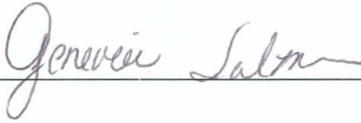


# Sign-In Sheet for HSERC Members Or their Voting Representatives

August 10, 2001

Genevieve Salmonson  
Director  
Environmental Quality Control Office  
Environmental Quality Control Office



---

Jennifer Shishido  
Administrator  
Occupational Health Branch  
Department of Labor and Industrial Relations

---

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

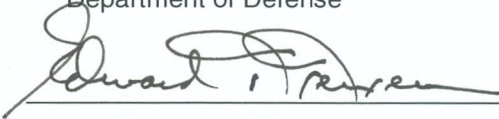


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Chris Takeno  
Hazardous Materials Officer  
Department of Transportation  
Department of Transportation

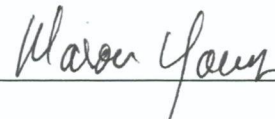
---

Ed Teixeira  
Vice Director  
Civil Defense Division  
Department of Defense



---

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



---

Mason-Young@exec.state.hi.us  
New-email /

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

August 10, 2001

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

*Robert A. Boesch*

---

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

*John Bowen*

---

*John Bowen*  
Captain Carter Davis  
Honolulu Representative/LEPC Chair  
Honolulu Fire Department  
Honolulu Representative

*Carter Davis*

---

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

*Gary Gill*

---

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

*Clifford Ikeda*

---

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

*Glen Lockwood*

---

Jackie Miller  
Environmental Coordinator  
UH Environmental Center  
University of Hawaii Environmental Center

*Jackie Miller*  
for Jackie Miller

---







**American  
Red Cross**

Hawaii State Chapter August 7, 2001

RECEIVED  
OFFICE OF THE DIRECTOR  
DEPT OF HEALTH

'01 AUG -9 A8:07

*MA HEEKER*

*DOEN  
cc  
i  
msEM*

The Honorable Bruce S. Anderson  
Director of Health  
Department of health  
P.O. Box 3378  
Honolulu, Hawaii 96801

Dear Dr. Anderson:

I have decided to replace Mr. James Bobb with myself as our agencies representative on the Hawaii State Emergency Response Commission (HSERC) effective this date.

I can be contacted by email at [lockwoodg@hawaii.rr.com](mailto:lockwoodg@hawaii.rr.com), and by telephone at 739-8114.

Sincerely,

Glenn R. Lockwood  
Director, Disaster Services



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

JEREMY HARRIS  
MAYOR



CHAIR  
CARTER DAVIS

COORDINATOR  
LELAND NAKAI

August 3, 2001

Mr. Gary Gill  
Hawaii State Emergency Response Commission  
Hawaii State Department of Health  
919 Ala Moana Blvd, Room 206  
Honolulu, Hawaii 96814-4912

Dear Mr. Gill:

The purpose of this letter is to provide Leland Nakai, Honolulu LEPC Coordinator, voting authority for the Honolulu LEPC in my absence at meetings of the HSERC.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Davis", is written over a faint, illegible stamp.

Carter Davis  
Chair, Honolulu LEPC

cc: HEER Office

RECEIVED  
DEPARTMENT OF HEALTH  
2001 AUG -6 A 10:15  
HEER OFFICE

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



JEREMY HARRIS  
MAYOR

CHAIR  
CARTER DAVIS

COORDINATOR  
LELAND NAKAI

August 3, 2001

Mr. Gary Gill  
Hawaii State Emergency Response Commission  
Hawaii State Department of Health  
919 Ala Moana Blvd, Room 206  
Honolulu, Hawaii 96814-4912

Dear Mr. Gill:

The purpose of this letter is to provide Leland Nakai, Honolulu LEPC Coordinator, voting authority for the Honolulu LEPC in my absence at meetings of the HSERC.

Sincerely,

A handwritten signature in black ink, appearing to read "Carter Davis", is written over a horizontal line.

Carter Davis  
Chair, Honolulu LEPC

cc: HEER Office

RECEIVED  
DEPARTMENT OF HEALTH  
2001 AUG - 6 A 10: 13  
HEER OFFICE

7/19/01

11:00 am,

Letter from Jennifer Shishido Office

She cannot make 8/10/01 HSERC  
Meeting.



STATE CIVIL DEFENSE

733-4300

FEDERAL GOVERNMENT PHONE NUMBERS

Agency for Toxic Substances and Disease Registry	1-404-639-0615 (fax)	1-404-639-0655
Bureau of Explosives	1-202-639-2223	
Centers for Disease Control	1-404-633-5313	
Poison Control Center	1-800-922-1117	
Department of Transportation, Office of Hazardous Materials Operations	1-202-366-4000	
Environmental Protection Agency, Region 9	1-415-974-8131	
Federal Emergency Management Agency, Region IX	1-415-923-7100/7185 (fax) 1-415-923-7214	
Hickam Air Force Base (Foam Supply)		449-2944 449-6391
National Institute of Occupational Safety and Health (NIOSH)	1-800-356-4674	
National Pesticide Telecommunications Network	1-800-858-7378	
National Response Center		1-800-424-8802
Occupational Safety & Health Administration	1-202-523-8148	
Radiological Incidents/Radiation Emergency Assistance Center	1-615-481-1000	
RSPA/Office of Hazardous Materials Transportation	1-202-366-0656	
Toxicology Information Response Center		1-615-576-1746

UNITED STATES COAST GUARD

Honolulu Marine Safety Office	1-522-8260	
Maalaea		244-7235
Group Honolulu		1-542-2450
U.S. Department of Energy	1-202-252-5000	
U.S. Nuclear Regulatory Commission		1-301-492-7000

FACILITY EMERGENCY RESPONSE MANAGERS



'01 JUL 31 A 8:59

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 #43

Friday, August 10, 2001 from 9:00 a.m. to 12:00 p.m.  
Department of Health  
919 Ala Moana Boulevard, Room 215  
Honolulu, Hawaii 96814

AGENDA

- 1) 9:00 Call to Order Gary Gill, Deputy Director for Environmental Health  
Opening Remarks, Discussion, Upcoming Legislation, Mercury Update  
Approval of Minutes from Mtg #42
- 2) 9:20 LEPC Updates John Bowen, Hawaii LEPC Representative  
Clifford Ikeda, Kauai LEPC Representative  
Joe Blackburn, Maui LEPC Representative  
Carter Davis, Oahu LEPC Representative
- 3) 9:50 HMEP Planning Grant: LEPC Project Proposals  
Denis Shimamoto, DOH, HEER Office
- 4) 10:15 Break
- 4) 10:30 NASTTPO 2002 Update  
Clem Jung, State Civil Defense
- 5) 10:45 EPA Update  
Mike Ardito, EPA Region IX
- 6) 11:00 Local Government Reimbursement  
Mike Cripps, DOH, HEER Office
- 7) 11:15 Other Business
- 8) 11:30 Schedule next HSERC meeting



'01 JUL 31 A8:59

STATE OF HAWAII  
DEPARTMENT OF HEALTH

P.O. BOX 3378  
HONOLULU, HAWAII 96801

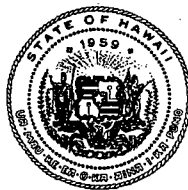
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'01 JUL 31 A8:59

STATE OF HAWAII  
DEPARTMENT OF HEALTH

P.O. BOX 3378  
HONOLULU, HAWAII 96801

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- 7) 11:15 Other Business
- 8) 11:30 Schedule next HSERC meeting

Aug 10, 2001

Agenda Items

Projects for planning grant funds

Discuss upcoming Legislature  
(Raising of special funds?)

Reminder

Clem - to Bowen on training funds.  
Training requirements.

HSERC AGENDA

LOCAL GOVERNMENT REIMBURSEMENT (LGR)

MIKE CRIPPS

Date sent: Tue, 26 Jun 2001 16:12:44 -0700  
From: Ardito.Michael@epamail.epa.gov  
Subject: Re: HSERC Agenda  
To: Dennis Shimamoto - HEER <dshimamoto@eha.health.state.hi.us>

Suggested agenda items:

EPA Update - Mike Ardito  
Mercury Spill Update by DOH  
NASTTPO 2002 Conference Update

Dennis Shimamoto - HEER  
<dshimamoto@eha.health.st  
ate.hi.us> To: jebowen@gte.net,  
blackburj001@hawaii.rr.com,  
hazmat@hawaii.rr.com, ciked@kauaigov.com,  
06/26/2001 01:43 PM glgill@mail.health.state.hi.us,  
lnakai@co.honolulu.hi.us,  
cmartin@eha.health.state.hi.us, Michael  
Ardito/R9/USEPA/US@EPA,  
kkawaoka@eha.health.state.hi.us  
cc:  
Subject: HSERC Agenda

The next HSERC meeting will be held on Aug. 10, 2001 @ 9:00  
am. Do you have any agenda items? Please let me know by July  
25, 2001. Aloha.

August 21, 2001

LEPC Chairs:

At the HSERC meeting held on August 10, 2001, the HMEP Planning Grant funds and the HSERC match in the total amount of \$52,585 for projects to update the LEPC emergency plans has been approved by the HSERC members to be allocated in the following manner:

Honolulu	\$16,000
Hawaii	\$16,085
Kauai	\$16,000
Maui	\$ 4,500

Each LEPC will adhere to their respective county procurement procedure and requirements.

Clem Jung, Hazardous Material Training & Exercise Coordinator, stated that projects cannot be executed before October 1, 2001 and the HMEP Planning Grant funds have not been confirmed. Upon confirmation of the funds, he will notify us by letter of the allocated amount of funds.

If you have any questions, you may call me at (808) 586-4249.

Sincerely,

Denis M. Shimamoto  
HSERC Coordinator





Maryanne W. Kusaka  
RECEIVED  
DEPARTMENT OF HEALTH  
Mayor

Wallace G. Rezentes, Sr.  
Administrative Assistant

2001 AUG -8 P 3:48

HEER OFFICE

OFFICE OF THE MAYOR

August 2, 2001

*Will send an  
Amended List  
Fire Chief omitted*

Mr. Gary Gill, Chair  
Hawaii State Emergency Response Commission  
Department of Health  
919 Ala Moana Boulevard  
Honolulu, HI. 96818

Subject: Kauai LEPC Membership Update

Dear Mr. Gill,

Submitted for your perusal is the current membership list for the Kauai Local Emergency Planning Committee (LEPC):

- Cesar Portugal, County Engineer, Department of Public Works
- Clifford Ikeda, Plans & Ops Officer, Kauai Civil Defense Agency
- Clyde Takekuma, Chief, Department of Health-Sanitation Division
- Gary Hooser, Councilman, Kauai County Council
- George Freitas, Chief, Kauai Police Department
- Larry G. Rodriguez, Director of Sales, Brewer Environmental Industries
- Rob Coulbertson, Member, Sierra Club
- William Dahle, Manager, Radio Station KUAI
- DAVID SPROAT, FIRE CHIEF

Thank you.

Sincerely,

Maryanne W. Kusaka, Mayor

MWK:rl  
CC: Clifford Ikeda

# Courses in Handling Radiation Accidents



## REAC/TS

Radiation Emergency Assistance Center/Training Site  
Oak Ridge Institute for Science and Education  
Sponsored by the U.S. Department of Energy  
<http://www.ornl.gov/reacts/>

### Handling of Radiation Accidents by Emergency Personnel

October 23-26, 2001  
February 26-March 1, 2002  
April 9-12, 2002

May 14-17, 2002  
September 10-13, 2002

A 3 1/2-day course for physicians, nurses, and physician assistants who may be called upon to provide emergency medical service to a radiation-accident victim. This course emphasizes the practical aspects of handling a contaminated victim by discussing the fundamentals of radiation, how to detect and measure it, how to prevent the spread of contamination, how to reduce the radiation dose to the victim and attending personnel, and the role of the medical/health physicist in caring for contaminated accident victims. Lectures will be complemented by demonstrations, laboratory exercises, and a radiation-accident drill.

Maximum enrollment: 20

### Health Physics in Radiation Accidents

January 28-February 1, 2002    August 19-23, 2002  
April 29-May 3, 2002

A 4 1/2-day course for health physicists and radiation protection technologists who may be called upon to respond to accidents involving radioactive materials and injury to personnel. The major topics covered are radiological emergency procedures and the role of the health physicist in a medical environment. Lectures will be complemented by demonstrations, laboratory exercises, and a radiation-accident drill.

Maximum enrollment: 20

### Medical Planning and Care in Radiation Accidents

June 10-14, 2002    September 16-20, 2002

This 4 1/2-day course, designed primarily for physicians and physician assistants, presents an advanced level of information on the diagnosis and treatment of acute local and total body radiation exposure, internal and external contamination, combined injuries, and multi-casualty incidents involving ionizing radiation. It is recommended that participants have a basic understanding of radiation sciences prior to attending this course.

Maximum enrollment: 26

---

REAC/TS is the Radiation Emergency Assistance Center/Training Site. The REAC/TS staff conducts courses in the handling of radiation accident cases, maintains a research program on human radiation exposure, and provides 24-hour direct or consultative assistance regarding medical and health physics problems associated with radiation accidents at local, national, and international levels.

