA) and limits its public availability for at least one year. By August 5, 2000, the federal government is to (1) assess the risks of Internet posting of OCA data and the benefits of public access to that data, and (2) based on that assessment, publish regulations governing public access to OCA data. In the meantime, EPA is to make publicly

RMP SERIES

FACTSHEET

available the OCA data without facility identification information, and covered facilities must conduct public meetings to provide summaries of their OCA data (see "Facility Requirements"). If the government fails to issue regulations by August 5, 2000, the FOIA exemption expires.

Major Provisions

The law :

- Exempts OCA information from public disclosure under FOIA for at least one year;
- Makes OCA data available to Federal, State and local officials, including members of Local Emergency Planning Committees, for emergency planning and response purposes;
- Provides for a system for making OCA data available to qualified researchers;
- Prohibits Federal, State and local officials and qualified researchers from publicly releasing OCA data except as authorized by the law;
- Calls for an assessment and regulations regarding public access to OCA data within one year;
- Pre-empts State FOIA laws regarding public access to OCA data unless data are collected under State law; and
- Requires reports be submitted to Congress describing the effectiveness of the RMP regulations in reducing the risk of criminally caused releases, the vulnerability of facilities to criminal and terrorist activity, and the security of transportation of substances listed under CAA Section 112(r).

Facility Requirements

The new law requires every covered facility to:

- Hold a public meeting to share information about the local implications of its RMP, including a summary of the OCA portion of its plan. Small businesses can meet this requirement by publicly posting the OCA summary;
- Notify the FBI by June 5, 2000, that it held such a meeting or posted such a notice within one year before, or six months after, August 5, 1999; and
- Tell EPA if it distributes its OCA data to the public without restrictions. EPA is to maintain a public list of the facilities that have so distributed their OCA data.

Penalties

The law includes criminal penalties of up to \$1 million for violating the prohibition on unauthorized disclosure of OCA data.

For More Information

Visit EPA's Chemical Emergency Preparedness and Prevention Office homepage at <http://www.epa.gov/ceppo>

View RMPs, except for the off-site consequence analysis data, in RMP*Info at <http://www.epa.gov/enviro>.

Contact the EPCRA hotline: (800) 424-9346 or (703) 412-9810.

Gateway to the Future:
Working Together



HAZMAT 2000 Spills Prevention Conference



Conference Tracks and Sessions

State & Local Issues	Public Access, CRTK, and Info Management	Accident History Audits & Investigations	Case Studies	Training for Industry and Responders
RMP audits and inspections— What's new	Public uses of RMP data— Pluses and minuses	Looking at the RMP 5-year accident history data	St. Louis Papal visit— January 1998	Risk communication
Sharing lessons learned from community responses	EPA's new Information Technology Office— What to expect	Meth in Missouri— Lessons learned	Alberta City— Propane explosion	The Internet as a HAZMAT resource
Grants and funding for LEPCs	Industry rollouts— Lessons learned	Chemical release/fire at bulk chemical storage facility	State implementation issues	Protect your facility against potential terrorist attacks
RMP implementation— Going beyond the federal regulation	Access to OCA data— How and when it will be available	Ethylene oxide explosions involving emission controls	Lexan fire in southern Indiana	Chemistry for non-chemists

April 4-6, 2000
Regal Riverfront Hotel
St. Louis, Missouri
www.nrt.org/hazmat2000

For more information, call:
(703) 934-3760

Formerly the 15th International
Hazardous Material Spills Conference



HAZMAT 2000 Spills Prevention Conference

Gateway to the Future: Working Together

Who should attend?

Local Emergency Planning Committees, State Emergency Response Commissions, fire fighters, industry representatives, environmental managers and officials, health safety officials, academics, the media, and anyone interested in preventing, preparing for, and responding to hazardous material incidents.

Tell us your ideas!

If you have a topic you would like addressed, visit our website by November 1, 1999, and click on the "Agenda" button to submit an agenda topic. Or e-mail your suggestions and comments to hazmat2000@nrt.org.

Where is the conference?

The conference will be held at:

Regal Riverfront Hotel
200 South 4th Street
St. Louis, MO 63102-1804
(314) 241-9500
(800) 222-8888

The hotel is centrally located in downtown St. Louis and just minutes away from the Gateway Arch, Busch Stadium, and the Mississippi River. The room rates will be approximately \$66.00 a night.

What is the conference fee?

The conference fee is \$230 for payment received before February 15, 2000, and \$295 received thereafter. Registration is payable to the Great Lakes Commission by check, money order, VISA, or MasterCard.

How do I register?

Registration for the conference begins on September 1. Please register electronically via the conference website (www.nrt.org/hazmat2000). Click on "Registration," complete the form, indicate how you will pay, and click "send." Use a separate form for each person registering. If you do not have Internet access, you may fax requests for registration forms to (734) 665-4370, attention Hazmat 2000, or e-mail tray@glc.org, with "Hazmat 2000" in the subject line.

Mail registration forms and payments to:

Great Lakes Commission
The Argus II Building
400 Fourth Street
Ann Arbor, MI 48103-4816

For more information:

- Visit our website at www.nrt.org/hazmat2000 for information on training, panels, speakers, special events, and St. Louis.
- Sign up for e-mail updates on our "Keep Me Posted" page or send an e-mail to hazmat2000@nrt.org.
- Call (703) 934-3760.

How to be an exhibitor!

You can display the latest hazmat products and services at our exhibit hall.

To register, visit our website, click on the "Exhibitors" button, complete the form, and click "Submit," or contact:

Kristina Schuchman
Metropolitan Manufacturers Association
(314) 966-1006 or fax (314) 966-4176

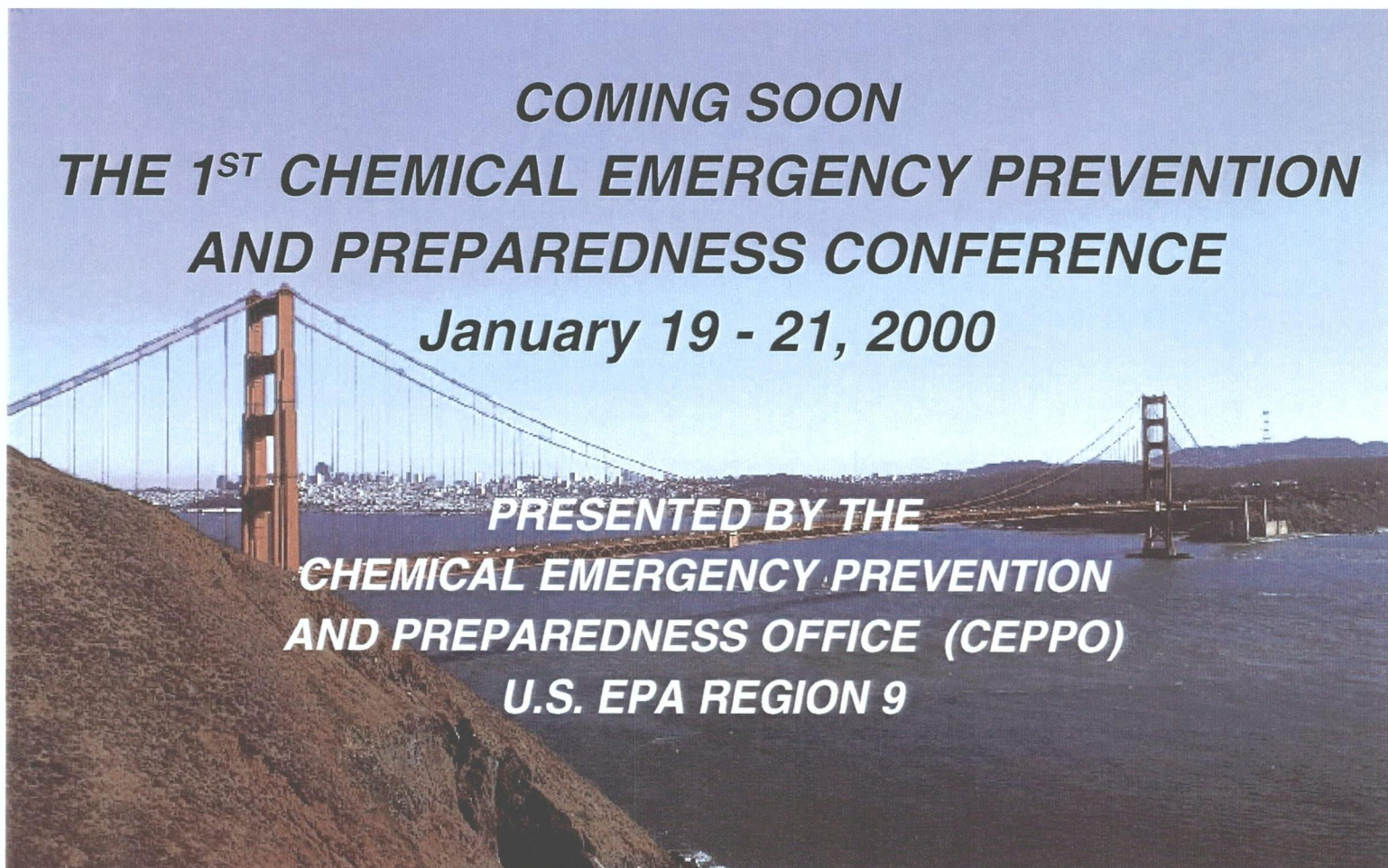
U.S. Environmental Protection Agency
Region 9 - SFD-1-3
Chemical Emergency Prevention and Preparedness Office
75 Hawthorne Street
San Francisco, CA 94105