# Faculty

## Oak Ridge Institute for Science and Education

Oak Ridge, TN 37831-0117

**Mary Ellen Berger, R.N., Ed.D.**  
Associate Director, REAC/TS

**Robert C. Beauchamp, R.N., NREMT-P**  
Nurse, REAC/TS

**A. Seaton Garrett, Jr., M.D.**  
Physician

**Ronald E. Goans, Ph.D., M.D., M.P.H.**  
REAC/TS Section Leader, Medical Services

**W. Mark Hart, M.S., R.N., COHN-S, EMT-P**  
Nurse, REAC/TS  
Section Leader, Training

**Sue Holloway, R.T.**  
Research Assistant, REAC/TS

**Robert C. Ricks, Ph.D.**  
Director, REAC/TS

**Steve Sugarman, M.S., CHCM, RRPT**  
Health Physicist, REAC/TS

**W. A. (Tom) Thomas, Ph.D., J.D.**  
Senior Planning and Assessment Director  
President's Office  
Oak Ridge Associated Universities

**Richard E. Toohy, Ph.D., CHP**  
Director, Radiation Internal Dose Information  
Center

## Extramural Faculty

**Col. Doris Browne, M.D., M.P.H. (Retired)**  
Washington, D.C. 20015

**Dennis L. Confer, M.D.**  
National Marrow Donor Program  
3433 Broadway Street, N.E.  
Minneapolis, MN 55413

**Bobby Davis, M.S., CHP**  
Program Manager, Emergency Management  
Program Office  
U.S. Department of Energy  
Oak Ridge Operations  
Oak Ridge, TN 37831

**Howard W. Dickson, M.S., CHP, CIH, CSP**  
Johnson Controls  
7000 E. Avenue, MS-L505  
Livermore, CA 94550

**Daniel F. Flynn, M.D.**  
Massachusetts General Hospital  
Harvard Medical School  
Boston, MA 02114-2617

**Shirley A. Fry, M.B., B.Ch., M.P.H.**  
Indianapolis, IN 46260

**Nazareth Gengozian, Ph.D.**  
The Thompson Cancer Survival Center  
Knoxville, TN 37916

**James E. Henry, Jr., M.D., FACEP**  
Director, Emergency Department  
Methodist Medical Center  
Oak Ridge, TN 37830

**Frank Juan, B.S.**  
Public Information Office  
U.S. Department of Energy  
Oak Ridge Operations  
Oak Ridge, TN 37831

**L. Gayle Littlefield, Ph.D.**  
Consultant, REAC/TS  
Oak Ridge, TN 37831

**Thomas J. MacVittie, Ph.D.**  
University of Maryland Cancer Center  
22 South Greene Street  
Baltimore, MD 21201-1595

**Al McFee, Ph.D.**  
Consultant, REAC/TS  
Oak Ridge, TN 37831

**Kenneth L. Miller, M.S., CHP, CMP**  
Director, Division of Health Physics  
Hershey Medical Center  
Hershey, PA 20889-5603

**Rafael Hurtado Monroy, M.D.**  
Head, Hematology Department  
Hospital Angeles del Pedregal  
Mexico City, Mexico

**Robert L. Sadoff, M.D.**  
The Benjamin Fox Pavilion  
Jenkintown, PA 19046

**Eugene L. Saenger, M.D.**  
Professor Emeritus of Radiology  
University of Cincinnati Medical Center  
Cincinnati, OH 45219-2316

**David R. Simpson, Ph.D., CHP**  
University of Nebraska Lincoln  
Environmental Health and Safety  
Lincoln, NE 68583-0824

**Myint Thein, Ph.D.**  
Section Head, Radiation Dosimetry and Records Section  
Oak Ridge National Laboratory  
Oak Ridge, TN 37831

**George L. Voelz, M.D., M.P.H.**  
Occupational Health Specialist  
Health Research  
Los Alamos National Laboratory  
Los Alamos, NM 87544

**Niel Wald, M.D.**  
Professor, Environment & Occupational Health  
Graduate School of Public Health  
University of Pittsburgh  
Pittsburgh, PA 15261

The **Oak Ridge Institute for Science and Education** (ORISE) was established by the U.S. Department of Energy to undertake national and international programs in education, training, health, and the environment. ORISE and its programs are operated by Oak Ridge Associated Universities (ORAU) through a contract with the U.S. Department of Energy. Established in 1946, ORAU is a consortium of 85 colleges and universities.

### Accreditation:

The Oak Ridge Institute for Science and Education (ORISE), is accredited by the Accreditation Council for Continuing Medical Education to sponsor continuing medical education for physicians. Respective courses are also accredited by the American College of Emergency Physicians and the American Academy of Health Physics.

Funding for REAC/TS courses is provided by the U.S. Department of Energy.

These courses are based on work performed under Contract No. DE-AC05-00OR22750 between the U.S. Department of Energy and Oak Ridge Associated Universities.

# REACTS Registration Form

## Handling of Radiation Accidents by Emergency Personnel (\$75)

- October 23-26, 2001
- February 26-March 1, 2002
- April 9-12, 2002
- May 14-17, 2002
- September 10-13, 2002

## Health Physics in Radiation Accidents (\$90)

- January 28-February 1, 2002
- April 29-May 3, 2002
- August 19-23, 2002

## Medical Planning and Care in Radiation Accidents (\$90)

- June 10-14, 2002
- September 16-20, 2002

## General Information

Travel, food, and lodging arrangements/expenses are the responsibility of course participants. Local lodging and transportation information will be sent to registered applicants. The deadline for receiving applications is two weeks before the start of each course.

**Please do not send incidental fee until notified of acceptance in a course.** The incidental fee must be paid at least two weeks before the course begins or your name will be removed from the course roster and another applicant will be admitted.

Make checks payable to: **Oak Ridge Associated Universities**

A \$25 administrative fee will be charged for a cancellation received less than two weeks before a course begins. We regret that we cannot refund the fee if cancellation is received once the course is in progress.

NOTE: Tuition charges are subject to change at any time and may be added to the incidental fee specified in this brochure. All applicants will be notified promptly of any changes.

Non U.S. citizens should apply early. Special forms are required.

**Courses fill rapidly. Early registration is recommended. Placement on a "waiting list" does not imply acceptance in any course. A new application must be submitted yearly.**

**Registration is accepted through mail ONLY.**

**Send registration form to:**

L. Gail Mack, Registrar  
 REACTS, MS 39  
 Oak Ridge Institute for Science and Education  
 P.O. Box 117 • Oak Ridge, TN 37831-0117  
 Telephone: (865) 576-3132  
 E-mail: mackg@ornl.gov (information only; no registration)

Name: Last First Middle Initial Degree

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SSN

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Address

--

City State Zip Code Country

--	--	--	--	--

Area Code Telephone Number

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Name as it should appear on badge: \_\_\_\_\_

Citizenship: [ ] U.S. [ ] Other: \_\_\_\_\_

Employer/Sponsoring Organization (nuclear power utility, health department, state or federal agency, or other):

--

Occupation (e.g., physician, nurse, etc.): \_\_\_\_\_

Work Address: \_\_\_\_\_

City State Zip Code Country

--	--	--	--	--

Work Telephone: Area Code Telephone Number Work FAX Number: Area Code Telephone Number

--	--	--	--	--	--

Principal interest: [ ] Occupational health [ ] Administration [ ] Radiological health  
 [ ] Radiology or nuclear medicine [ ] Emergency medical services [ ] Other \_\_\_\_\_

ORAU/ORISE and its facilities meet the intent of the Americans with Disabilities Act (ADA). Please let us know in advance of any special needs you may have by stating your request here: \_\_\_\_\_

PLACE  
STAMP  
HERE

REAC/TS  
Oak Ridge Institute for Science and Education  
P.O. Box 117, MS 39  
Oak Ridge, TN 37831-0117  
ATTN: Registrar



REAC/TS  
Oak Ridge Institute for Science and Education  
P.O. Box 117, MS 39  
Oak Ridge, TN 37831-0117

~~Bulk Rate~~  
U.S. Postage  
PAID  
Oak Ridge, Tennessee  
Permit No. 80  
A Nonprofit Organization

Commissioner  
Environmental Department of Health  
1250 Punchbowl Street  
Honolulu, HI 96813

RECEIVED  
DEPARTMENT OF HEALTH  
2001 JUL 24 A 11:49  
HEER OFFICE

96813-2416 12



public participation activities, including public hearings and public informational meetings. [L 1993, c 300, pt of §1]

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

**[§128E-5] Establishment and functions of local emergency planning committees.** (a) A minimum of one local emergency planning committee shall be established in each county. The committee shall be subject to the requirements of this chapter and section 303 of the Emergency Planning and Community Right-to-Know Act of 1986, 42 U.S.C. §11003.

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

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

- (1) Elected state and county officials;
- (2) Law enforcement, first aid, health, environmental, hospital, and transportation personnel;
- (3) Firefighting personnel;
- (4) Civil defense and emergency management personnel;
- (5) Broadcast and print media personnel;
- (6) Community groups not affiliated with emergency service groups;
- (7) Owners and operators of facilities subject to the requirements of the Emergency Planning and Community Right-to-Know Act of 1986; and
- (8) Other groups recommended by the mayor and appointed by the commission.

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

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

(f) Each committee shall:

- (1) Adopt bylaws and other administrative procedures to carry out the duties, requirements, and responsibilities set forth in this chapter, and as required by the commission and the Emergency Planning and Community Right-to-Know Act of 1986;
- (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 the Emergency Planning and Community Right-to-Know Act of 1986. The local emergency response plans shall include, but not be limited to, the following:
  - (A) Identification of each facility subject to the requirements of section 303 of the Emergency Planning and Community Right-to-Know


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**Eligible Project Activities  
for Continuation Planning**

Planning grants may be made to reimburse States and Territories for (1) developing, improving, and implementing emergency plans under the EPCRA; (2) determining the flow patterns of hazardous materials within a State or between one State and another State; and (3) determining the need for regional hazardous materials emergency response teams. Refer to page 22 for more detailed planning grant guidance.

**States are required to pass through at least 75 percent of the grant amount to LEPCs.** A continuation application should reflect how these funds were passed through from the applicant's current grant to the LEPCs and the applicant's proposed actions for use of continuation grant funds.

The following specific activities continue to be eligible for planning grants:

- Development, improvement, and implementation of emergency plans required under EPCRA as well as exercises that test the emergency plan. Enhancement of emergency plans to include hazards analysis as well as response procedures for emergencies involving transportation of hazardous materials, including radioactive materials;
- Management activities associated with the passthrough of funds to the LEPCs;
- An assessment to determine flow patterns of hazardous materials within a State or between one State and another State, Territory or Native American land; also development and maintenance of a system to keep such information current;
- An assessment of the need for regional hazardous materials emergency response teams;
- An assessment of local response capabilities;
- Conducting emergency response drills and exercises associated with emergency preparedness plans;
-  Technical staff to support the planning effort (staff funded under planning grants cannot be diverted to support other requirements of EPCRA); and
- Additional activities that the DOT Associate Administrator for Hazardous Materials Safety deems appropriate to implement the scope of work for the proposed project.

A continuation application should reflect progress made toward accomplishing the objectives stated in an applicant's previous award documents. Should the applicant wish to modify its project, the applicant must identify the changes wanted, establish specific outputs to be achieved during the upcoming budget period, and reflect the proposed revised activities in the upcoming budget period.



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

## *EPA Update for the Hawai'i SERC*

August 10, 2001

### **Notice: New Contact Information**

**EPA Region 9 (Pacific Southwest)** – all telephone numbers in the Region 9 office will be changing, beginning October 9<sup>th</sup>, including the 24-hour spill phone. New numbers have not been assigned yet, so stay tuned for e-mail updates. (As a footnote, 12 floors of the EPA Region 9 office are expected to be undergoing repainting and recarpeting between August 2001 and January 2002. Please bear with us as each department will be displaced for approximately two or three weeks each. During those months we should all be available by voicemail and email.)

**Agency for Toxic Substances and Disease Registry (ATSDR)** – Effective June 11, 2001, the telephone system at the Agency for Toxic Substances and Disease Registry (ATSDR) has been redesigned. For public health consultative support from ATSDR during industrial chemical emergencies, the new number is 404-498-0120. For public health consultative support from the Centers for Disease Control (CDC) during natural disasters or oil spills, the number is 770-488-7100. The fax number for ATSDR is 404-498-0056 while the fax number for CDC remains 770-488-7107.

### **Computer Assisted Management of Emergency Operations (CAMEO)**

A New, Expanded, Faster CAMEO System Will Be Available Soon . . .

The CAMEO Suite of programs (CAMEO, ALOHA, and MARPLOT) is being updated using Filemaker, to replace the FoxPro and HyperCard applications used in the present versions. A fact sheet provides details on the revisions being made and can be downloaded from <http://www.epa.gov/ceppo> using the 'What's New' button.

### **Meetings**

**National Governors' Association (NGA) Meeting** – The NGA conference will be September 20-21, 2001 in Park City, Utah. The meeting is currently structured to be a one day SERC Chairs meeting with a tour of the Olympic Site on the second day. The tour should be over by early to mid-afternoon. The conference facility and hotel are located at:  
The Grand Summit, at the Canyons  
4000 The Canyons Resort Drive  
Park City, Utah 84098

**International HAZMAT Spills Prevention Conference** - On December 10 through 13, EPA will bring the International HAZMAT Spills Prevention Conference to Baltimore, Maryland. This will be an opportunity to attend hands-on training and lectures on the newly-redesigned CAMEO program. The conference will also feature workshops on chemical process safety, accident prevention, emergency management and planning, case studies, and regulatory requirements. For more information, call the Conference Hotline at (800) 364-7974, or visit the new conference website – <http://www.2001conference.org/>.

**NASTTPO 2002** - The Hawai'i SERC, EPA and FEMA Region 9 will be co-hosting the 2002 National Association of SARA Title Three Program Officials (NASTTPO) conference to be held at the Ala Moana Hotel in Honolulu, HI on April 8 -13, 2002. (The mid-year meeting of NASTTPO is being held Dec. 5 in conjunction with Nevada's Hazmat Explo on Dec. 2 - 6 in Las Vegas, NV.)

### **Training: Four-Day Hazmat Field Exercise Design Class (August 13-16, 2001)**

EPA is co-sponsoring a four-day field hazmat exercise design course at Honolulu Community College next week. This will be a follow-up course to the two-day table-top hazmat exercise design class held last summer in preparation for last September's modified CHER-CAP (Comprehensive Hazmat Emergency Response Capability Assessment Program) exercise held on Maui.



## New EPA Publications

**New Publications** – available through 'What's New' on EPA Chemical Emergency Preparedness & Prevention website: <http://www.epa.gov/ceppo/> or Information Hotline 1-800-424-9346 and include:

**List of Lists** (Updated July 2001): Consolidated List of Chemicals Subject to Emergency Planning and Community Right-to-Know Act (EPCRA) and Section 112(r) of the Clean Air Act (Risk Management Program)

The National Institute of Chemical Studies (NICS) training materials and reports for EPA include a "Sheltering-in-Place" training CD which will be available soon from the NICS website ([www.nicsinfo.org](http://www.nicsinfo.org)). Two reports will also be available: (1) **Sheltering in Place as a Public Protective Action**, and (2) **Local Emergency Planning Committees and Risk Management Plans: Encouraging Hazard Reduction**.

**LEPCs and Deliberate Releases: Addressing Terrorist Activities in the Local Emergency Plan** (May 2001)  
In recent years, the threat of incidents involving chemical and biological materials has increased. This fact sheet discusses how LEPCs can incorporate counter-terrorism issues when they review and update their local plans.

**Tier II Submit** (April 2001) is the free personal computer software that is being developed by EPA and NOAA for use by facilities in submitting Tier II reports required under the Emergency Planning and Community Right to Know Act.

**NRT-1 Hazardous Materials Planning Guide** - This guide fulfills a Congressional requirement that the NRT provide unified federal guidance for hazardous materials emergency planning and presents a federal consensus on which future guidance, technical assistance and training will be based. Revision is due soon.

**EPCRA Rule Revisions:** On June 8, 1998, EPA proposed a rulemaking to modify its regulations that implement the Emergency Planning and Community Right-to-Know Act. On Feb. 11, 1999, a final rule raised the gasoline and diesel fuel thresholds that trigger Material Safety Data Sheet (MSDS) reporting and annual chemical inventory reporting under EPCRA 311/312. EPA will publish a Supplemental Notice in the Fall of 2001, requesting additional comments on certain issues raised in the February 11, 1999 proposed rule. This date has been revised to accommodate new requirements for an extended review period.

**EPA Pacific Southwest Region 2000 Annual Report:** The two-tone, soft-cover copy is available by request. The report is also available in color on our website at [www.epa.gov/region09/annualreport](http://www.epa.gov/region09/annualreport).

## Chemical Facility Vulnerability Assessment Project

Sandia National Laboratories, under the direction of the Office of Science and Technology, National Institute of Justice is conducting the Chemical Facility Vulnerability Assessment project. This project is in response to the FY 2001 Appropriations Bill, which directs the National Institute of Justice to develop, test and validate a prototype methodology for assessing the security of chemical facilities against terrorist and criminal attacks. A prototype methodology for assessing the security of chemical facilities against terrorist and criminal attacks. A project website has been developed for public input on this effort – <http://www.nlectc.org/ccfp/cfva.html>.

## EPA Pacific Southwest Region Annual Environmental Awards

Nominations for the third annual environmental awards in the Pacific Southwest Region were accepted through Friday, July 27. An EPA panel will review all of the applications and select this year's finalists by late August. Winners will then be recognized at a ceremony in late September.

## CEPP Program Contact / Pacific Southwest Region

For more information about EPA's Chemical Emergency Prevention and Preparedness program, please contact Michael Ardito at (415) 744-2328 or by e-mail at [ardito.michael@epa.gov](mailto:ardito.michael@epa.gov)

Please note: EPCRA Hotline #1-800-535-0202 is no longer available. Please use 1-800-424-9346.

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# TODAY

Transportation Community Awareness & Emergency Response

## The Envelope Please...

The National TRANSCAER® Task Group announces Nexen Chemicals and Burlington Northern Santa Fe Railway (BNSF) as the 2000 TRANSCAER® National Achievement Award

winners in the shipper and carrier category, respectively. The Louisiana TRANSCAER® State committee is the winner of the 2000 TRANSCAER® Regional Approach Award.

paredness plans in the communities through which its products pass.

Dave Dealy, vice president of Transportation at BNSF was presented the award at the annual Association of American Railroads/ Bureau of Explosives Annual Hazardous Materials Seminar in Dallas, Texas. This is the second time BNSF has won the National Achievement Award for a carrier. Last year, BNSF hosted emergency response workshops and training sessions in over one hundred communities in which BNSF operates. BNSF has committed employee time and leadership to TRANSCAER® by providing a National TRANSCAER® Chairman in 2000 and six state coordinators.

See **Winners**, page 4



Paul Little, TRANSCAER® chairman, presents the TRANSCAER® National Achievement Award to BNSF's Dave Dealy

Thomas Sugalski, president of Nexen Chemicals, accepted the award at the annual American Chemistry Council General Membership Meeting in White Sulphur Springs, West Virginia. Nexen was awarded this top honor for a shipper because of its achievements in raising community awareness regarding the safeguards being pursued by the chemical transportation community. They were also successful in improving emergency response along transportation corridors. In the past year, Nexen has held emergency response drills, flow studies and reviewed emergency pre-

## Region V 2001 Training Tour

Union Pacific Railroad (UP) and Burlington Northern Santa Fe Railway (BNSF) are proud to be sponsors of the TRANSCAER® Region V 2001 Training Tour this fall. Consisting of training tank cars and highway trailers, the Training Tour will be traveling across several Midwest states from September 4 to October 12, 2001.

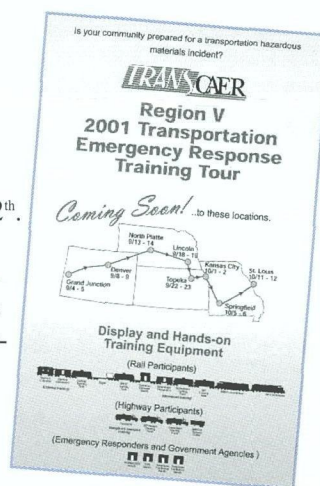
The tour will begin on September 4<sup>th</sup> in Grand Junction, Colorado. It will travel through Nebraska, Kansas and end five weeks later in St. Louis, Missouri, on

October 12<sup>th</sup>.

One feature of this tour, different from other TRANSCAER®

whistle stop tours, is the multi-day training that will occur at each of its eight stops. This allows more emergency responders, LEPC members and community members to participate in emergency

See **Tour**, page 3



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# Training: Getting Everyone Involved

## From the Chairman

This issue of *TRANSCAER® Today* highlights training and drills for emergency preparedness. Training and drills are critical steps to prepare our communities for possible hazardous material incidents. Training and drills build first responder confidence and allow them to hone their skills, helping to assure a safe response to hazmat incidents.

Encourage your first responders to participate in your company's training or host your own community drill. The community will benefit from the training and will learn about your company's approach to a hazmat incident. In addition, company and community personnel develop camaraderie. Having these skills and relationships are critical during a transportation incident.

Training is also a great opportunity to build TRANSCAER® awareness and demonstrate your commitment to transportation safety. Drills allow local media the chance to safely understand the complexities of a hazmat incident and why the safety of the responders and the public are first priority.

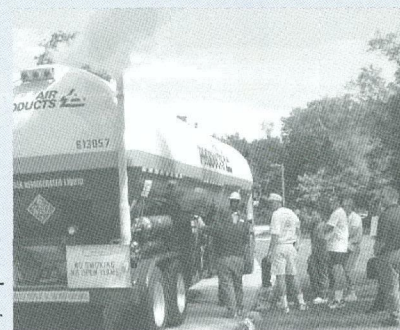
Training and drills are an important step in the TRANSCAER® process, so consider enhancing your company training by involving community members. It's the Responsible Care® and TRANSCAER® thing to do!

*Paul Little, Rohm & Haas*

## Workshop Success

The 6<sup>th</sup> Annual Florida TRANSCAER® Workshop held on April 11-13, 2001, attracted 146 participants from 66 different agencies. Participants represented fire-rescue, hazardous materials teams, emergency medical services, law enforcement and private companies from throughout Florida. Classroom and hands-on exercises highlighted this year's workshop.

Classroom training topics included HAZMAT Chemistry, water reactives, chlorine, cryogenics, personal protective equipment, MSDS, Flammable liquids, mini-CAMEO, ammonia, hot products, agricultural chemicals, LP Gas (basic and advanced), compliance issues, Florida Department of Environmental Protection and table-top exercises.



Hydrogen Tanker Class

The field hands-on sessions included: tank trucks; chlorine kits; plus dam, dike, and decon evolutions. Special agent Hank Everett from the FBI provided an update on

*See Florida, page 4*

## Spotlight on Region IV:

# Training Across the Region

While some Region IV members are hard at work planning TRANSCAER® training events through 2002, other state teams are just forming and seeking participants. Here are some events Region IV Teams are working on:

The **Illinois** state team is assisting the Chlorine Institute with their Annual CHLOREP Seminar to be held in Chicago in November 2001. The Illinois state team is also planning a training event at the Illinois Fire Services Institute on April 26-27, 2002. This two-day event will feature training for rail tank car, bulk tank trailers and intermediate bulk container response. All events will be free to participants, but attendance is limited.

The **Ohio** state team is sponsoring a student day at the 25<sup>th</sup> Annual Inland Spills Conference and Exhibit on September 24-25, 2001, at Kings Island Resort in Mason, Ohio.

The **Pennsylvania** state team is planning three training sessions for 2002. Check the TRANSCAER® website for updates on dates and locations.

The **West Virginia** team has completed the pilot for their statewide first responder training program. This is a joint effort by the chemical industries, TRANSCAER®, West Virginia Motor Truck Association and the West Virginia Office of Emergency Services. Training is scheduled to begin in the fall 2001 and will feature a standardized approach to hazmat incidents.

The **Wisconsin** state team, comprised of hundreds of hazmat responders, continues to work toward community awareness and emergency response.

Both **Indiana** and **Michigan** are just getting started and are looking for team members. If you are interested in joining any Region IV state team, contact Paul Little, Rhom & Haas at (215) 592-3435.

For more information on these and other TRANSCAER® training events visit the Regional and State Information section of [www.transcaer.org](http://www.transcaer.org).

## Attendees Go Overboard at TRANSCAER® Workshop

The National TRANSCAER® Task Group (NTTG) hosted a workshop in Houston, Texas, on February 27-28, 2001. The workshop, *Fostering Emergency Preparedness and Community Relations*, was an overwhelming success. The event was well attended by state coordinators from across the country and from as far away as Colorado and Minnesota. The workshop evaluations indicated that 91% would recommend the workshop to a colleague as well as attend another workshop themselves.

To kick off the two-day event, attendees were able to spend a sunny afternoon cruising the Houston ship channel aboard the M/V Sam Houston, courtesy of the Houston Port Authority. This gave the attendees the perfect opportunity to network and gain an insiders perspective to the importance of the channel to the Houston economy. Even attendees from the Houston area enjoyed this unique view of the chemistry and transportation businesses supported by the ship channel – which they often miss as they drive by on Interstate 10.

The second day of the workshop featured panel discussions and break-outs on various emergency preparedness topics. Attendees were able to listen to presentations and ask questions of other state

coordinators about their TRANSCAER® programs. The day continued with interactive sessions on planning and conducting flow studies and drills. Attendees were also able to gain general knowledge on the issues affecting hazardous material transportation in different modes: rail, truck, and marine; and then take part in in-depth discussions.

**91%**  
*would*  
*recommend*  
*the*  
*workshop*  
*to a*  
*colleague*

Attendees received a resource book full of materials to help them institute the items they learned at the workshop. This allows attendees to take home information in a simple and organized manner to help them start or rejuvenate their own state TRANSCAER® team. All of the resources handed out at the workshop are available online at [www.transcaer.org](http://www.transcaer.org).

One of the most valuable and important resources that attendees received from the workshop was the networking experience. Each attendee left with numerous contacts and business cards for people who can help them spread the TRANSCAER® initiative in their area, or that can provide helpful hints and suggestions based on their experiences.