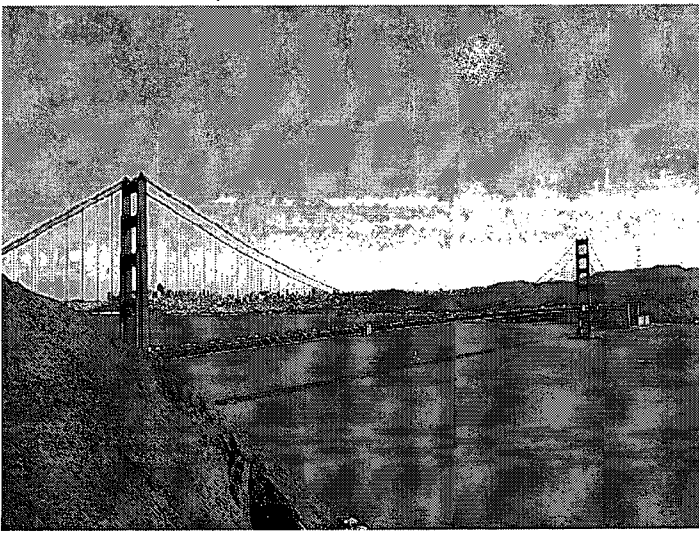


COMING SOON
**THE 1ST CHEMICAL EMERGENCY PREVENTION
AND PREPAREDNESS CONFERENCE**

January 19 - 21, 2000

**PRESENTED BY THE
CHEMICAL EMERGENCY PREVENTION
AND PREPAREDNESS OFFICE (CEPPO)
U.S. EPA REGION 9**





COMING SOON!

*The 1st Chemical Emergency
Prevention and Preparedness
Conference*

January 19 through 21, 2000

San Francisco, California

*Presented by the Chemical Emergency
Prevention and Preparedness Office
(CEPPO) U.S. EPA Region 9*

Attention SERC, LEPC, TERC, and CUPA representatives!

Get the very latest information and network with your counterparts in EPA, and other federal agencies, and state and local agencies at the US EPA Region 9 1st CEPPO Conference. The event participants and presenters will include our federal, tribal, state and local government partners.

Agenda items will include:

- ★ Keynote presentation by Dr. Paul Hill, Chair, U.S. Chemical Safety Board
- ★ EPCRA Sections 302 through 312
- ★ Risk Management Program
- ★ Funding Sources - how to find \$\$ and resources for your program.
- ★ Opportunities for Training
- ★ Partnering on EPA Inspections
- ★ Success Stories from the Region's State and Local Agencies
- ★ Federal Facilities Programs
- ★ Border XXI Activities
- ★ Counter-Terrorism
- ★ Information Fair
- ★ Access to Electronic Environmental Information
- ★ Tour the Region 9 Library and GIS Lab

REGISTRATION: Packages will be arriving soon with information on registration, lodging, entertainment, dining and transportation within the Bay Area*.

For more information please contact

Robert Fodor at:

Science Applications International Corporation

20 California Street, Suite 400

San Francisco, CA 94111

Tel: (415) 399-0140,

Fax: (415) 399-0299

or email: fodorr@saic.com

*Mark your calendars and join us at the Region 9 offices in beautiful downtown San Francisco. Located one block from the Moscone Center, Yerba Buena Center, the San Francisco Museum of Modern Art and the new Sony[®] Metreon, the area offers many after-hours' diversions for conference participants. A wide variety of restaurants, theaters, museums and galleries... even bowling and an old-fashioned carousel!



REPORT to the HAWAII STATE EMERGENCY RESPONSE COMMISSION

on the

TABLETOP HAZARDOUS MATERIALS EXERCISE

Conducted by the Hawaii County Local Emergency Planning
Committee

22 June 1999

The Scenario:

Location: Intersection of Kamehameha and Kanoelehua Avenues,
Hilo

Day of the Week: Monday

Time of Day: Real time (approximately 1200 hours)

Description of the incident:

A collision occurs that involves a commercial flatbed truck, a military van, and a private passenger car. The flatbed truck rear-ends the private car which is stopped in a line of vehicles at a red traffic signal. The car, in turn, is pushed forward into the military van.

The truck is occupied only by the driver and the van has two adult males aboard. The passenger vehicle is being operated by an adult female and there are three passengers, all minors.

The truck is transporting three one-ton containers that appear to be similar to those used for chlorine. One of

these has fallen from the truck and is laying in the traveled portion of the roadway.

The caller has told the dispatcher that the doors on the car seem to be jammed. The extent of injuries is unknown, but facial lacerations are visible on two of the children. A second caller reports that the driver of the car is pinned by the steering wheel, and that there is a nauseating smell around the vehicles, but he doesn't what it is or where it is coming from. He just says that it made him gag and he couldn't breath until he got away from it. He is still coughing.

Participating Agencies and Personnel:

Hawaii County Local Emergency Planning Committee

John Bowen (Exercise Controller)

Myron Yoshioka

Hawaii County Fire Department

CAPT Wayne Awai (Exercise Director)

CAPT Steve Ozaki

Asst Chief (Acting) Clesson Murasaki (Incident Commander)

Hawaii County Police Department

MAJOR Charles Chai

Hawaii County Department of Public Works

Ralph Fike

Hilo Medical Center

Tracy Aruga

Sandy Sato

Hawaii State Department of Health, Hawaii District Office

Donn Hashimoto

US Army

John Ross

US Coast Guard

LT Mike Heisler

Brewer Environmental Industries LLC

Geoffrey Lauer

Evaluators:

CAPT Carter Davis, Honolulu Fire Department

CAPT Gilbert Kanazawa, Marine Safety Office Honolulu, US

Coast Guard

LT Dan Norton, Marine Safety Office Honolulu, US Coast

Guard

MSTSC Frank Preckel, Marine Safety Office Honolulu, US
Coast Guard

Observers:

Gary Kawamoto, Hilo Medical Center

Newton Inouye, Hawaii State Department of Health, Hawaii
District Office

Elizabeth Galvez, Hazard Evaluation and Emergency Response,
Hawaii State Department of Health

William Perry, Hazard Evaluation and Emergency Response,
Hawaii State Department of Health

Warren Chung, Hawaii State Civil Defense

Mike Ardito, US Environmental Protection Agency

**Objective # 1: Discuss the ability to notify response agencies
and to mobilize emergency personnel.**

"People/agencies were called in as needed."

"DOH personnel on site notified HEER, but it was not clear
if HEER's assistance was needed."

"Good utilization of off-site advice and assistance in the
identification of the hazardous material, and the develop-
ment and implementation of a strategy for containment,
cleanup, and cost recovery."

"Could be helpful to have a prepared checklist of notifi-
cations that must be made, although none were omitted in
this exercise."

"The National Response Center may need to be notified, but this is the responsibility of the responsible party, not the emergency responders."

Objective # 3: Discuss the ability to identify the hazardous material(s) involved in an incident, and to assess the hazards associated with the material involved during both the emergency and post-emergency phases.

"Established a priority for monitoring the airborne release."

"If the truck was not properly (placarded), it would be harder (to identify the product). Would you really go in and pull out the casualties immediately?"

"Asked for the MSDS for the involved product (chlorine) to be FAXed to the Hilo Medical Center in anticipation of victims being transported to that emergency department."

"HEER office on Oahu was notified, and applicable information was relayed to that office in a timely manner."

"There was no true discussion among the responders about strategy, goals, and objectives. Incident Commander must set broad goals and develop a plan to achieve these."

"Consider sheltering-in-place as an alternative to evacuation. If evacuating an area, a location must be established to receive the evacuees. There is likely to be some self-evacuation in an incident such as this."

Objective # 4: Discuss the ability to mobilize and manage resources required for the emergency response.

"HEER is off-Island, and has at least a two-hour response time."

"Some resource management was discussed. If the event became larger, a more detailed (incident command) system would have to be employed."

"Hilo Medical Center will set up a decontamination station for their personnel, and of decontamination of victims not treated at the scene prior to transport; i.e., persons who may be transported by privately-owned vehicles."

"Responders instituted emergency medical care using the triage concept."

"Need a tracking system for both personnel and equipment."

Objective # 5: Discuss the ability to establish and maintain communications essential to support the response to an incident.

"Communications with on-scene resources were not exercised. Within the events of this exercise, the group communicated very well."

"Communication between the Hawaii County Fire Department field units (except medical units) and the Hilo Medical Center must go through fire dispatchers."

Objective # 7: Discuss the ability to signal an alert and to provide emergency notifications containing information and instructions to the public.

"The use of a PIO was not discussed. The Civil Defense broadcast may not be the best way to notify the public. Door-to-door notification may also be needed."

Objective # 10: Discuss the ability to protect emergency responder health and safety.

"I was concerned about entry being done in bunker gear. You don't want to add responders to the list of victims."

"A safety officer was not clearly identified, as per the HAZWOPER requirement to do so."

"Need pre-established re-habilitation protocols for responders, especially with regard to heat stress."

Objectives #11 and # 14: Discuss the organizational ability and resources necessary to implement site security, and to control evacuation traffic flow and access to evacuated and sheltered areas. Discuss the adequacy of personnel, procedures, equipment, and vehicles for transporting contaminated and/or injured individuals, and the adequacy of medical personnel and facilities to support the operation.

"Local (County) role was very good."

"Hilo Medical Center has an emergency response plan that details applicable procedures for such an incident."

Overall Tabletop Exercise Comments and Observations:

"Good working relationship between police, fire, and other County agencies. Additional Incident Command training seems to be needed."

"Done very well."

"DOH District Health Office role is minimal. Basically, it is the 'eyes and ears' for the HEER office on Oahu, receiving and relaying pertinent information."

"The flow of the exercise went well. Responding organizations and agencies knew what was required of them."

"Good coordination, good exercise."

"Impressed with the players' expertise."

"(We) commend the people that got this exercise together. Study your (emergency response) plans and resolve any issues that arise. The US Coast Guard can provide training assistance, and will help take your next exercise beyond the tabletop stage."

JUSTIFICATION SHEET

DATE: September 22, 1999

DEPARTMENT: TRANSPORTATION

TITLE: A BILL FOR AN ACT RELATING TO HAZARDOUS MATERIALS

PURPOSE: To define hazardous material in transportation to be consistent with federal regulations and clarify the reporting requirements of hazardous material incidents.

MEANS: Amend sections 286-221 through 286-225, Hawaii Revised Statutes.

JUSTIFICATION: The present definition of hazardous materials includes extremely hazardous substances, these are regulated substances by the Environmental Protection Agency that must be reported to the local emergency planning committee under title 40 Code of Federal Regulations part 355. The inclusion of extremely hazardous substances to the definition of hazardous materials is not consistent with the intent of the Hazardous Materials Transportation Act (P.L. 101-615), in particular section 105(a)(4), which can preempt state regulations that designate, describe, and classify hazardous materials substantively different from federal regulations.

In addition, by definition under title 49 Code of Federal Regulations part 171, hazardous materials include hazardous substances, hazardous waste, marine pollutants, and elevated temperature materials. Infections substances and regulated medical waste are defined as division 6.2 in the federal hazardous material regulations (49 C.F.R. parts 171 to 180), therefore are considered hazardous materials.

This bill also clarifies the reporting requirements for hazardous material incidents during transportation. The proposed amendments call for a copy of reports required under title 49 Code of Federal Regulations part 171 to be provided to the director of transportation.

Impact to the public: The hazardous materials definition will be consistent with federal regulations therefore will prevent confusion during the intrastate and interstate transportation of hazardous materials.

Impact on the department and other agencies: This bill should not affect the enforcement capability of the department or any of the county authorized representatives authorized to enforce the regulations.

GENERAL FUNDS: None.

OTHER FUNDS: None.

OTHER AFFECTED AGENCIES: Department of Health, county police and fire departments, and commerce associated with hazardous material transportation.

EFFECTIVE DATE: Upon approval.

A BILL FOR AN ACT

RELATING TO HAZARDOUS MATERIALS.

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

1 SECTION 1. Chapter 286, Hawaii Revised Statutes, is
2 amended by amending the title of part XII to read as follows:

3 "PART XII. TRANSPORTATION OF HAZARDOUS MATERIALS[,
4 HAZARDOUS WASTE, INFECTIOUS SUBSTANCES AND MEDICAL WASTE]"

5 SECTION 2. Section 286-221, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "§286-221 Definitions. As used in this part, unless the
8 context otherwise requires:

9 ["Extremely hazardous substance" means for transportation
10 purposes, chemicals transported in commerce that could cause
11 serious health effects following short-term exposure from
12 accidental releases and which are listed in Part 355 of Title
13 40 of the Code of Federal Regulations.]

14 "Hazardous material" means a substance or material, [including
15 a hazardous substance,] which has been determined by the
16 United States Secretary of Transportation to be capable of
17 posing an unreasonable risk to health, safety, and property
18 when transported in commerce, and which has been so

1 designated. The term includes hazardous substances, hazardous
2 wastes, infectious substances, medical wastes, marine
3 pollutants, elevated temperature materials, and materials that
4 meet the defining criteria for hazard classes and divisions in
5 title 49 Code of Federal Regulations part 173.

6 "Hazardous materials incident" means an occurrence or likely
7 occurrence or potential of a spill, release, leakage, dumping,
8 or loss of control of [an extremely hazardous substance,
9 hazardous substance,] a hazardous material[, hazardous waste,
10 infectious substance, or medical waste] during the course of
11 transportation in commerce including loading, unloading, or
12 temporary storage.

13 ["Hazardous substance" means for transportation purposes,
14 shipments of particular quantities of hazardous substances
15 that are significant enough to be a substantial threat to
16 public health and the environment, and which are listed in
17 Part 172 of Title 49 of the Code of Federal Regulations.]

18 "Hazardous substance" means any material, including its
19 mixtures and solutions, defined under title 49 Code of Federal
20 Regulations part 171.

21 "Hazardous waste" means any material designated in [Part 261
22 of Title 40 of the] title 40 Code of Federal Regulations part
23 261 and which are subject to the hazardous waste manifest
24 requirements of [Part 262 of Title 40,]title 40 Code of
25 Federal Regulations[.] part 262.

1 "Infectious substance" means a viable microorganism, or its
2 toxin, which causes or may cause disease in humans and
3 animals[.], or which are further described as infectious
4 substances in title 49 Code of Federal Regulations part 173.

5 "Medical waste" means for transportation purposes, shipments
6 of medical waste material generated in the diagnosis,
7 treatment, or immunization of human beings and animals, in
8 research pertaining thereto, in the production or testing of
9 biologicals, or which are further described as regulated
10 medical waste in [Part 173 of Title] title 49[,] Code of
11 Federal Regulations[.] part 173.

12 ["Transportation-related release" means a release of a
13 hazardous material, hazardous substance, extremely hazardous
14 substance, hazardous waste, infectious substance, or medical
15 waste that occurs during the course of transportation in
16 commerce including storage incidental to transportation while
17 under active shipping papers or manifests and which has not
18 reached the ultimate consignee.]"

19 SECTION 3. Section 286-222, Hawaii Revised Statutes, is
20 amended to read as follows:

21 "§286-222 General powers. (a) The department of
22 transportation may regulate the transportation of hazardous
23 materials[, hazardous waste, hazardous substances, infectious
24 substances, and medical waste] by motor carrier in commerce.

25 (b) The department shall annually adopt the hazardous

1 [materials] material regulations established by the United
2 States Department of Transportation and published in [Title]
3 title 49 [of the]Code of Federal Regulations[, Parts] parts
4 107, 171 to 173, inclusive, and [Parts] parts 177, 178, and
5 180. All other rules adopted by the State and political
6 subdivisions thereof shall be consistent therewith.

7 (c) Any hazardous material, including hazardous substances and
8 hazardous waste, and any infectious substance or medical
9 waste, which meets the federal and state criteria of a
10 hazardous material[, infectious substance, or medical waste]
11 must be handled and transported according to the appropriate
12 requirements of the federal hazardous materials regulations
13 and the additional requirements in this part."

14 SECTION 4. Section 286-223, Hawaii Revised Statutes, is
15 amended to read as follows:

16 "§286-223 Scope. (a) The federal rules establish minimum
17 standards and must be complied with when transporting a
18 hazardous material[, hazardous waste, hazardous substance,
19 infectious substance, or medical waste] by motor carrier in
20 commerce.

21 [(b) For purpose of clarity and conformance with the rules
22 established for describing hazardous materials on shipping
23 papers and simplicity in hazardous materials incident
24 reporting, hazardous substances and extremely hazardous
25 substances as previously defined, shall be reported as

1 hazardous materials.]

2 [(c)] (b) Transport shall be deemed to include any operation
3 incidental to the whole course of carriage by motor carrier
4 from shippers point of origin to final destination[.]

5 including storage incidental to transportation while under
6 active shipping papers and not having reached the ultimate
7 consignee.