The NTTG would like to thank all of those who participated in the 2001 TRANSCAER® Workshop.

### Tour, continued from cover

response and familiarity training. Also, attendees have the chance to gain real hands-on training on tank cars and highway trailers.

The tour will feature eleven rail cars and several tank trucks and trailers. Companies scheduled to have equipment on-site are: Bayer, BNSF, BP, DuPont, Farmland, Groendyke Transportation, Rohm & Haas, Union Pacific and Webb Area Transportation Companies. Booths from TRANSCAER®, Operation Respond, and EPA will also accompany the Tour. (Note: participants may vary at each location.)

#### Training Tour Schedule

Grand Junction, CO	4-5	September
Denver, CO	8-9	
North Platte, NE	13-14	
Lincoln, NE	18-19	
Topeka, KS	22-23	
Kansas City, MO	1-2	October
Springfield, MO	5-6	
St. Louis, MO	11-12	

The Tour will also spread the awareness of TRANSCAER® to those who may not be familiar with the initiative. By educating emergency responders and LEPC members about TRANSCAER®, the Training Tour hopes to engage and inspire those key individuals to take an active role in their state's TRANSCAER® program.

Planning this extensive Regional Training Tour has re-energized the TRANSCAER® programs in Region V. This has allowed the state teams to work together, share resources and put together a strong regional TRANSCAER® program. This is really TRANSCAER® at work!

For more information about the Region V Training Tour, contact Lou Wagner, Union Pacific and TRANSCAER® Region V Coordinator, at [LJWagner@up.com](mailto:LJWagner@up.com). Updates on the Tour will also posted on the Region V area of the TRANSCAER® website.

For more information on these or other TRANSCAER® events and stories, visit [www.transcaer.org](http://www.transcaer.org).

## Resources at Your Fingertips

At the TRANSCAER® Workshop in Houston, attendees were given resource guides to help them implement TRANSCAER® in their state. Those resources are now available online at [www.transcaer.org](http://www.transcaer.org) under Resources. Here are some examples of what you will find:

Ever wonder how states get running, maintain their focus and stay energized? Check out several **state's mission, vision and goal statements**.

Do you want to get the word out about your state TRANSCAER® initiative? See examples of **state TRANSCAER® brochures** online.

Are you looking for examples of how to survey your local LEPC? There are several **LEPC surveys and letters** for you to use and adopt to best suit your needs.

Are you planning an event, but need some help designing a brochure? Examples of **past event brochures** are a great way to get started.

## Florida, *continued from page 2*

Weapons of Mass Destruction and Sergeant Michael Hutzheson with the Florida Department of Transportation Motor Carrier Compliance discussed various issues dealing with hazardous materials transportation and compliance during the general session.

A formal dedication ceremony of the Transportation Emergency Training Facility located on Berquist Boulevard at the Florida State Fire College campus provided a special highlight to this year's Workshop.

The next workshop is scheduled for April 10-12, 2002, at the Florida State Fire College. For more information, visit the Florida page under Regional and State Information on [www.transcaer.org](http://www.transcaer.org).

## Winners, *continued from cover*

The Louisiana TRANSCAER® state committee was recognized for presenting TRANSCAER® information at three state conferences, surveying all state LEPCs and developing a state mission, goals and objectives. The Louisiana TRANSCAER® state committee is comprised of chemical, transportation, state police and LEPC representatives.



2000 Regional Approach Award

Congratulations to Nexen Chemicals, Burlington Northern Santa Fe Railway and the Louisiana TRANSCAER® state committee! For more information on the awards, criteria, and past winners, visit the Awards section of the TRANSCAER® website.

## Individual Recognition Awards

Congratulations to **Scott McLeod, Herman Newell and Greg Henshaw** of Canadian National/ Illinois Central for receiving an Individual Recognition Certificate for their outstanding commitment to TRANSCAER®.

If you would like to recognize someone for their commitment to TRANSCAER®, visit the Awards on [www.transcaer.org](http://www.transcaer.org).

## Contact Information

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## TRANSCAER® Sponsors

The TRANSCAER® effort is currently sponsored by:

American Chemistry Council  
American Trucking Association  
Association of American Railroads  
Hazardous Materials Advisory Council  
National Propane Gas Association  
American Petroleum Institute  
American Waterways Operators  
The Chlorine Institute  
National Association of Chemical Distributors  
National Tank Truck Carriers

## **LOCAL GOVERNMENTS REIMBURSEMENT (LGR)**

### **TELEPHONE ASSISTANCE NOW AVAILABLE!!**

EPA has established a toll-free HelpLine specifically for EPA's Local Governments Reimbursement (LGR) program. Local governments and other interested parties can call the HelpLine for any LGR-related matters, including:

- ☛ Obtaining information about the LGR program or inquiring about specific LGR issues.
- ☛ Requesting LGR application packages.
- ☛ Requesting assistance in completing an application.
- ☛ Checking on the status of a reimbursement request.

You can reach the LGR HelpLine at 1-800-431-9209.

# **LGR HELPLINE**

## **1-800-431-9209**

## MEMORANDUM

TO: INTERESTED APPLICANT

FROM: EPA'S LGR PROGRAM

SUBJECT: NEW LOCAL GOVERNMENTS REIMBURSEMENT (LGR) REGULATION

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On February 18, 1998, EPA's Local Governments Reimbursement (LGR) Program published a new Rule that will improve and streamline the reimbursement process for applicants. This new Rule, "Reimbursement to Local Governments for Emergency Responses to Hazardous Substance Releases" (40 CFR Part 310), is attached. A new application based on the Rule is currently being prepared. In the meantime, applicants may still use the old LGR application to apply for reimbursement, but should refer to Section VIII of the Preamble for a list of which sections have changed. A brief summary of these changes is provided below.

### How will the revised LGR regulations affect me as an applicant?

⇒ **Several eligibility requirements have been eased.**

- 24-hour notification requirement eliminated
- Requirement for participation in SARA Title III eliminated
- One-year application deadline eased

*What does this mean to me?* It may be easier for an applicant to be eligible for reimbursement.

⇒ **The reimbursement application has been simplified.**

- Certification replaces the required demonstration of applicant compliance
- Applicants certify that reimbursement does not supplant budgeted funds
- Applicants certify attempts to recover costs from others

*What does this mean to me?* The burden of applying has been minimized.

⇒ **Application review and payment process has been streamlined.**

- Application reviews are conducted within 10 days of receipt
- Reimbursement payments are made between 30 and 60 days

*What does this mean to me?* Applicants are now reimbursed more quickly.

⇒ Applicants with any questions on changes in the LGR Program or how to fill out an application can call the LGR Helpline at (800) 431-9209.

# **U.S. EPA**

## **LOCAL GOVERNMENTS REIMBURSEMENT PROGRAM**

---

EPA's LGR program reimburses local governments for the costs they incur for an emergency response to a hazardous substance incident.

- ▶ Local governments can be reimbursed up to \$25,000 *per* incident.
- ▶ LGR reimburses such costs as overtime, response contractors, equipment purchased for the response, and replacement of damaged equipment.
- ▶ LGR cannot be used to reimburse costs previously budgeted for by the local government.

EPA recently revised the regulations supporting the LGR program to improve the reimbursement process.

- ▶ Revisions published in the Federal Register on February 18, 1998 (located at 63 FR 8284).

**How will the revised LGR regulations affect local government applicants?**

- ▶ Several eligibility requirements are eased.
  - 24-hour notification requirement eliminated
  - Requirement for participation in SARA Title III eliminated
  - One-year application deadline eased

***Result: Previous hurdles to participation minimized.***

- ▶ The reimbursement application is simplified.
  - Certification replaces demonstration of applicant compliance
  - Applicants certify that reimbursement does not supplant budgeted funds
  - Applicants certify attempts to recover costs from others

***Result: Applicant's burden is minimized.***

- ▶ Application review and payment process streamlined.
  - Application reviews conducted within 10 days of receipt
  - Awards made between 30 and 60 days.

***Result: Faster reimbursements.***

**Bottom line: revised regulations will increase participation, minimize burden, and accelerate reimbursement.**

---



# LGR

LOCAL GOVERNMENTS  
REIMBURSEMENT

Since its inception in 1986, the LGR program has been helping local governments like yours cover the costs of emergency responses. For over a decade, EPA has been working closely with hundreds of local governments to make the LGR program an easy and reliable source of funding. Just ask anyone who has participated in the program. With more than a million dollars awarded by EPA so far, the LGR program has proven to be a valuable financial resource for local governments. So the next time you have a hazardous substance emergency, remember the LGR program.


## To Obtain an Application:

Telephone: Call the LGR Helpline at  
1-800-431-9209

Email: Submit an email request to  
[lgr.epa@epa.gov](mailto:lgr.epa@epa.gov)

Internet: Access the LGR website at  
[www.epa.gov/superfund/programs/er/lgr](http://www.epa.gov/superfund/programs/er/lgr)  
(*electronic applications available*)

Federal Register: See 63 FR 8284 (February 18, 1998)

 Environmental Protection Agency  
Local Governments Reimbursement Program  
LGR Coordinator  
Mail Code 5204G  
401 M Street, SW  
Washington, DC 20460



EPA United States Environmental Protection Agency  
EPA 846-K-98-005  
O&WER 93764-03  
PB98-983304  
April 1998

Superfund

# This Brochure May Be Worth \$25,000

*How Local Governments Can Recover Costs for Emergency Response to Hazardous Substance Releases*

**LGR**  
LOCAL GOVERNMENTS  
REIMBURSEMENT

## Who Is Covered?

If you are a general purpose unit of local government or federally recognized Indian Tribe, you are eligible for reimbursement under EPA's Local Governments Reimbursement program. A general purpose unit of local government includes a town, township, city, municipality, parish, or county. States are not eligible for reimbursement.

## What Incidents Are Covered?

Incidents involving releases, or threatened releases, of hazardous substances are covered under the LGR program. Among other things, EPA has reimbursed local governments for releases from transportation accidents, illegally dumped wastes, tire fires, and contamination from illegal drug labs. Releases of oil or oil-related products are not covered, unless the oil is mixed with a hazardous substance.

## What Costs Are Covered?

EPA can reimburse you up to \$25,000 per incident for costs that local governments incur in performing temporary emergency response measures. Only costs incurred as a direct result of the response are allowable. To be reimbursed, you must properly document your costs and certify that you do not have money in your budget for these costs. EPA has reimbursed local governments for:

- \$ expendable materials and supplies
- \$ renting or leasing equipment
- \$ special technical and laboratory services
- \$ evacuation services
- \$ decontamination of equipment
- \$ overtime pay for employees
- \$ replacement of equipment lost or destroyed

## How Do I Apply?

After an incident, you must complete and submit to EPA a basic, four-page application and provide supporting cost documentation (e.g., receipts, invoices). You should submit an application for reimbursement within one year of completing the emergency response. Don't wait for an emergency to call the toll-free LGR Helpline at 1-800-431-9209 to request an application and familiarize yourself with the program.

## Should I Apply?

If you meet the following criteria, you should consider applying to EPA to recover your costs.

- \$ You are a local government (e.g., town, township, city, municipality, parish, county, federally recognized Indian Tribe).
- \$ You responded to a release (or threatened release) of hazardous substances, pollutants, or contaminants to the environment.
- \$ You did not have money in your budget for the response.
- \$ Your local government is NOT responsible for the release.
- \$ You were unable to recover costs from the party responsible for the release, your State government, and your local government insurance.



Since its inception in 1986, the LGR program has been helping local governments like yours recover the costs of emergency responses. EPA recognizes the hazards of clandestine methamphetamine labs and the financial burden they pose to local governments that clean them up. For over a decade, EPA has been working closely with hundreds of local governments to make the LGR program an easy and reliable source of funding. Just ask anyone who has participated in the program. With more than a million dollars awarded by EPA so far, the LGR program has proven to be a valuable financial resource for local governments. So the next time you clean up a clandestine meth lab, remember the LGR program.

### To Obtain an Application:

**Telephone:** Call the LGR Helpline at  
1-800-431-9209

**Email:** Submit an email request to  
[lgr.epa@epa.gov](mailto:lgr.epa@epa.gov)

**Internet:** Access the LGR website at  
[www.epa.gov/superfund/programs/er/lgr](http://www.epa.gov/superfund/programs/er/lgr)  
(*electronic applications available*)

**Federal Register:** See 63 FR 8284 (February 18, 1998)



Environmental Protection Agency  
Local Governments Reimbursement Program  
LGR Coordinator  
Mail Code 5204G  
401 M Street, SW  
Washington, DC 20460



United States  
Environmental Protection  
Agency

EPA-540-K-98-007  
OSWER 9378.0-22  
PB99-963401  
July 1998

Superfund

## RECOVER UP TO \$25,000 FOR METH LAB CLEANUPS



HOW EPA HELPS LOCAL  
GOVERNMENTS  
CLEAN UP CLANDESTINE  
METHAMPHETAMINE LABS



## The Problem

The clandestine production of methamphetamine and other synthetic drugs in this country is growing significantly. Clandestine meth labs range from crude makeshift operations to highly sophisticated facilities. They can be set up almost anywhere and are often found in private homes, apartments, trailers, houseboats, farms, and even hotel rooms.