8 [(d)] (c) No person shall transport any hazardous material[,
9 hazardous waste, hazardous substance, infectious substance, or
10 medical waste] outside the confines of the person's facility
11 or other location of storage or use, or offer or deliver any
12 hazardous materials[, hazardous waste, hazardous substances,
13 infectious substances, or medical waste] to a motor carrier
14 for transportation in commerce, nor shall any motor carrier
15 accept any hazardous materials[, hazardous waste, hazardous
16 substances, infectious substances, or medical waste] for
17 transport, without compliance with the applicable requirements
18 of the hazardous [materials] material rules adopted by the
19 department, including those relating to packaging of hazardous
20 materials[, hazardous waste, hazardous substances, infectious
21 substances, and medical waste], marking and labeling of
22 packages, preparation and carriage of shipping papers or
23 manifests, handling, loading, and unloading packages,
24 placarding of the transporting vehicle, training of employees,
25 inspection of motor carrier vehicles, and motor carrier

1 accident and hazardous materials incident reporting.

2 [(e)] (d) No person in the course of transportation in
3 commerce, shall spill, dump, deposit, or cause the
4 unintentional release of a hazardous material[, hazardous
5 waste, hazardous substance, infectious substance, or medical
6 waste] upon a public highway, street, or the surrounding or
7 connecting property, including but not limited to, storm
8 drains, gutters, harbors, waterways, canals, lakes, and ocean
9 shorelines, without immediately taking action to stop the
10 spread of the material or remove the same or cause the same to
11 be removed. If such person fails to comply with this
12 subsection, the governmental agency responsible for the
13 maintenance of the highway, street, or property on which the
14 material was deposited may remove such materials and collect,
15 by civil action, if necessary, the actual cost of the removal
16 operation and repair of damage to the affected facility or
17 property from the person responsible as stated in this
18 subsection.

19 [(f) Owners or operators of a facility from which there is a
20 transportation-related release are subject to the hazardous
21 materials transportation incident reporting requirements of
22 this part.]

23 [(g) A copy of any written report required under this part
24 shall be submitted to the director of transportation within
25 fifteen days of the reported incident.]”

1 SECTION 5. Section 286-224, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§286-224 Inspections. (a) Any shipment or transport of
4 hazardous materials[, hazardous waste, hazardous substances,
5 infectious substances, or medical waste,] by motor vehicle in
6 commerce of which vehicle placarding or a shipping paper or
7 manifest is required by the hazardous materials regulations
8 adopted by the State, is subject to inspection by persons
9 appointed by the director of transportation to enforce the
10 safe transportation of hazardous materials[, hazardous waste,
11 hazardous substances, infectious substances, and medical
12 waste] in commerce and by those state and county officers
13 charged with the enforcement of laws and ordinances adopted
14 pursuant to this part.

15 (b) All carriers and persons that use a highway or street to
16 transport hazardous materials[, hazardous waste, hazardous
17 substances, infectious substances, or medical waste] in
18 commerce shall afford the director of transportation, persons
19 designated by the director, and those persons designated by
20 the county executive officers, reasonable opportunity to enter
21 and inspect freight containers, and motor vehicles, to review
22 and document deficiencies on shipping papers and manifests,
23 and to inspect other places incidental to the transshipment of
24 hazardous materials[, hazardous waste, hazardous substances,
25 infectious substances, and medical waste] by motor carrier

1 vehicles."

2 SECTION 6. Section 286-225, Hawaii Revised Statutes, is
3 amended to read as follows:

4 "§286-225 Hazardous materials incident reporting. (a) Any
5 employee of the motor carrier, the driver, handlers, and
6 loaders, and any employees of state and county governments
7 shall report [incidents involving] hazardous [materials]
8 material incidents[, hazardous waste, infectious substances,
9 and medical waste] as follows:

10 (1) Upon becoming aware of or observing the potential or
11 actual spill, leakage, or loss of control of a hazardous
12 material, hazardous waste, or hazardous substance, shall
13 immediately, or as soon as possible, notify the nearest police
14 or fire department and make a report of the situation. This
15 incident reporting requirement does not relieve a carrier or
16 shipper of the responsibility to notify the United States
17 Department of Transportation ,state department of health, or
18 local emergency planning committee of certain hazardous
19 materials incidents.

20 (2) Whenever an infectious substance shipment is lost,
21 stolen, or suspected or known to be leaking from its
22 containment packaging, shall immediately, or as soon as
23 possible, notify the state department of health, and the
24 Centers for Disease Control in Atlanta, Georgia, and make a
25 report of the situation.

1 (3) Spillage or loss of control of a regulated medical
2 waste shipment in commerce shall be reported immediately, or
3 as soon as possible to the state department of health.

4 (b) Whenever possible, the incident report should include: the
5 name and telephone number of the person calling in the
6 report[,]; the name of the carrier[,]; type of vehicle
7 involved[,]; injuries or fatalities connected with the
8 incident, if any[,]; the location and time of the incident[,];
9 the duration of a chemical release into the environment[,], if
10 known, a description of hazards involved to include the
11 chemical name or identity of any substance released[,];
12 hazardous materials classification, markings, and information
13 on labels and placards affixed on packages, containers or
14 vehicles[,]; and emergency actions taken including evacuation
15 to minimize hazardous effects to public health, safety, and
16 property.

17 (c) a copy of any written notification required under title 49
18 Code of Federal Regulations part 171 shall be provided to the
19 director of transportation."

20 SECTION 7. Statutory material to be repealed is
21 bracketed. New statutory material is underscored.

22 SECTION 8. This Act shall take effect upon its approval.

23
24 INTRODUCED BY: _____

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

handout

Hawaii State Emergency Response Commission

Draft Operating Guidelines

July 1999

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 (HEPCRA), §128E Hawaii Revised Statutes.

II. NAME

- A. The name of this commission shall be the Hawaii State Emergency Response Commission. Hereafter referred to as the 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 deemed necessary and appropriate 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 emergency 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 HRS 128E.

- B. Members of the Commission shall serve indefinitely.
- 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 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 authority residing in the state officer that the designee represents. The term of the appointment of the designee shall expire with that of the individual state officer appointing said designees 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 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 chairpersons, and the date for filling vacancies of appointed members.

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 subcommittees of the Commission at the

direction of the Chairperson.

The Chairperson shall be the Director of Health as specified in HRS 128E-2(d).

A Vice chairperson shall be designated by the Chairperson 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 subcommittees for those purposes necessary to carry out the work of the Commission. The Chairperson shall appoint committee and subcommittee 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 subcommittees, 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, TERMS OF OFFICE, AND SUCCESSION TO OFFICE

- A. The Chairperson shall be the Director of Health as specified in HRS 128E-2(d). The Director of Health may designate a representative in writing to serve as chairperson in his/her stead. 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 designated representative may continue to serve until the vacancy is filled. If a designated representative is unavailable, the Vice-Chairperson shall immediately succeed into the position of Chairperson until the vacancy is filled. He/She may in turn appoint an interim Vice-Chairperson who shall serve also until the vacancy is filled.
 - 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 until the vacancy is filled. The Chairperson so elected may in turn appoint an interim Vice-Chairperson to serve until the vacancy is filled.

X. COMMITTEES

- 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

subcommittee chairperson and committee or subcommittee members. The Chairperson may further, as discretion dictates, appoint non voting members to such committees of individuals with skills, experience, or interests that the Chairperson considers would contribute to the work of said committees or subcommittees. These members may be from the public, private sector, or academia.

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

1. Legislative Policy and Funding Committee which would include bylaws, funding, and strategic planning (legislative and regulation).
2. Business, Industry and Information Management Committee which would include CAMEO, Spill Reporting, and Compliance and Enforcement.
3. Planning, Exercise and Training Committee, which would include Local Emergency Planning Committees' training.

C. Functions of committees:

1. The Legislative Policy and Funding Committee shall consist of the Chairperson and department head or designee from the Hawaii Department of Health and the Adjutant General's Department. The HEPCRA Coordinator and Vice Chairperson are nonvoting members of the Legislative Policy and Funding Committee. The Legislative Policy and Funding 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 bylaws. Major actions take by the Legislative Policy and Funding Committee that 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 Legislative Policy and Funding Committee shall recommend the adoption of bylaws to clarify operating procedures; evaluate and recommend alternate funding mechanisms to pay for activities to be accomplished under the Hawaii State Emergency Planning and Community Right-to-Know Act; and shall have a broad mandate to investigate, review and advise the Commission on matters affected by or affecting 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 Business, Industry and Information Management Committee shall review and advise the Commission regarding technologies and options for information management including the state wide practices 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 Planning, Exercise and Training Committee shall recommend adoption of standards, procedures, and methods of accreditation of training courses and

instructors. 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 cleanups. 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 affecting LEPCs.

- D. The Legislative Policy and Funding Committee shall provide recommendations on behalf of the Commission to the Director of Health regarding budgetary needs of the Commission. The Legislative Policy and Funding Committee, with the advice of the HEPCRA Coordinator, 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 State Department of Health and budget.
- E. The Legislative Policy and Funding Committee, on behalf of the Commission and after consultation with the Adjutant General's Department and the Department of Health 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 Legislative Policy and Funding Committee may, as necessary, delegate this authority to state agency acting on behalf of HSERC.

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 guidelines 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 the purpose of taking action on amendments to guidelines, a quorum shall mean a majority 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 majority 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 bylaws.
- B. Meeting of the Commission shall be held quarterly unless otherwise designated 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 HSERC meetings and subcommittees meetings 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, faxed or presented at each meeting to Commission members by the HSERC Coordinator or by appropriate committee or subcommittee chairperson.
- E. Prior notice of Commission meetings shall be posted in the Office of the Lieutenant Governor. 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.

handout

**Memorandum of Agreement
between the
Hawaii State Emergency Response Commission (HSERC)
and the
Local Emergency Planning Committees (LEPCs)**

Purpose and Scope

This MOA establishes a cooperative framework for the distribution of filing fees to the LEPCs for the support of their mission under the Hawaii Emergency Planning and Community Right-to-Know Act.

Authority

The Hawaii Emergency Planning and Community Right-to-Know Act (HEPCRA), §128E Hawaii Revised Statutes established the LEPCs and a funding mechanism through the collection of filing fees.

Permissible expenditures of the subject funds shall be for the functions of Local Emergency Planning Committees, as described by Section 128E-5(f). Section 128E-5(f) is paraphrased below.

Each Committee shall:

- (1) Adopt bylaws and other administrative procedures to carry out the duties, requirements, and responsibilities set forth in this chapter, and as required by the commission and EPCRA;
- (2) Take appropriate actions to ensure the preparation, implementation, and annual update and review of the local emergency response plan required by this chapter and EPCRA.
- (3) Request additional information from the facilities, if necessary, to develop emergency response plans;
- (4) Submit local emergency response plans to the commission for review, and to other affected agencies upon request;
- (5) Report to the commission on alleged violations of this chapter;
- (6) Prepare reports, recommendations, and other information related to the implementation of this chapter, as requested by the commission;
- (7) Have the primary responsibility for receiving, processing, and managing hazardous chemical information forms and data, trade secrets, and public information requests pursuant to this chapter;
- (8) Accept and deposit into the state treasury any grants, gifts, or other funds received for the purpose of carrying out this chapter; and
- (9) Evaluate the need for resources necessary to develop, implement, and exercise the emergency plan, and make recommendations with respect to additional resources that may be required and the means for providing these additional resources.

Section 128E-5(g) states that the administrative and operational expenses of a committee may be paid by the State. [L 1993, c 300, pt of §1]

Guidelines

The State of Hawaii, as part of the annual legislative process, established an account under HRS 128E-8 called the local emergency response planning committees account (Currently # S00 342 H 338 371 1115) within the Environmental Response Revolving Fund (ERRF). The filing fees, collected annually under HEPCRA. The amount collected has ranged from \$71,900 to \$95,500. The HSERC annually reevaluates the amount to be allocated to each LEPC.

In order to receive the funding, each LEPC must establish an account with the finance department of the local government in their planning district. The State Department of Health will issue a purchase order at the beginning of each state fiscal year to transfer the funds from the ERRF. The LEPC will have maximum flexibility to expend the funds, and have authority to reprogram funds during the fiscal year. The LEPC will also have the authority to carry over and expend the unobligated balance in the subsequent fiscal year(s).

The account, once established, may also be used to streamline the disbursement of grants and other emergency planning related monies.

Oversight

Each LEPC is responsible for authoring and utilizing the subject funding for the purposes described under the authority section of this MOA.

During the first month of each quarter, each LEPC will provide the HEER Office an accounting of the expenditures and status of their account for the previous quarter.

In the second month of the fourth quarter of each year, each LEPC shall submit to the HSERC a proposed budget for the following year.

The HSERC will review the previous years accounting and the proposed budgets to determine the allocation to each LEPC account.

Amendments and Effective Date

This MOA may be altered, amended or modified only by written agreement of the HSERC and LEPCs. This MOA contains all terms, covenants, conditions, stipulations and agreements agreed upon by the HSERC and LEPCs. This MOA supercedes and cancels each and every other agreement, promise and negotiation between the parties, and no party shall be bound by any

inducement, statement, representation promise or agreement not in conformity herewith.

This MOA is effective upon signing by the HSERC Chair and the authorized Representatives of each LEPC. This MOA will remain in effect until terminated by the HSERC or LEPC.

Signature of the HSERC Chair

Date

Signature of the LEPC Representative for Hawaii

Date

Signature of the LEPC Representative for Kauai

Date

Signature of the LEPC Representative for Maui

Date

Signature of the LEPC Representative for Oahu

Date

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between the
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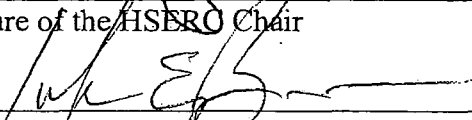
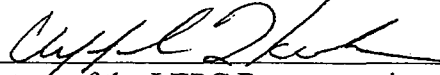
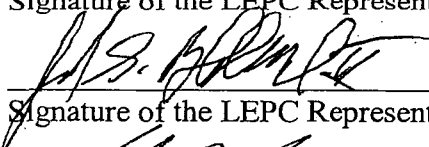

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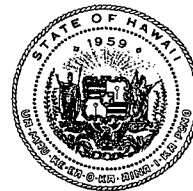
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 _____ Signature of the HSERC Chair	<u>12/1/99</u> Date
 _____ Signature of the LEPC Representative for Hawaii	<u>10-4-99</u> Date
 _____ Signature of the LEPC Representative for Kauai	<u>10-1-99</u> Date
 _____ Signature of the LEPC Representative for Maui	<u>10/1/99</u> Date
 _____ Signature of the LEPC Representative for Oahu	<u>10-1-99</u> Date



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



September 1, 1999

99-39-MG

To: HSERC Members

From: Marsha Graf, HEPCRA Coordinator
Hazard Evaluation and Emergency Response Office

Subject: Additional Materials for use in the Review of the State Emergency Response Plan

The State of Hawaii, Oil and Hazardous Substances Emergency Response Plan, Supplement to State of Hawaii Plan for Emergency Preparedness, Volume III was reviewed as part of a 1996 study by the University of Hawaii Sea Grant College Program on Hawaii's Readiness to Prevent and Respond to Oil Spills. The summary report is enclosed. The longer appendix volume is also available. Contact me at 586-4694 if you would like a copy.

Also, the Area Contingency Plan has recently been revised by the US Coast Guard Marine Safety Office (MSO). Contact the MSO or visit the Coast Guard web site for a copy, if you wish to look at the SCP in your review.



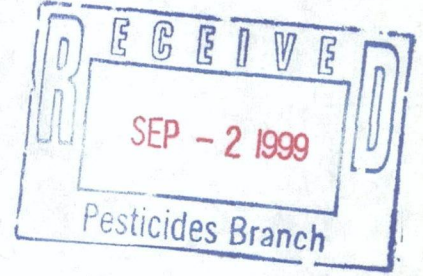
Hawaii State Emergency Response Commission
 919 Ala Moana Boulevard, Room 206, Honolulu, Hawaii 96814
 (808)586-4249 fax (808)586-7537 e-mail heer@eha.health.state.hi.us

Marsha -
 comments are
 below.
 R. Break



August 31, 1999

To: HSERC Members
 From: Marsha Graf, HEPCRA Coordinator mg
 Hazard Evaluation and Emergency Response Office
 Subject: Draft Documents for Review and Update



The enclosed documents,

The State of Hawaii, Oil and Hazardous Substances Emergency Response Plan,
 Supplement to State of Hawaii Plan for Emergency Preparedness, Volume III

Memorandum of Agreement between the Hawaii State Emergency Response Commission
 (HSERC) and the Local Emergency Planning Committees (LEPCs) and

Hawaii State Emergency Response Commission, Draft Operating Guidelines July, 1999,

are included for your review and comment.

The Emergency Response Plan is due for a routine update. The MOA must be finalized before filing fees may be transferred to the LEPCs. The Operating Guidelines were drafted years ago and must be updated before they may be adopted. Thank you for your help in making and keeping these important documents useful and up to date.

Please return comments to me by mid-September so that I may compile them and submit revised drafts for adoption at the next HSERC meeting, scheduled for October 1, 1999.

1. More current oil and hazardous substances release information is needed (p 2-3)
2. E 2 p. 23 is a QAPP needed for sample collection/evidence?
3. p. 26 95% of the time respond within 20 minutes?
4. Poison Control Center hours reduce from 7AM-11PM on weekdays and holidays - 100K in additional funding needed to restore service

JOHN E. BOWEN
P. O. Box 1115
Hilo, Hawaii 96721-1115
Telephone: (808) 935-2785
FAX: (808) 935-7033

September 18, 1999

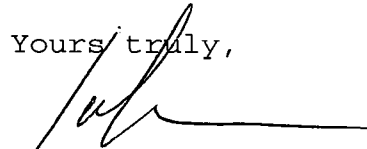
Dear Marsha:

Sorry to be so long getting this drafts back to you! I've set too hectic a schedule for myself this month.