Many of the chemicals typically found at clandestine meth labs are extremely hazardous and often incompatible. These include heavy metals, strong acids, strong bases, and volatile solvents.

Meth labs pose threats of fire and explosion, inhalation of hazardous substances, and other immediate risks from direct contact. Whether it's the actual production process, the haphazard storage of incompatible chemicals, or the indiscriminate disposal of chemical wastes, clandestine meth labs are known to pose adverse health effects. These threats affect law enforcement officials, firefighters, emergency responders, property owners/managers, hotel staff, neighbors, and the drug lab operators and their families.

## The Solution

EPA is committed to enhancing the capabilities of local governments and communities which respond to the hazards of meth labs. EPA's Local Governments Reimbursement (LGR) program provides funds to local governments that incur costs while performing temporary emergency response measures. Because clandestine meth labs often include hazardous substances, local governments can be reimbursed for cleanup costs from the LGR program.

## What Costs Are Covered?

The LGR program can reimburse you up to \$25,000 per meth lab cleanup for costs incurred during your response. Only costs incurred as a direct result of the response are allowable. EPA reimburses local governments for costs such as:

- ❖ expendable materials and supplies
- ❖ renting or leasing equipment
- ❖ special technical and laboratory services
- ❖ evacuation services
- ❖ decontamination of equipment
- ❖ overtime pay for employees
- ❖ replacement of equipment lost or destroyed
- ❖ lab packing, transportation, and disposal services

## How Do I Apply?

After you have cleaned up a clandestine meth lab, you must complete and submit to EPA a basic, four-page application and provide supporting cost documentation (e.g., receipts, invoices). You should submit an application for reimbursement within one year of completing the cleanup. Don't wait for an emergency to call the toll-free LGR Helpline at 1-800-431-9209 to request an application and familiarize yourself with the program.

## Should I Apply?

If you meet the following criteria, you should consider applying to EPA to recover your costs.

- ✓ You are a local government (e.g., town, township, city, municipality, parish, county, federally recognized Indian Tribe).
- ✓ You responded to a meth lab involving hazardous substances, pollutants, or contaminants.
- ✓ You did not have money in your budget for the response.
- ✓ You were unable to recover costs from other parties.

**APPLICATION PACKAGE  
for  
REIMBURSEMENT TO LOCAL GOVERNMENTS**

- \* **Line-By-Line Instructions for Completing Application**
- \* **Application Filing Instructions**
- \* **Application Checklist**
- \* **LGR Application Form (EPA Form 9310-1) (Duplicate as Needed)**

**LINE-BY-LINE INSTRUCTIONS  
FOR EPA FORM 9310-1,  
APPLICATION FOR REIMBURSEMENT TO LOCAL GOVERNMENTS**

*Please type or print all sections of the application. If you need more space, please attach additional pages and clearly identify the corresponding line number.*

**1. Local Government Identification**

*This section requests basic information about your local government.*

**Line 1a:** Identify the name of your local government (e.g., town, city, county, Indian Tribe).

**Line 1b:** Indicate the name and daytime telephone number (including area code) of the contact person for this request.

**Line 1c:** Indicate the official mailing address of your local government. *(EPA will use this address for all correspondence related to this reimbursement.)*

**Line 1d:** Identify the date that the application for reimbursement is being filed. *(Note: If you are submitting an application more than one year after completing the response, you must attach an explanation.)*

**2. Release Description**

*This section requests basic information about the release incident.*

**Line 2a:** Indicate the date and approximate time the release occurred or was discovered.

**Line 2b:** Identify the location where the release occurred. *(If a street address is not applicable, please reference major landmarks, surface or drinking water sources, cross streets, or prominent geographic features, as appropriate.)*

**Line 2c:** Briefly describe the source or cause of the release. *(For example, overturned truck, building or tire fire, abandoned waste, clandestine drug lab.)*

**Line 2d:** Identify the hazardous substance(s) released and the estimated quantity. *(Be sure to indicate chemical names, when known, and units of measure.)*

**Line 2e:** Briefly describe the specific threat(s) to human health and the environment represented by the incident. *(For example: health threat posed by leaking cylinders of hydrogen fluoride, a highly corrosive and fatal hazardous substance when inhaled.)*

**Line 2f:** Attach any additional materials (e.g., police or fire department reports, or sampling results) pertinent to the release. *(This information is not required; however, please attach if readily available.)*

### **3. Response Description**

*This section requests basic information about your local government's response to the release incident.*

**Line 3a:** Indicate the date and approximate time when the response was initiated.

**Line 3b:** If known, please indicate with a check mark whether EPA, the National Response Center, or another agency was notified of the incident. Otherwise, leave this section blank.

**Line 3c:** If EPA was notified, indicate which Regional Office was contacted. Otherwise, leave this section blank.

**Line 3d:** Indicate the date and approximate time when the agency identified in Line 3b was contacted.

**Line 3e:** Indicate the date of response completion. *(An applicant may consider a response complete when all field work has been completed and the local government has received all reports and invoices.)*

**Line 3f:** Indicate the jurisdiction (e.g., town, city, county, or Indian Tribe) in which the emergency response occurred.

**Line 3g:** Indicate with a check mark whether your government is a participant in the Title III Emergency Response Plan.

**Line 3h:** Identify ALL agencies involved with the response and their jurisdictions. *(Include any responders from neighboring communities.)*

**Line 3i:** Briefly summarize all response actions related to the emergency response.

**Line 3j:** Briefly summarize the temporary emergency response measures that your local government would like to have reimbursed.

### **4. Cost Information**

*This section requests specific information about the costs incurred during the incident.*

**Line 4a:** Indicate the total amount of local funds spent for the overall response. *(Include all*

*labor, special services, overtime, supplies, and equipment costs incurred by all local responders.)*

**Line 4b:** Indicate the total amount of funds that your local government is requesting EPA to reimburse.

**Line 4c:** On Table 1 of the application, provide a detailed breakdown of costs that your local government is requesting EPA to reimburse. In the first column, describe the temporary emergency measures. *(These entries should mirror those identified on Line 3j.)* In the second column, identify the agency that incurred the cost. Use the cost element codes provided in Attachment 1 to complete the third column. In the fourth column, indicate the total dollar amount requested. Please note that supporting documentation (e.g., invoices, sales receipts, rental agreements) must be attached to support each cost provided in Table 1.

**Line 4d:** On Table 2 of the application, provide a brief summary of your efforts to recover costs from potentially responsible parties, your state, and your local government insurance. In the first column, provide the name and title of the source contacted. In the second column, identify the date(s) those sources were contacted. Provide a brief summary of the response in the third column. In column four, indicate (Yes or No) if you have attached details related to the cost recovery.

**Line 4e:** Provide any additional financial data that will help EPA in determining your local government's financial burden resulting from the incident. *(This information is not required; however, please attach if readily available.)*

## **5. Certifications and Authorization**

*This section requires an authorized signature to certify the information provided on the application.*

Your local government's highest ranking official (e.g., mayor, county executive) is required to sign the application. By signing the form, this official certifies that: all costs are accurate and were incurred specifically for this response; this reimbursement request does not supplant local funds normally provided for response; cost recovery was pursued; and if funds received from EPA are later recovered, the reimbursement will be returned to the Agency. *(The highest ranking official of the local government may delegate the authority to sign the application. If a delegate is used, you must enclose a letter of delegation.)*



## **FILING INSTRUCTIONS**

### **When should I submit my application?**

A request for reimbursement must be received by EPA within one year of the date of completion of the response. If you submit your application late, you must include an explanation for the delay. Late applications will be considered on a case-by-case basis.

### **Where should I send my application?**

Completed applications and supporting documentation should be sent to:

LGR Project Officer, 5204-G  
Office of Emergency and Remedial Response  
U.S. Environmental Protection Agency  
401 M. Street, SW  
Washington, DC 20460

### **What can I do if my application needs to be amended?**

If you file your reimbursement application and later become aware of any changes you must make to the incident or response description or costs incurred, you can send amended information to the address listed above.

### **What records must I keep?**

If you receive a reimbursement from the Superfund, you must keep all records of costs, response activities, and release notifications shown on your application, as well as any worksheets used to figure these costs and the original costs documentation, for a period of three years from the date the reimbursement was made. After three years from the date of reimbursement, if EPA has not begun a cost recovery action against a PRP, you may dispose of your records. You must notify EPA of your intent to dispose of the records 60 days before you do so.

### **What should I do if my address changes?**

If the address provided on Line 1b of the application form changes after you file, please notify the EPA Reimbursement Officer as soon as possible of your address change. This will enable EPA to reach you if additional information or clarification is needed to evaluate your application and will ensure timely receipt of a reimbursement if your application is approved.

### **Who can I contact if I need more information or help in completing my application?**

You can call the LGR Helpline at 800-431-9209 or contact John Ferguson at EPA directly at 703-603-8712.

Have questions about the program or the application process? Call the LGR Helpline at 800-431-9209.


## APPLICATION CHECKLIST

### *Before you send this application:*

- Make sure that your application form is correct and complete.
- Include receipts, invoices, or other documents to support **ALL** costs being requested for reimbursement.
- Attach all necessary supporting documentation or additional information you want considered.
- Coordinate your application with all other responding agencies and local governments involved in the incident. *Remember, EPA will award only one reimbursement request per incident.*
- Provide an explanation if your request is being filed more than one year after the response was completed.
- Make sure that the highest ranking local government official (or a delegate) signs and dates the application.
- Attach documentation (e.g., a letter of delegation) if the highest ranking local government official delegates the authority to sign the application.
- Make a copy of the completed application (including any attachments) for your files.

EPA Form 9310-1, Application for Reimbursement to Local Governments

Please type or print all information

		United States Environmental Protection Agency Washington, D.C. 20460 <b>Application for Reimbursement                  to Local Governments for                  Emergency Response to Hazardous                  Substance Releases Under CERCLA Sec. 123</b>	Form Approved  OMB No. 2050-0077  Approval expires
<b>1. Local Government Identification</b>			
a. Name of Local Government		b. Contact Name and Telephone Number	
c. Official Address		d. Date of Application	
<b>2. Release Description</b>			
a. Date and Time of Occurrence or Discovery		b. Location	
c. Source or Cause of Release			
d. Hazardous Substances Released and Quantity (Petroleum, crude oil, or any unspecified fractions thereof are <u>excluded</u> )			
e. Threats to Human Health and Environment			
f. Attach any additional material pertinent to the release			
<b>3. Response Description</b>			
a. Date and Time of HazMat Response Initiation		b. Was anyone notified of the response? <input type="checkbox"/> EPA <input type="checkbox"/> NRC <input type="checkbox"/> Other	
c. EPA Region		d. Date and Time Contact Made	e. Date of Response Completion (Local government has received all data, reports, and charges for response)
f. Jurisdiction in Which Response Occurred		g. Is your local government a participant in the Title III Emergency Response Plan?  (Check one) <input type="checkbox"/> Yes <input type="checkbox"/> No	
h. Responding Agencies and Jurisdictions			

i. Summary of Response Actions

j. Temporary Measures for Which Reimbursement is Sought

4. Cost Information

a. Total Response Cost  
\$

b. Total Reimbursement Requested  
\$

c. Complete and attach Table 1, "Detailed Cost Breakdown"

d. Complete and attach Table 2, "Cost Recovery Summary"

e. Attach other pertinent financial information

5. Certification and Authorization (To be completed by highest ranking official of applying local government)

I hereby certify that:

- 1) All costs are accurate and were incurred specifically for the response for which reimbursement is being requested;
- 2) Reimbursement for costs incurred for response activities does not supplant local funds normally provided for response;
- 3) Cost recovery was pursued as presented in the attached Table 2; and
- 4) Reimbursement funds for which costs are later recovered will be returned to EPA.

I further certify that I am authorized to request this reimbursement and to receive funds from the Federal Government.

Printed or Typed Name of Highest Ranking Local Government Official or Authorized Representative

Signature of Highest Ranking Local Government Official or Authorized Representative

Title

Date

Burden Statement:

The Agency requires applicants for reimbursement to submit an application package that demonstrates consistency with program eligibility criteria and certifies compliance with the reimbursement requirements. This information collection is necessary to ensure proper use of the Superfund and appropriate distribution of reimbursement awards among applicants. EPA will receive and closely evaluate reimbursement requests in accordance with 40 CFR 310 to ensure that the most deserving cases receive awards.

The public reporting and recordkeeping burden for this collection of information is estimated to average 9 hours per response annually. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, OPPE Regulatory Information Division, U.S. Environmental Protection Agency (2137), 401 M St., S.W., Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

\* Form 9310-1 is not considered complete unless it is signed by the highest ranking official of the local government requesting reimbursement, or signed by the authorized representative indicated in an enclosed letter delegating signature authority for this application process.