I don't have anything of deep concern about any of these. I did note a couple of typos on the SERC Operating Guidelines, and I raised a point on the MOA about the funds being deposited to a State account. That seemed a bit confusing, like the LEPCs had to put the money that they received back into a State account.

Thank you for the opportunity to look at these, though.

Yours truly,

A handwritten signature in black ink, appearing to be 'John E. Bowen', written over the typed name below.

John E. Bowen

COMMENTS AND RECOMMENDATIONS
TO
THE STATE OF HAWAII, OIL AND HAZARDOUS SUBSTANCES EMERGENCY
RESPONSE PLAN

General Comments:

Terrorism Response - There should be a separate section or appendix regarding terrorism response operations. Terrorism response policy may also be addressed in the Purpose and Scope sections of the Basic Plan.

Resource List - There needs to be a resource document or list of all State resources to respond to hazardous material releases.

Natural Resource Trustees - There should be a mechanism to quickly identify all natural resource trustees in the plan. Identifying all the trustees will help the on scene commander identify trustee concerns during the response phase and expedite the natural resource damage assessment process.

Specific Comments:

BASIC PLAN, Hazard Analysis - This section should have updated information, especially Figure 1- Oil and Hazardous Substance Emergency Notifications Reported by County 1988-1991, and Figure 2 Oil and Hazardous Substance Incidents Reported by Substance in 1991.

BASIC PLAN, Authority - Add Chapter 128E, HRS; Hawaii Emergency Planning and Community Right-to-Know Act.

BASIC PLAN, Planning Factors, Paragraph 3, second sentence - "In the case of disaster or major inland spills, the EPA may assume the lead" - this sentence may have to be revised to read that all federal assistance during a disaster should be through FEMA in accordance with the Federal Response Plan.

BASIC PLAN, Definition of Key Terms - The key terms should be alphabetically listed.

BASIC PLAN, Concept of Operations, A. PHASE 1 - Notification, Paragraph 2 - All islands have the 911 emergency call capability.

BASIC PLAN, H. TECHNICAL ASSISTANCE - PRIVATE INDUSTRY - This section should be a separate appendix in the Basic Plan.

BASIC PLAN, H. TECHNICAL ASSISTANCE - VOLUNTEER SERVICES - This section should be a separate appendix in the Basic Plan.

BENJAMIN J. CAYETANO
GOVERNOR



KAZU HAYASHIDA
DIRECTOR

DEPUTY DIRECTORS
BRIAN K. MINAAI
GLENN M. OKIMOTO

RECEIVED
DEPARTMENT OF HEALTH

1999 SEP 16 P 2:07


HEER OFFICE

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

IN REPLY REFER TO:
DIR-CZ 1.0368

September 13, 1999

TO: DR. BRUCE ANDERSON
DIRECTOR OF HEALTH

FROM: KAZU HAYASHIDA 
DIRECTOR OF TRANSPORTATION

SUBJECT: COMMENTS TO THE STATE OF HAWAII OIL AND HAZARDOUS
SUBSTANCE EMERGENCY RESPONSE PLAN

Thank you for giving us the opportunity to review the State of Hawaii, Oil and Hazardous Substances Emergency Response Plan, Supplement to State of Hawaii Plan for Emergency Preparedness, Volume III, dated March 1992. Enclosed you will find our comments and recommendations.

If there are any questions please contact Mr. Chris Takeno, Hazardous Material Specialist, at 587-2164.

Enclosure

cc:  Marsha Graf, HEER Office

REPORT to the HAWAII STATE EMERGENCY RESPONSE COMMISSION

on the

TABLETOP HAZARDOUS MATERIALS EXERCISE

Conducted by the Hawaii County Local Emergency Planning
Committee

22 June 1999

The Scenario:

Location: Intersection of Kamehameha and Kanoelehua Avenues,
Hilo

Day of the Week: Monday

Time of Day: Real time (approximately 1200 hours)

Description of the incident:

A collision occurs that involves a commercial flatbed truck, a military van, and a private passenger car. The flatbed truck rear-ends the private car which is stopped in a line of vehicles at a red traffic signal. The car, in turn, is pushed forward into the military van.

The truck is occupied only by the driver and the van has two adult males aboard. The passenger vehicle is being operated by an adult female and there are three passengers, all minors.

The truck is transporting three one-ton containers that appear to be similar to those used for chlorine. One of

these has fallen from the truck and is laying in the traveled portion of the roadway.

The caller has told the dispatcher that the doors on the car seem to be jammed. The extent of injuries is unknown, but facial lacerations are visible on two of the children. A second caller reports that the driver of the car is pinned by the steering wheel, and that there is a nauseating smell around the vehicles, but he doesn't what it is or where it is coming from. He just says that it made him gag and he couldn't breath until he got away from it. He is still coughing.

Participating Agencies and Personnel:

Hawaii County Local Emergency Planning Committee

John Bowen (Exercise Controller)

Myron Yoshioka

Hawaii County Fire Department

CAPT Wayne Awai (Exercise Director)

CAPT Steve Ozaki

Asst Chief (Acting) Clesson Murasaki (Incident Commander)

Hawaii County Police Department

MAJOR Charles Chai

Hawaii County Department of Public Works

Ralph Fike

Hilo Medical Center

Tracy Aruga

Sandy Sato

Hawaii State Department of Health, Hawaii District Office

Donn Hashimoto

US Army

John Ross

US Coast Guard

LT Mike Heisler

Brewer Environmental Industries LLC

Geoffrey Lauer

Evaluators:

CAPT Carter Davis, Honolulu Fire Department

CAPT Gilbert Kanazawa, Marine Safety Office Honolulu, US
Coast Guard

LT Dan Norton, Marine Safety Office Honolulu, US Coast
Guard

MSTSC Frank Preckel, Marine Safety Office Honolulu, US
Coast Guard

Observers:

Gary Kawamoto, Hilo Medical Center

Newton Inouye, Hawaii State Department of Health, Hawaii
District Office

Elizabeth Galvez, Hazard Evaluation and Emergency Response,
Hawaii State Department of Health

William Perry, Hazard Evaluation and Emergency Response,
Hawaii State Department of Health

Warren Chung, Hawaii State Civil Defense

Mike Ardito, US Environmental Protection Agency

**Objective # 1: Discuss the ability to notify response agencies
and to mobilize emergency personnel.**

"People/agencies were called in as needed."

"DOH personnel on site notified HEER, but it was not clear
if HEER's assistance was needed."

"Good utilization of off-site advice and assistance in the
identification of the hazardous material, and the develop-
ment and implementation of a strategy for containment,
cleanup, and cost recovery."

"Could be helpful to have a prepared checklist of notifi-
cations that must be made, although none were omitted in
this exercise."

"The National Response Center may need to be notified, but this is the responsibility of the responsible party, not the emergency responders."

Objective # 3: Discuss the ability to identify the hazardous material(s) involved in an incident, and to assess the hazards associated with the material involved during both the emergency and post-emergency phases.

"Established a priority for monitoring the airborne release."

"If the truck was not properly (placarded), it would be harder (to identify the product). Would you really go in and pull out the casualties immediately?"

"Asked for the MSDS for the involved product (chlorine) to be FAXed to the Hilo Medical Center in anticipation of victims being transported to that emergency department."

"HEER office on Oahu was notified, and applicable information was relayed to that office in a timely manner."

"There was no true discussion among the responders about strategy, goals, and objectives. Incident Commander must set broad goals and develop a plan to achieve these."

"Consider sheltering-in-place as an alternative to evacuation. If evacuating an area, a location must be established to receive the evacuees. There is likely to be some self-evacuation in an incident such as this."

Objective # 4: Discuss the ability to mobilize and manage resources required for the emergency response.

"HEER is off-Island, and has at least a two-hour response time."

"Some resource management was discussed. If the event became larger, a more detailed (incident command) system would have to be employed."

"Hilo Medical Center will set up a decontamination station for their personnel, and of decontamination of victims not treated at the scene prior to transport; i.e., persons who may be transported by privately-owned vehicles."

"Responders instituted emergency medical care using the triage concept."

"Need a tracking system for both personnel and equipment."

Objective # 5: Discuss the ability to establish and maintain communications essential to support the response to an incident.

"Communications with on-scene resources were not exercised. Within the events of this exercise, the group communicated very well."

"Communication between the Hawaii County Fire Department field units (except medical units) and the Hilo Medical Center must go through fire dispatchers."

Objective # 7: Discuss the ability to signal an alert and to provide emergency notifications containing information and instructions to the public.

"The use of a PIO was not discussed. The Civil Defense broadcast may not be the best way to notify the public. Door-to-door notification may also be needed."

Objective # 10: Discuss the ability to protect emergency responder health and safety.

"I was concerned about entry being done in bunker gear. You don't want to add responders to the list of victims."

"A safety officer was not clearly identified, as per the HAZWOPER requirement to do so."

"Need pre-established re-habilitation protocols for responders, especially with regard to heat stress."