**ATTACHMENT 1 TO FORM 9310-1 COST ELEMENT CODES AND COMMENTS**  
 [Cost Element Codes for use in Table 1]

Code	Cost category	Cost element	Comments
PC .....	Personnel Compensation.	PC1: Overtime—for services in excess of the local agency's standard work day or work week. PC2: Experts and consultants—for services rendered on a per diem or fee basis or for services of an intermittent, advisory nature.	Compensation of overtime costs incurred specifically for a response will be considered only if overtime is not otherwise provided for in the applicant's operating budget.
TR .....	Transportation .....	TR1: Passenger vehicle rental—for transportation of persons during evacuation. TR2: Nonpassenger vehicle rental—for transportation of equipment or supplies.	Passenger and nonpassenger vehicle rental costs will be considered for private vehicles not owned or operated by the applicant or other unit of local government.
RC .....	Utilities .....	RC1: Utilities—for power, water, electricity and other services exclusive of transportation and communications.	Utility costs will be considered for private utilities not owned or operated by the applicant or other unit of local government.
OS .....	Other Contractual Services.	OS1: Contracts for technical or scientific analysis—for tasks requiring specialized hazardous substance response expertise. OS2: Decontamination services—for specialized cleaning or decontamination procedures and supplies to restore clothing, equipment or other serviceable gear to normal functioning.	May include such items as specialized laboratory analyses and sampling.
SM .....	Supplies and Materials.	SM1: Commodities—for protective gear and clothing, cleanup tools and supplies and similar materials purchased specifically for, and expended during, the response.	May include such items as chemical foam to suppress a fire; food purchased specifically for an evacuation; air purifying canisters for breathing apparatus; disposable, protective suits and gloves; and sampling supplies.
EQ .....	Equipment .....	EQ1: Replacement—for durable equipment declared a total loss as a result of contamination during the response. EQ2: Rent—for use of equipment owned by others.	Equipment replacement costs will be considered if applicant can demonstrate total loss and proper disposal of contaminated equipment. Equipment rental costs will be considered for privately owned equipment not owned or operated by the applicant or other unit of local government.

**Table 1**  
**Detailed Cost Breakdown**

<b>Temporary Emergency Measure</b>	<b>Cost Incurred By</b>	<b>Cost Element (See Attachment 1)</b>	<b>Amount</b>

**Table 2  
Cost Recovery Summary**

**Note: This "Cost Recovery Summary" must accompany each request for reimbursement.  
You Must Fill Out Each Section Of This Form.**

<b>Name and Title of Source Contacted</b>	<b>Date(s) Contacted</b>	<b>Brief Summary of Response</b>	<b>Details Attached</b>
<b>Attempts to Recover Costs from Potentially Responsible Parties (including PRP insurance)</b> <hr/>			
<b>Attempts to Recover Costs from State Funding Sources</b> <hr/>			
<b>Attempts to Recover Costs from Local Government Insurance</b> <hr/>			

# **federal register**

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**Wednesday  
February 18, 1998**

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**Part III**

## **Environmental Protection Agency**

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**40 CFR Part 310**

**Reimbursement to Local Governments for  
Emergency Responses to Hazardous  
Substances Releases; Final Rule**



**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 310**

[FR-5958-1]

RIN 2050-AE36

**Reimbursement to Local Governments for Emergency Responses to Hazardous Substance Releases****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Interim final rule.

**SUMMARY:** In response to President Clinton's regulatory reform initiative to reduce the burden on small entities, and eliminate, streamline, and rewrite regulations in plain English, the Environmental Protection Agency ("we" or EPA) is issuing this interim final rule (regulation). Through this regulation, EPA will streamline procedures used to reimburse local governments for emergency response costs. Local governments may be reimbursed for certain costs they incur in taking temporary emergency measures related to releases of hazardous substances, pollutants and contaminants. Through this regulation, we are: Easing program and reporting requirements to make reimbursement more accessible; Simplifying the application process; Streamlining EPA's evaluation process to speed up reviewing applications and paying eligible applicants; and, Reorganizing the entire part 310 to make it clearer and easier to use.

Reimbursement through this program will help lighten financial burdens placed on local governments that respond to hazardous releases or threats. Reimbursement will also help strengthen effective emergency response at the local level.

**DATES:** The effective date for this interim final rule is February 18, 1998. The Director of the Federal Register has approved the incorporation by reference of certain publications listed in this regulation as of February 18, 1998. Comments must be received on or before April 20, 1998.

**ADDRESSES:** Mail comments on specific aspects of this rulemaking and the information collection to Local Governments Reimbursement Program, Office of Emergency and Remedial Response (5204-G), Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460. You may review information collection materials from 8:30 a.m. to 5:30 p.m., Monday through Friday, by visiting Public Docket No. LGR-xx, located at 1235 Jefferson Davis Highway (ground floor), Arlington,

Virginia. A reasonable fee may be charged for copying docket material.

**FOR FURTHER INFORMATION CONTACT:** For information on specific aspects of this final rule for reimbursement to local governments, contact: Lisa Boynton, (703) 603-9052, Local Governments Reimbursement Project Officer, Office of Emergency and Remedial Response (5204-G), U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460.

**SUPPLEMENTARY INFORMATION:** We have included a summary of the changes in today's Register. If you would like to see a detailed description of the changes and the rationale for them, contact Lisa Boynton at the address provided under "For Further Information." If you would like to skip the discussion of the changes and refer directly to the requirements for reimbursement, turn to § 310.1.

**I. What Is the Statutory Authority for This Program?**

Section 123 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, 42 U.S.C. 9623, authorizes EPA to reimburse local governments for expenses incurred in carrying out temporary emergency measures. These measures must be necessary to prevent or mitigate injury to human health or the environment associated with the release or threatened release of any hazardous substance, or pollutant or contaminant. Additionally, Section 123(d) of CERCLA, 42 U.S.C. 9623(d), directs the EPA Administrator to issue regulations to implement this program.

The authority to receive, evaluate, and make determinations regarding requests for reimbursement and to issue payments to qualified applicants is delegated to the Director of the State and Site Identification Center within the Office of Emergency and Remedial Response. This rulemaking discusses changes designed to streamline the Agency's current procedures for reimbursing local governments and clarifies how the reimbursement program works.

**II. What Else Do I Need to Know About CERCLA?**

CERCLA provides broad federal authority to respond directly to releases or threatened releases of hazardous substances and pollutants or contaminants that may endanger human health or welfare or the environment. CERCLA responses usually are joint efforts by federal, state and local agencies. As local public safety and

health organizations are normally the first government representatives at the scene of a hazardous substance release, they play a critical role in providing temporary emergency measures.

**III. Did Congress Specify What Was to be Reimbursed Under This Program?**

Reimbursement under this program can provide some financial relief (limited to \$25,000 per single response) to local governments most seriously affected by costs above and beyond those incurred routinely and traditionally. Congress made it clear in the Conference Report for the Superfund Amendments and Reauthorization Act of 1986 that "reimbursement under this provision shall not include reimbursement for normal expenditures that are incurred in the course of providing what are traditionally local services and responsibilities, such as routine emergency firefighting." With the specific requirement in section 123 that reimbursement not supplant local funds normally provided for response, Congress intends that local governments continue to bear some share of expenses for providing temporary emergency measures. However, Congress recognized that in the past, conducting such response activities has placed a significant financial burden on some local governments.

**IV. Why Is EPA Amending This Regulation?**

EPA believes that the regulations must be amended to: (1) make funds that are available under this program more accessible to local governments; (2) reduce the reporting burden on local governments that apply for reimbursement; and (3) speed up the review and payment of funds to eligible applicants. Therefore, EPA is revising this regulation to ease several program and reporting requirements and to simplify the procedures that local governments follow when applying for reimbursement.

**V. Did EPA Get Input From Local Governments in Making Changes to This Regulation?**

Yes. Through consultation, training and outreach, EPA obtained input from local government officials who have participated in the reimbursement process. This input has given EPA a greater understanding of the difficulties that local governments encounter when seeking reimbursement which may discourage overall participation in the reimbursement program.

## VI. Why Is EPA Issuing an Interim Final Rule for These Changes?

Because this rule falls under the grants, benefits, and contracts exemption of Section 553 of the Administrative Procedures Act (5 U.S.C. 553(a)(2)), the Agency is not required to solicit public comment before this rule becomes effective. In addition, the Agency may make the rule effective immediately upon publication.

The interim final approach is designed to allow EPA to implement these changes and to make the reimbursement money available quickly, while continuing to solicit public comments. Public comments are invited and should be sent to the address listed in the ADDRESSES section above. Comments received by April 20, 1998 will be considered in the final rule.

## VII. What Is EPA Changing in This Regulation?

Based on the Agency's experience in overseeing the reimbursement program and its ongoing consultation with local governments, EPA is making the following substantive changes to the 1993 Final Rule:

(1) Section 310.5 has been modified to clarify the purpose of the regulations and the possibility that funds may not be available in a particular year;

(2) Section 310.10 has been modified to include several abbreviations;

(3) Section 310.11 has been modified to include definitions of the terms application, Federally-recognized Indian tribes, and potentially responsible parties;

(4) Section 310.25(a) has been added to specify remedies EPA may rely on if incorrect, false or misleading information is submitted with an application for reimbursement;

(5) Section 310.20 has been modified for clarification purposes;

(6) Section 310.30 has been changed to ease the program and reporting requirements for requesting reimbursement;

(7) Section 310.40 has been changed to clarify allowable costs and to streamline the cost documentation requirements;

(8) Section 310.50 has been changed to reduce the reporting requirements and to clarify the application signature authority;

(9) Section 310.60 has been changed to:

(a) streamline and clarify the application evaluation process (including the Agency's approach when there are competing demands on available reimbursement funds);

(b) extend the time periods for applicants to provide additional information to EPA to support their applications; and

(c) give applicants an opportunity to request exceptions to the requirements when there is good cause;

(10) Section 310.70 has been changed to reduce applicant record keeping requirements from ten years to three;

(11) Section 310.80 has been incorporated into Section 310.60 for organizational purposes; and

(12) Section 310.90 has been renumbered and modified to clarify the disputes resolution process.

## VIII. What Else Is Different?

EPA reorganized the entire Part 310 to make it clearer and easier to use. The conversion table below will allow you to determine where the various sections of the old regulation are now located:

Existing section	Action	New section(s)
310.5	Revise	310.1, 310.5, 310.6.
310.10	Revise	310.4.
310.11	Revise	310.3.
310.12	Revise	310.24.
310.20	No change	310.5, 310.6.
310.30	Revise	310.11, 310.13, 310.14, 310.17.
310.40	Revise	310.11, 310.12, 310.16.
310.50	Revise	310.7, 310.8, 310.9, 310.10, 310.15, 310.17.
310.60	Revise	310.18, 310.19, 310.20, 310.23, 310.24.
310.70	Revise	310.22.
310.80	Revise	310.23.
310.90	Revise	310.65.

## IX. Regulatory Analyses

### A. Executive Order No. 12866

Under Executive Order No. 12866, EPA must judge whether a regulation is "major" and thus would be subject to the requirement of a Regulatory Impact Analysis. The Agency believes that the notice published today does not meet the definition of a significant regulation because it does not have an annual effect on the economy of \$100 million or more; nor does the rule fall within the other definitional criteria for a significant regulatory action because the rule eases program and reporting requirements. Therefore, EPA has not prepared a Regulatory Impact Analysis under the Executive Order. OMB did not review this rule because it is not significant.

### B. Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), as amended by the

Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), generally requires an agency to prepare, and make available for public comment, a regulatory flexibility analysis that describes the impact of a proposed or final rule on small entities (i.e., small businesses, small organizations, and small governmental jurisdictions). However, no regulatory flexibility analysis is required if the head of an agency certifies the rule will not have a significant adverse impact on a substantial number of small entities.

SBREFA amended the Regulatory Flexibility Act to require Federal agencies to provide a statement of the factual basis for certifying that a rule will not have a significant economic impact on a substantial number of small entities. The following discussion explains EPA's determination.

This regulation involves reimbursement to local governments for the costs of responding to a hazardous substance release. This is a benefit authorized by CERCLA and does not adversely affect the private sector economy or small entities, which may include local governments. In fact, this rule provides a benefit to local governments in the form of reimbursement to offset financial hardship incurred from responses to hazardous substances, pollutants or contaminants. The revisions to this regulation are intended to minimize the burden imposed on local governments in seeking this benefit. EPA, therefore, certifies that this regulation will not have a significant impact on a substantial number of small entities.

### C. Paperwork Reduction Act

OMB has approved the original information collection requirements contained in this rule under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*) and assigned control number 2050-0077.

The revised information collection requirements in this rule were submitted for approval to the Office of Management and Budget (OMB) under the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.* An Information Collection Request (ICR) document has been prepared by EPA (ICR No. 1425.04) and a copy may be obtained from Sandy Farmer by mail at OPPE Regulatory Information Division; U.S. Environmental Protection Agency (2137); 401 M St., S.W.; Washington, DC 20460, by email at farmer.sandy@epamail.epa.gov, or by calling (202) 260-2740. A copy may also be downloaded off the internet at <http://www.epa.gov/icr>. The information

requirements are not effective until OMB approves them.

The Agency requires applicants for reimbursement to submit an application package that demonstrates consistency with program eligibility criteria and certifies compliance with the reimbursement requirements. This information collection is necessary to ensure proper use of the Superfund and appropriate distribution of reimbursement awards among applicants. EPA will receive and closely evaluate reimbursement requests in accordance with the promulgated final rule to ensure that the most deserving cases receive awards. We estimate the public reporting burden for this collection of information to average 9 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. We estimate we will receive 36 responses per year for an annual burden estimate of 324 hours per year.