Objectives #11 and # 14: Discuss the organizational ability and resources necessary to implement site security, and to control evacuation traffic flow and access to evacuated and sheltered areas. Discuss the adequacy of personnel, procedures, equipment, and vehicles for transporting contaminated and/or injured individuals, and the adequacy of medical personnel and facilities to support the operation.

"Local (County) role was very good."

"Hilo Medical Center has an emergency response plan that details applicable procedures for such an incident."

Overall Tabletop Exercise Comments and Observations:

"Good working relationship between police, fire, and other County agencies. Additional Incident Command training seems to be needed."

"Done very well."


"DOH District Health Office role is minimal. Basically, it is the 'eyes and ears' for the HEER office on Oahu, receiving and relaying pertinent information."

"The flow of the exercise went well. Responding organizations and agencies knew what was required of them."

"Good coordination, good exercise."

"Impressed with the players' expertise."

"(We) commend the people that got this exercise together. Study your (emergency response) plans and resolve any issues that arise. The US Coast Guard can provide training assistance, and will help take your next exercise beyond the tabletop stage."

DATE: 9/20/99			... - FAX TRANSMISSION ...		
To	Name: Curtis Martin				
	Organization: HDOH HEER				
	Mail Stop: Honolulu HI				
	FAX No.:	Area Code 808	Number 586-7537		
	Verification No.:	Area Code 808	Number 586-4698		
From	Name: Mike Ardito				
	 U.S. Environmental Protection Region 9, Field Operations, SWMD, #2000 75 Hawthorne Street San Francisco, California 94105				
	Division / Branch (mail stop): Fund / CEPP				
	Phone No.:	Area Code 415	Number 744-2328		
	Fax No.:	Area Code 415	Number 744-1916		
Pages	(Including cover) 3				
Subject	Draft Letter to Gary Gill				
Note	If you have any comments, please let me know ASAP. This letter will probably be a subject for HSERL rating. Thanks, Mike Ardito				



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

DRAFT

Mr. Gary Gill
Chair, Hawai'i State Emergency Response Commission
Hawai'i Department of Health
P.O. Box 3378
Honolulu, Hawai'i 96801

Dear Mr. Gill:

U.S. EPA is writing to initiate a different approach with Hawai'i regarding future funding assistance for hazardous materials exercises. As indicated in a February 1997 letter to Dr. Bruce Anderson, chair of the Hawai'i State Emergency Response Commission at the time, EPA expressed its desire to discontinue financing contractor assistance for an annual hazmat exercise, on a rotational basis, to each of the four counties that began around 1990.

The last full-scale hazmat exercise using EPA contractor assistance was Operation Ko'olau, for the new H-3 tunnel, in August 1997. Since that time, EPA has received and turned down several requests from Maui County to provide contractor assistance for some form of hazmat exercise.

EPA may be able to set aside contractor dollars to be used no later than December 2000 to assist with a hazmat exercise on Maui. If the Hawai'i SERC is willing, EPA contractor assistance could be used in tandem with providing an opportunity to train one or more people in Hawai'i to build capacity, on a state and/or county basis, to plan and conduct a hazmat exercise.

Meanwhile, EPA Region 9 is in the midst of planning its first conference for representatives of State Emergency Response Commissions (SERCs) and Local Emergency Planning Committees (LEPCs). The conference is scheduled for January 19-21, 2000 in San Francisco. EPA will have few, if any, invitational travel dollars available to provide financial assistance for attendees to that January conference on chemical emergency prevention and preparedness (CEPP) here at the EPA Regional Office.

Therefore, as a funding exchange, EPA is willing to provide contractor assistance for a hazmat exercise on Maui in 2000. However, EPA's offer is coupled with a request that the Hawai'i State Emergency Response Commission (HSERC) consider endorsing

and making eligible CEPP conference attendance costs by some HSERC members and LEPCs through the Hawai'i Emergency Planning and Community Right-to-Know Act (HEPCRA) fees that are currently being distributed to the LEPCs. EPA requests that this funding eligibility for the January CEPP conference attendance be considered at the next HSERC meeting scheduled for Friday, October 1, 1999.

It is hoped that Hawai'i will continue to pursue means of funding and establishing a permanent hazmat exercise program. Also, EPA encourages Hawai'i to pursue on-going funding sources to provide more hazmat response training and planning opportunities. California and Nevada have established hazmat exercise and training programs that use state fees collected under the Emergency Planning and Community Right-to-Know Act (EPCRA) combined with other federal grant funds available for training purposes.

If you should have any questions about the ideas put forth in this letter, you may contact Michael Ardito, EPA's state project officer for the chemical emergency prevention and preparedness program in Hawai'i, at (415) 744-2328.

Sincerely,

DRAFT

Michael Feeley
Superfund Division Deputy Director

cc: C. Martin, Supervisor, Emergency Response and Planning,
Hawai'i Dept. of Health
W. Chung, Hazmat Training Officer, Hawai'i State Civil
Defense

DRAFT

HONOLULU LOCAL EMERGENCY PLANNING COMMITTEE
CITY AND COUNTY OF HONOLULU

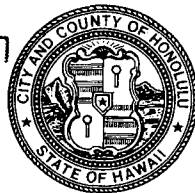
650 SOUTH KING STREET • HONOLULU, HAWAII 96813

PHONE: (808) 523-4121 • FAX: (808) 524-3439

RECEIVED
DEPARTMENT OF HEALTH

1999 SEP 28 P 1:27

HEER OFFICE



JEREMY HARRIS
MAYOR

CHAIR
CARTER DAVIS

COORDINATOR
LELAND NAKAI

September 23, 1999

Ms. Marsha Graf, HEPCRA Coordinator
Hawaii State Department of Health
Hazard Evaluation and Emergency Response Office
919 Ala Moana Boulevard, Room 206
Honolulu, Hawaii 96814-1556

Dear Ms: Graf:

We have reviewed the draft documents for review and update that you sent on August 31, 1999, and the following are comments and recommendations for inclusion in revised draft documents:

**The State of Hawaii, Oil and Hazardous Substances Emergency Response Plan,
Supplement to State of Hawaii Plan for Emergency Preparedness, Volume III**

1. General comments: The plan needs a better tie-in to the Area Contingency Plan, in terms of goals and strategic guidance. The relation to the Federal Response Plan and associated Emergency Support Functions should also be defined. Additional areas that require further information and discussion include wildlife rehabilitation, Natural Resources Damage Assessment, training & exercises, and marine fire fighting.
2. Page ii. The correct address of the Honolulu LEPC is 650 S. King St., Honolulu, Hawaii 96813. The correct address of the Honolulu Fire Department Chief is 3375 Koapaka St., Suite H425, Honolulu, Hawaii 96819-1869.
3. Page 1. Recommend updating information in the Hazard Analysis paragraph.
4. Page 9. Item 15. Add Responsible Party
5. Page 12. Top block in table should read "Civil Defense", and add after 3f "Activate Emergency Operations Center"

6. Page 21. 3e should be moved to 3a, and in paragraph 4, last sentence should end "...emergency phase is over".
7. Page 26. Paragraph E2a should read "...the administrator of the county civil defense agency."
8. Eliminate paragraph 6.

Memorandum of Agreement between the Hawaii State Emergency Response Commission (HSERC) and the Local Emergency Planning Committees (LEPCs)

1. Change "128e" to "128E" in the 2nd sentence of the Authority paragraph.
2. Provide further clarification of paragraph (8) under Authority. Are LEPCs prohibited from accepting any gifts or donations? If so, LEPCs stand to potentially lose benefit from close community partnerships with local businesses.
3. The Honolulu LEPC would prefer to receive all funds at the beginning of the fiscal year, have maximum flexibility and authority to re-program funds during the fiscal year, and be allowed to carry over and expend the unobligated balance.

Recommend that the 2nd paragraph under Guidelines read as follows:

"In order to receive the funding, each LEPC must establish an account with their respective county finance departments. The State Department of Health will issue a purchase order for the full annual funding at the beginning of each fiscal year to transfer funds from the ERRF. The LEPC will have maximum flexibility to expend the funds, and have the authority to re-program funds during the fiscal year. The LEPC will also have the authority to carry over and expend the unobligated balance in the subsequent fiscal year(s)."

4. Recommend that the 1st and 2nd paragraphs under Amendments and Effective Date read as follows:

"This MOA may be altered, amended or modified only by written agreement of HSERC and the LEPC. This MOA contains all of the terms, covenants, conditions, stipulations and agreements agreed upon between the HSERC and the LEPC. This MOA supersedes and cancels each and every other agreement, promise and negotiation between the parties, and no party shall be bound by any inducement, statement, representation, promise or agreement not in conformity herewith.

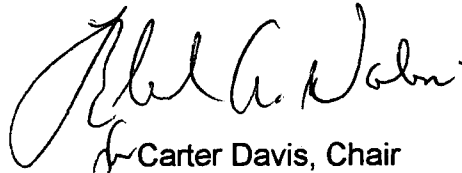
This MOA is effective upon signing by the HSERC Chair and the authorized Representatives of each LEPC. This MOA will remain in effect until terminated by the HSERC or the LEPC."