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

An Agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15.

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, OPPE Regulatory Information Division; U.S. Environmental Protection Agency (2137); 401 M St., S.W.; Washington, DC 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th St.,

N.W., Washington, DC 20503, marked "Attention: Desk Officer for EPA." Comments are requested by March 20, 1998. Include the ICR number in any correspondence.

#### *D. Small Business Regulatory Enforcement Fairness Act*

Under 5 U.S.C. 801(a)(1)(A) as added by the Small Business Regulatory Enforcement Fairness Act of 1996, EPA submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives and the Comptroller General of the General Accounting Office prior to publication of the rule in today's **Federal Register**. This rule is not a "major rule" as defined by 5 U.S.C. 804(2).

#### *E. Unfunded Mandates Reform Act*

"Today's rule is not subject to the requirements of sections 202, 203 and 205 of the UMRA. EPA has determined that this rule does not contain a Federal mandate that may result in expenditures of \$100 million or more for State, local, and tribal governments, in the aggregate, or the private sector in any one year. On the contrary, the Agency expects that today's rule will ease program and reporting requirements for local governments so that reimbursement is more accessible.

In addition, the Agency does not believe that today's rule is subject to section 203 of the UMRA to the extent that today's rule simplifies the application process for local governments and does not impose additional regulatory requirements. Indeed, today's rule is being promulgated in response to a long standing request by local governments after substantial input from such local governments into the rule's development."

#### **List of Subjects in 40 CFR Part 310**

Environmental protection, Administrative practice and procedure, Hazardous substances, Incorporation by reference, Intergovernmental relations, Local governments, Reporting and recordkeeping requirements, Superfund.

Dated: January 27, 1998.

Carol Browner,  
Administrator.

For the reasons set out in the preamble, EPA amends title 40, chapter I of the Code of Federal Regulations by revising part 310 to read as follows:

## **PART 310—REIMBURSEMENT TO LOCAL GOVERNMENTS FOR EMERGENCY RESPONSE TO HAZARDOUS SUBSTANCE RELEASES**

### **Subpart A—General Information**

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  - Appendix II to Part 310—EPA Regions and NRC Telephone Lines
  - Appendix III to Part 310—FORM: Application for Reimbursement to Local Governments for Emergency Response to Hazardous Substance Release Under CERCLA Sec. 123
- Authority: 42 U.S.C. 9611(c)(11), 9623.

### **Subpart A—General Information**

#### **§310.1 What is the purpose of this part?**

This part sets up procedures for EPA to reimburse local governments for certain emergency response costs. Local

governments may receive up to \$25,000 to help lighten financial burdens related to emergency response to hazardous substance releases. This reimbursement does NOT replace funding that local governments normally provide for emergency response.

**§ 310.2 What is the statutory authority for this part?**

This part is authorized under section 123 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) (Pub. L. 96-510, 42 U.S.C. 9601-9675), as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA) (Pub. L. 99-499, 42 U.S.C. 9601).

**§ 310.3 What terms have specific definitions?**

For purposes of this part except when otherwise specified:

(a) *Application* means Form 9310-1, shown in Appendix III of this part, including all documentation and additional information you submit to support a request for reimbursement.

(b) *Date of completion* means the date when you have completed all field work and you have received all deliverables (such as lab results, technical expert reports, or invoices) due under a contract or other agreement.

(c) *Emergency Planning and Community Right-to-Know Act of 1986* means Title III—Emergency Planning and Community Right-to-Know Act of the Superfund Amendments and Reauthorization Act of 1986 (EPCRA) (Pub. L. 99-499, 42 U.S.C. 11000-11050).

(d) *Federally-recognized Indian Tribe*, as defined by section 101(36) of CERCLA, means any Indian Tribe, band, nation, or other organized group or community, including any Alaska Native village but not including any Alaska Native regional or village corporation, which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

(e) *General purpose unit of local government* means the governing body of a county, parish, municipality, city, town, township, Federally-recognized Indian tribe or similar governing body. This term does not include special purpose districts.

(f) *Hazardous substance*. (1) *Hazardous substance*, as defined by section 101(14) of CERCLA, means:

(i) Any substance designated pursuant to section 311(b)(2)(A) of the Federal Water Pollution Control Act (Pub. L. 101-380, 33 U.S.C. 1251 *et seq.*);

(ii) Any element, compound, mixture, solution, or substance designated pursuant to section 102 of CERCLA;

(iii) Any hazardous waste having the characteristics identified under or listed pursuant to section 3001 of the Solid Waste Disposal Act (Pub. L. 89-272, 42 U.S.C. 3259 *et seq.*) (but not including any waste the regulation of which under the Solid Waste Disposal Act has been suspended by Act of Congress);

(iv) Any toxic pollutant listed under section 307(a) of the Federal Water Pollution Control Act (Pub. L. 101-380, 33 U.S.C. 1251 *et seq.*);

(v) Any hazardous air pollutant listed under section 112 of the Clean Air Act (42 U.S.C. 7401-7642); and

(vi) Any imminently hazardous chemical substance or mixture with respect to which the Administrator has taken action pursuant to section 7 of the Toxic Substances Control Act (Pub. L. 94-469, 15 U.S.C. 2601-2629).

(2) The term does not include petroleum, including crude oil or any fraction thereof that is not otherwise specifically listed or designated as a hazardous substance under paragraphs (f)(1)(i) through (f)(1)(vi) of this section, and the term does not include natural gas, natural gas liquids, liquefied natural gas, or synthetic gas usable for fuel (or mixtures of natural gas and such synthetic gas).

(g) *Local emergency response plan* means the emergency plan prepared by the Local Emergency Planning Committee (LEPC) as required by section 303 of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA or SARA Title III).

(h) *National Contingency Plan* means the National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR part 300).

(i) *National Response Center* means the national communications center located in Washington, DC, that receives and relays notice of oil discharge or releases of hazardous substances to appropriate Federal officials.

(j) *Pollutant or contaminant*, as defined by section 104(a)(2) of CERCLA, includes, but is not limited to, any element, substance, compound, or mixture, including disease-causing agents, which after release into the environment and upon exposure, ingestion, inhalation, or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including malfunctions in reproduction) or physical deformations, in such organisms or their offspring.

The term does not include petroleum, including crude oil and any fraction thereof that is not otherwise specifically listed or designated as a hazardous substance under section 101(14)(A) through (F) of CERCLA, nor does it include natural gas, liquefied natural gas, or synthetic gas of pipeline quality (or mixtures of natural gas and such synthetic gas).

(k) *Potentially responsible party (PRP)* means any person who may be liable under section 107 of CERCLA for a release or threatened release of hazardous substances or pollutants or contaminants.

(l) *Release*, as defined by section 101(22) of CERCLA, means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injection, escaping, leaching, dumping, or disposing into the environment, but excludes: any release that results in exposure to persons solely within a workplace, with respect to a claim that such persons may assert against the employer of such persons; emissions from the engine exhaust of a motor vehicle, rolling stock, aircraft, vessel, or pipeline pumping station engine; release of source, by-product or special nuclear materials from a nuclear incident, as those terms are defined in the Atomic Energy Act of 1954 (42 U.S.C. 2011 *et seq.*), if such release is subject to requirements with respect to financial protection established by the Nuclear Regulatory Commission under section 170 of such act, or; for the purpose of section 104 of CERCLA or any other response action, any release of source, by-product, or special nuclear material from any processing site designated under section 122(a)(1) or 302(a) of the Uranium Mill Tailings Radiation Control Act of 1978 (Pub. L. 95-604, 42 U.S.C. 2014 *et seq.*); and the normal application of fertilizer. For purposes of this part, release also means the threat of release.

(m) *Single response* means all of the concerted activities conducted in response to a single episode, incident, or threat causing or contributing to a release or threatened release of hazardous substances, or pollutants or contaminants.

**§ 310.4 What abbreviations should I know?**

The following abbreviations appear in this part:

CERCLA—The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (Pub. L. 96-510, 42 U.S.C. 9601-9675), as amended by the Superfund Amendments and Reauthorization Act of 1986, also known as Superfund.

EPA or the Agency—Environmental Protection Agency.  
 EPCRA—Emergency Planning and Community Right-to-Know Act of 1986 (Pub. L. 99-499, 42 U.S.C. 11000-11050).  
 LEPC—Local Emergency Planning Committee.  
 NCP—National Oil and Hazardous Substances Pollution Contingency Plan also known as the National Contingency Plan (40 CFR part 300).  
 NRC—National Response Center.  
 OMB—Office of Management and Budget.  
 PRP—Potentially Responsible Party.  
 SARA—The Superfund Amendments and Reauthorization Act of 1986 (Pub. L. 99-499, 42 U.S.C. 9601).  
 SERC—State Emergency Response Commission.  
 USCG—U.S. Coast Guard.

## Subpart B—Provisions

### Who Can Be Reimbursed?

#### § 310.5 Am I eligible for reimbursement?

If you are the governing body of a county, parish, municipality, city, town, township, federally-recognized Indian tribe or general purpose unit of local government, you are eligible for reimbursement. This does not include special purpose districts.

#### § 310.6 Are states eligible?

States are NOT eligible for reimbursement under this part, and states may NOT request reimbursement on behalf of their local governments.

#### § 310.7 Can more than one local agency or government be reimbursed for response to the same incident?

No. EPA will accept only one reimbursement request for a single response. A single response includes all of the temporary emergency measures that ALL local governments or agencies conduct in response to a single hazardous substance release. If more than one local government or agency responds, you must decide among yourselves who will request reimbursement on behalf of all.

### What Can Be Reimbursed?

#### § 310.8 Can EPA reimburse the entire cost of my response?

Possibly not. EPA can only reimburse you for temporary emergency measures you take in response to releases of hazardous substances, pollutants, or contaminants. The statute allows reimbursement for only certain costs, and by statute, the total amount of the reimbursement may not exceed \$25,000 for a single response.

#### § 310.9 If more than one local agency or government is involved, can each receive up to \$25,000?

No. The maximum amount EPA can reimburse is \$25,000 for a single

response, which includes all activities by ALL local responders. If the costs incurred by multiple local governments or agencies exceed \$25,000, you must decide among yourselves how the total reimbursement will be divided.

#### § 310.10 What are temporary emergency measures?

(a) Temporary emergency measures are actions taken to control or eliminate immediate threats to human health and the environment.

(b) Examples of temporary emergency measures are:

- (1) Site security;
- (2) Controlling the source of contamination;
- (3) Containing the release to prevent spreading;
- (4) Neutralizing or treating pollutants released; and
- (5) Controlling contaminated runoff.

#### § 310.11 What costs are allowable?

(a) Reimbursement under this part does NOT supplant funds you normally provide for emergency response. Allowable costs are only those necessary for you to respond effectively to a specific incident that is beyond what you might normally respond to.

(b) Examples of allowable costs are:

- (1) Disposable materials and supplies you acquired and used to respond to the specific incident;
- (2) Payment of unbudgeted wages for employees responding to the specific incident (for example, overtime pay for response personnel);
- (3) Rental or leasing of equipment you used to respond to the specific incident (for example, protective equipment or clothing, scientific and technical equipment) (Note: rental costs are only allowable for the duration of your response; once you complete the response to the specific incident, further rental costs are NOT allowable);
- (4) Replacement costs for equipment you own that is contaminated or damaged beyond reuse or repair, if you can demonstrate that the equipment is a total loss and that the loss occurred during the response (for example, self-contained breathing apparatus irretrievably contaminated during the response);
- (5) Decontamination of equipment contaminated during the response;
- (6) Special technical services specifically required for the response (for example, costs associated with the time and efforts of technical experts/specialists that are not on your staff);
- (7) Other special services specifically required for the response (for example, utilities);

(8) Laboratory costs of analyzing samples that you took during the response;

(9) Evacuation costs associated with the services, supplies, and equipment that you procured for a specific evacuation; and

(10) Containerization or packaging cost and transportation and disposal of hazardous wastes.

(c) To be allowable, costs must:

- (1) NOT be higher than what a careful person would spend for similar products or services in your area; and
- (2) Be consistent with CERCLA and the federal cost principles outlined in OMB Circular A-87, "Cost Principles for State and Local Governments." (Copies of the circular are available from the Office of Administration, Publications Office, New Executive Office Building, 725 17th Street, NW., Room 2200, Washington, DC 20503.)

(d) EPA will make final determinations on whether your costs are reasonable.

#### § 310.12 What costs are NOT allowable?

(a) Costs that are NOT allowable are expenditures you incur in providing what are traditionally local services and responsibilities. Examples include:

- (1) Routine firefighting;
- (2) Preparing contingency plans;
- (3) Training; and
- (4) Response drills and exercises.

(b) Costs that are NOT allowable also include items such as supplies, equipment, and services that you routinely purchase to maintain your ability to respond effectively to hazardous releases when they occur. Examples of other costs that are NOT allowable are:

(1) Purchase or routine maintenance of durable equipment expected to last one year or more, except when contaminated or damaged as described in § 310.11(b)(4) and (b)(5);

(2) Materials and supplies you did NOT purchase specifically for the response;

(3) Rental costs for equipment that you own or that another unit of local government owns;

(4) Employee fringe benefits;

(5) Administrative costs for filing reimbursement applications;

(6) Employee out-of-pocket expenses normally provided for in your operating budget (for example, meals or fuel);

(7) Legal expenses you may incur due to response activities, including efforts to recover costs from PRPs; and

(8) Medical expenses you incur due to response activities.