Hawaii State Emergency Response Commission, Draft Operating Guidelines July, 1999

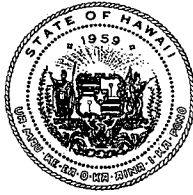
1. There is an apparent discrepancy: VIIA states that "the Chairperson shall be the Director of Health as specified....", but IXA states "The Chairperson shall be elected annually by members of the commission."
2. There are some good ideas in the Kansas committee discussion, although many of the functions do not currently apply to the HSERC.
3. Recommend adding a section on funding, to include distribution of funds to LEPCs.

Please contact Mr. Leland Nakai, LEPC Coordinator, at 527-5397 if you have any questions or require further clarification.

Sincerely,

A handwritten signature in black ink, appearing to read "Carter Davis". The signature is fluid and cursive, with a large initial "C".

Carter Davis, Chair
Honolulu LEPC



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 H: at funding 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, SOSOC

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 cause 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, SOSOC

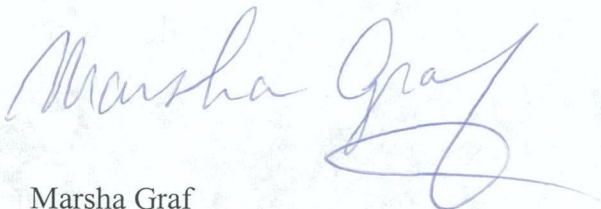
See handout. Notice of Interest, Notice of Undertaking, Notice of Improper Response Action

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

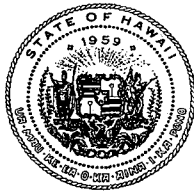
The meeting was adjourned until mid February.

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 CEPPO 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 chairs 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.

Respectfully submitted,

Marsha Graf

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

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

Attendees
Voting

Gary Gill, Chair, Department of Health, Environmental Health
Clifford Ikeda, Kauai LEPC Representative
Thomas Smyth, Department of Business, Economic Development and Tourism
Chris Takeno, Department of Transportation
Genevieve Salmonson, Environmental Quality Control Office
Joseph Blackburn, Maui LEPC Representative
James Bob, Emergency Services American Red Cross
Gerald Kinro for Bob Boesch, Board of Agriculture
Dr. John Bowen, Hawaii LEPC Representative
Russell Charlton, Department of Labor and Industry
Leland Nakai for Capt. Carter Davis, Oahu LEPC Representative
Mason Young, Department of Land and Natural Resources

Non Voting
Jim Vinton, BHP Hawaii
Mike Latham, Tesoro Hawaii
Helen Mary Wessel, CIP Compliance Coordinator
Keith Kawaoka, Department of Health, Hazard Evaluation and Emergency Response Office
Senior Chief Petty Officer Frank Prekel, USCG MSO Honolulu, Planning Department
Kelvin Sunada, Department of Health, Hazard Evaluation and Emergency Response Office

The meeting convened at 9:08.

Gary Gill made a welcome.
Introductions were made all-around since there were new members.
The minutes from meeting No. 33 were unanimously accepted with no corrections.
There were no corrections to the minutes for meeting No. 34.

LEPC Updates

John Bowen for Hawaii

The LEPC has been holding quarterly meetings.

The membership had fallen off in past years so the mayor will submit a new list of members before the next HSERC meeting.

Compliance assistant efforts have been discussed. The LEPC would like to have radio spots and direct mail to businesses to reach non-compliant facilities.

The county will hold a tabletop exercise on June 22nd, 1999. The Hawaii LEPC will follow up with a full-scale exercise later this year.

There would be a two-week technician level tactics course given in Hilo soon.

The committee is also working on an EOP update.

Clifford Ikeda for Kauai

A class from UC Davis will be given for the fire department in October. In July, there will be training from John Bowen.

The Van Loi Incident

The Van Loi grounded at 3 a.m. in the morning. Diesel began leaking and the beach was closed in response. Civil defense was called for police assistance.

Gary Gill-What is the command structure? What are the lessons learned?

Curtis Martin-Unified Command informs the county of an incident. The county is needed to control restricted areas.

Mike Cripps- High winds and surf, which kept responders from pumping the ship, also blew the material out to sea. 16,000 gallons of diesel was on-board.

It would have been helpful to talk to the county to make them aware that the impact was unknown.

Joint information command had trouble getting information to the radio and newspaper therefore the radio speculated about the toxicity of diesel and may have overstated it's toxicity.

Gary Gill-Then is there a role for the LEPC in information management? He found that the mayor had not been briefed until he called.

Joe Blackburn for Maui

1. Children were evacuated to Maui Memorial hospital and underwent chemical decontamination. The children were from an elementary school facing Lahaina Harbor. Something, apparently from a ship in the harbor, caused nausea and eye irritation in children in the classroom nearest the Harbor.

2. There was a bomb scare in a public building.

Leland Nakai for Oahu

The last LEPC meeting was held on Feb. 4, 1999.

1. Paul Takamiya gave a talk on weapons of mass destruction.

2. RMP

The County Department of Environmental Services outlined their efforts to reduce chlorine use. Five of seven facilities are under the requirements for the RMP. The two remaining will switch to sodium hydrochloride before June 1999.

3. Year 2000

The mayor has a WebSite which states most agencies are in compliance.

Enhanced 911 will be in compliance this summer.

4. CLEAN

An update to the Campbell Industrial Park Emergency Operating Plan has been mailed. The update

package includes a video about the emergency alert radios that will be distributed soon.

5. Election out of a new chair

The committee has asked for nominations. Carter will remain as chair until there's a replacement. Curtis Martin-The RMP is part of the Clean Air Act 112r amendments. EPA did training at the DOH. Also CLEAN put on workshops for Campbell Industrial Park residents regarding RMP and the role of their facility emergency contacts. The federal court has put a stay on the propane rule so many, about half of the covered facilities, will drop out of the regulations.

3) Gerald Kinro on black market pesticides

There have been two recent press releases, from the attorney general and the EPA, regarding the poisoning of an agricultural worker on the Big Island who was poisoned and while applying a black market pesticide.

Diversified agriculture is probably responsible for an increase in black market pesticides.

The state is beginning a pesticide exchange program and would also like to provide collection as a part of this program.

People who are using pesticides legally generally follow the rules for use, reporting and disposal. Those who are using pesticides illegally are totally outside of the system. There are two types of illegal users, ones who are intentionally using banned pesticide because they are more effective or cheaper, and those who are not educated in the proper and legal use.

Some of the problems in reaching them include:

Educational materials must be provided in appropriate languages. UH has applied for a grant to generate materials in Laotian.

Diversified agriculture brings a great many independent users into the picture.

There are only four state educators; two are on Oahu.

Pesticides are brought in from other countries.

Ag department has no mechanism to confiscate. Places a seal on the product or finds someone who can use the material. Fines for non-certified use are not enough to cover the costs of proper disposal.

Sampling is done on final products, illegal pesticides are discovered but the growers cannot be traced.

4) Tesoro/Kauai Accident Investigation

A floating bunker line failed, releasing 117 barrels of IFO 380 from the Single Buoy Mooring. The accident investigation revealed that the crew made a quick response. The line that failed broke at a crimp point created by routine wear from maneuvering the line.

The NOAA modeling trajectories, included in the Area Contingency Plan, did not predict the Kauai impact. NOAA has been asked to redo the models.

Tesoro was charged with a violation of the Water Pollution Control Act with a \$10,000 fine.

The State is pursuing compensation under a Natural Resources Damage Assessment.

An IR Camera is now available to detect subsurface oil. Much of the oil involved in the spill sank below the surface of the ocean and was then carried by subsurface currents.

5) LEPC Budgets

1. The Core Grant provides \$7,000 per LEPC for emergency response equipment. It is available now.
2. The appropriation for the filing fees is going through. \$15,000 will be transferred to each LEPC and the HSERC will accept proposals for the remainder.
3. EPA Local Government Reimbursement under CERCLA is available for HazMat responses. The final rule is published in the Feb. 18, 1998 Federal Register. It is part of 40 CFR 310. The money goes directly to the county from the federal government. The state is not involved. There is a \$25,000 maximum reimbursement with a 30-60 day turnaround. Checks would be issued to the City and County. Therefore the County and the Fire Department must have an MOA to insure that the money is returned to those who spent it. Eligible costs are for CERCLA substance responses beyond the ordinary scope of the fire departments responses. Contacts are Maureen Touk, EPA Contractor and Chris Wheat, EPA Region IX.

Pipeline Safety Committee

April 1, 1999 was the last meeting. The state has not taken on the auditing function. The next meeting is July 13, 1999.

HSERC Responsibilities

Handout: A package of materials outlining HSERC responsibilities.

6) Domestic Preparedness

The City and County of Honolulu has been involved in activities surrounding domestic preparedness for 2 years and 3 months. Exercises: A Tabletop May 26, 1999 and a functional on May 28, 1999 at the Aloha Stadium.

7) Schedule next meeting

It is proposed that the next meeting be held on October 1, 1999.