**How to get Reimbursed****§ 310.13 Do I need to notify anyone while the response is underway?**

No. You should notify EPA, the National Response Center, or use another established response communication channel, but it is not a requirement for reimbursement. Telephone numbers for EPA regional offices and the NRC are in Appendix II to this part.

**§ 310.14 Must I try to recover my costs from those potentially responsible for the emergency?**

Yes. Before applying for reimbursement from EPA, you must try to recover your costs from all known potentially responsible parties (PRPs). After you ask them for payment, you should give PRPs 60 days either to pay you, express their intent to pay you, or indicate willingness to negotiate. You must also try to get reimbursed by other sources (for example, your insurance company or your state). If you are not successful, you must certify on your reimbursement application that you made a good-faith, reasonable effort to recover your costs from other sources before applying to EPA. If you recover any portion of the costs from these sources after you receive reimbursement from us, you must return the recovered amount to EPA.

**§ 310.15 How do I apply for reimbursement?**

(a) You must apply for reimbursement on EPA Form 9310-1, shown in Appendix III to this part.

(b) You must submit your request within one year of the date you complete the response for which you request reimbursement. If you submit your application late, you must include an explanation for the delay. We will consider late applications on a case-by-case basis.

(c) Your application must be signed by the highest ranking official of your local government (for example, mayor or county executive), or you must include a letter of delegation authorizing a delegate to act on his or her behalf.

(d) Mail your completed application and supporting data to the LGR Project Officer, (5204-G), Office of Emergency and Remedial Response, Environmental Protection Agency, 401 M Street SW, Washington, DC 20460.

**§ 310.16 What kind of cost documentation is necessary?**

Cost documentation must be adequate for an audit. At a minimum, you must:

(a) Include a description of the temporary emergency measures for which you request reimbursement;

(b) Specify the local agency that incurred the cost, (such as, the Town Fire Department, the County Health Department, or the City Department of Public Works);

(c) Include invoices, sales receipts, rental or leasing agreements, or other proof of costs you incurred; and

(d) Certify that all costs are accurate and that you incurred them specifically for the response for which you are requesting reimbursement.

**§ 310.17 Are there any other requirements?**

(a) You must certify that reimbursement under this regulation does not supplant local funds that you normally provide for emergency response. This means that the reimbursement you request is for costs you would not normally incur; rather, they are for significant, unanticipated costs related to a specific incident beyond what you normally respond to.

(b) You must also certify that your response actions are not in conflict with CERCLA, the National Contingency Plan (NCP), and the local emergency response plan prepared by your Local Emergency Planning Committee, if there is one. If you need help with this requirement, contact the LGR Help line (800-431-9209) or your EPA regional office.

(c) You, as a local government, should be included in the local emergency response plan completed by your LEPC, as section 303(a) of EPCRA requires. This does not apply if your State Emergency Response Commission (SERC) has not established a LEPC responsible for the emergency planning district(s) that encompasses your geographic boundaries.

**§ 310.18 How will EPA evaluate my application?**

(a) When we receive your application, we will make sure it meets all requirements of this section. If your request is incomplete or has significant defects, we will contact you for additional information. You should provide any additional information within 90 days. If you don't provide requested information within a year, we may deny your application.

(b) If your application meets all requirements, we will consider whether the costs claimed are allowable and reasonable. We will then send you written notification of our decision to award or deny reimbursement in full or in part.

**§ 310.19 Under what conditions would EPA deny my request?**

We may deny your reimbursement request in full or in part if:

(a) Your records, documents, or other evidence are not maintained according to generally accepted accounting principles and practices consistently applied;

(b) The costs you claim are NOT reasonable or allowable, that is, they are higher than what a careful person would spend for similar products or services in your area; or

(c) You do not supply additional information within one year from when we request it; and

(d) Reimbursement would be inconsistent with CERCLA section 123, or the regulations in this part.

**§ 310.20 What are my options if EPA denies my request?**

If we deny your request because you failed to meet a requirement in this regulation, you may request, in writing, that EPA grant an exception. You may also file a request for an exception with your initial application. In your request for an exception, you must state the requirement you cannot comply with and the reasons why EPA should grant an exception. We will grant exceptions only if you establish good cause for the exception and if granting the exception would be consistent with section 123 of CERCLA.

**§ 310.21 How does EPA resolve disputes?**

(a) The EPA reimbursement official's decision is final EPA action unless you file a request for review by registered or certified mail within 60 calendar days of the date you receive our decision. Send your request for review to the address given in § 310.15(d).

(b) You must file your request for review with the disputes decision official identified in the final written decision.

(c) Your request for review must include:

(1) A statement of the amount you dispute;

(2) A description of the issues involved;

(3) A statement of your objection to the final decision; and

(4) Any additional information relevant to your objection to EPA's decision.

(d) After filing for review:

(1) You may request an informal conference with the EPA disputes decision official;

(2) You may be represented by counsel and may submit documentary evidence and briefs to be included in a written record; and

(3) You will receive a written decision by the disputes decision official within 45 days after we receive your final submission of information unless the

official extends this period for good cause.

**Other Things You Need To Know**

**§ 310.22 What records must I keep?**

(a) If you receive reimbursement under the regulations in this part, for three years you must keep all cost documentation and any other records related to your application. You must also provide EPA access to those records if we need them.

(b) After three years from the date of your reimbursement, if we have NOT begun a cost recovery action against a potentially responsible party, you may dispose of the records. You must notify EPA of your intent to dispose of the records 60 days before you do so, and allow us to take possession of these records beforehand.

**§ 310.23 How will EPA rank approved requests?**

(a) If necessary, EPA will rank approved reimbursement requests according to the financial burden the response costs impose on the local governments. We will estimate your financial burden by calculating the ratio of your allowable response costs to your annual per capita income adjusted for population. We will make adjustments for population so that a large city with a low per capita income will not necessarily receive a higher rank than a small town with a slightly higher per capita income. We will also consider other relevant financial information you may supply.

(b) We will use the per capita income and population statistics published by the U.S. Department of Commerce, Bureau of the Census, in Current Population Reports, Local Population Estimates, Series P-26, "1988 Population and 1987 Per Capita Income Estimates for Counties and Incorporated Places," Vols. 88-S-SC, 88-ENC-SC, 88-NE-SC, 88-W-SC, 88-WNC-SC, March 1990. The Director of the Federal Register has approved this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR Part 51. Copies are available from the Bureau of the Census, Office of Public Affairs, Department of Commerce, Constitution Avenue, NE., Washington, DC 20230 (1-202-763-4040). You may review a copy at the U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460 or at the Office of the Federal Register, 800 N. Capitol Street, NW., 7th Floor, Suite 700, Washington, DC.

(c) Larger ratios receive a higher rank. We will reimburse requests with the highest ranks first. Once we rank your request, we will either:

- (1) Reimburse the request; or

(2) Hold the request for reconsideration once additional funding is available.

(d) The EPA reimbursement official will give you a written decision on whether the request will be reimbursed or held for future reconsideration.

**§ 310.24 What happens if I provide incorrect or false information?**

(a) You must not knowingly or recklessly make any statement or provide any information in your reimbursement application that is false, misleading, misrepresented, or misstated. If you do provide incorrect or false information, and EPA relies on that information in making a reimbursement decision, we may deny your application and withdraw or recover the full amount of your award. In such a case, we would give you written notice of our intentions.

(b) If you, as a reimbursement applicant or someone providing information to the applicant, knowingly give any false statement or claim as part of any application for reimbursement under section 123 of CERCLA, you may be subject to criminal, civil, or administrative liability under the False Statement Act (Pub. L. 97-398, 18 U.S.C. 1001) the False Claims Act (Pub. L. 99-562, 31 U.S.C. 3729), and the Program Fraud and Civil Remedies Act (Pub. L. 99-509, 31 U.S.C. 3801).

**Appendices to Part 310**

**Appendix I to Part 310—Frequently Asked Questions**

(1) Can I be reimbursed for hazmat team salaries?

Generally, no; only unbudgeted overtime and/or extra time can be considered for reimbursement. (§ 310.11(b)(2))

(2) Will I be reimbursed for the cost of a destroyed fire truck?

Up to \$25,000 of the cost of a lost fire truck can be considered an allowable cost and therefore, reimbursable. However, if the local government has insurance covering such losses, then we would not reimburse you for a destroyed fire truck. (§§ 310.11(b)(4) and 310.14)

(3) If I have a release in an elementary school, can the school district apply for reimbursement?

No, for purposes of the regulation in this part, a school district is considered a special purpose district of local government and therefore not eligible for reimbursement. The county or city where the incident happened may apply for reimbursement on behalf of the school district. (§§ 310.03(e) and 310.05)

(4) Why are incidents that involve a release of petroleum not eligible?

Because this program is authorized under CERCLA, and petroleum is excluded under CERCLA, we can't reimburse you for response to releases involving only petroleum. If, however, some hazardous

substances are also involved, your incident may be reimbursed. (§ 310.03(f))

(5) Can I be reimbursed for laying water lines to a community whose drinking water is affected by a release?

No, laying water lines doesn't fall within the definition of temporary emergency measures. Providing bottled water on a temporary emergency basis is reimbursable. (§ 310.10(a))

(6) What if EPA gets too many applications in one year?

In the beginning of the program, there was a statutory limitation on the amount of the Superfund that could be used for reimbursements. That limitation was approximately \$1,000,000. The limitation has expired, and EPA has only reimbursed slightly over \$1,000,000 in ten years. There has not been a year where we received too many applications.

(7) If I incur significant costs trying to recover from the PRP, can I be reimbursed by EPA for those costs?

No, legal expenses are not allowable costs. (§ 310.12(b)(7)).

(8) Can I add attachments to the Application Form?

Yes, attach any additional information that you feel is necessary. EPA will review all the information that you send.

(9) Do I have to notify EPA before I send an application in, or before I take a response action?

No, you aren't required to notify EPA in either case. We do suggest that you call the National Response Center to report the hazardous substance release, or if you use other response reporting channels, use them. If you need some help before submitting your application, we do suggest you call the LGR Help line (800-431-9209).

(10) If two incidents happen in my town, within hours of each other, do I have to submit two separate applications?

You aren't required to submit separate applications in this case, but if your total response costs are more than \$25,000, it may be in your interest to submit separate applications for each single response. (§ 310.9)

**Appendix—II to Part 310—EPA Regions and NRC Telephone Lines**

National Response Center .....	(800) 424-8802
EPA Regional Phone Numbers:	
Region I (ME, NH, VT, MA, RI, CT) .....	(617) 223-7265
Region II (NJ, NY, PR, VI) .....	(908) 548-8730
Region III (PA, DE, MD, DC, VA, WV) ....	(215) 597-9898
Region IV (NC, SC, TN, MS, AL, GA, FL, KY) .....	(404) 347-4062
Region V (OH, IN, IL, WI, MN, MI) .....	(312) 353-2318
Region VI (AR, LA, TX, OK, NM) .....	(215) 655-2222
Region VII (IA, MO, KS, NE) .....	(913) 236-3778
Region VIII (CO, UT, WY, MT, ND, SD) ....	(303) 293-1788

Region IX (AZ, CA,  
NV, AS, HI, GU, TT)

(415) 744-2000

Region X (ID, OR, WA,  
AK) .....

(206) 553-1263


BILLING CODE 6560-50-P



Appendix—III to Part 310—Form: Application for Reimbursement to Local Governments for Emergency Response to Hazardous Substance Release Under CERCLA Sec. 123

EPA Form 9310-1, Application for Reimbursement to Local Governments

Please type or print all information

		United States Environmental Protection Agency Washington, D.C. 20460 <b>Application for Reimbursement          to Local Government for          Emergency Response to Hazardous          Substance Releases Under CERCLA Sec. 123</b>		Form Approved OMB No 2050-0077 Approved expires	
<b>1. Local government Identification</b>					
a. Name of Local government		b. Contact Name and Telephone Number			
c. Official Address		d. Date of Application			
<b>2. Release Description</b>					
a. Date and Time of Occurrence or Discovery		b. Location			
c. Source or Cause of Release					
d. Hazardous Substances Released and Quantity (Petroleum, crude oil, or any unspecified fractions thereof are excluded)					
e. Threats to human health and Environmental					
f. Attach any additional material pertinent to the release					
<b>3. Response Description</b>					
a. Date and Time of HazMat Response Initiation		b. Was anyone notified of the response? <input type="checkbox"/> EPA <input type="checkbox"/> SCR <input type="checkbox"/> OTHER			
c. EPA Region		d. Date and Time Contact Made		e. Date of Response completion (Local government has received all data, reports, and charges for response)	
f. Jurisdiction in Which Response Occurred		g. Is your local government a participant in the Title III Emergency Response Plan? (Check one) <input type="checkbox"/> Yes <input type="checkbox"/> No			
h. Responding Agencies and Jurisdictions					

<p><b>1. Summary of Response Actions</b></p>	
<p><b>2. Temporary Measures for Which Reimbursement is Sought</b></p>	
<p><b>4. Cost Information</b></p>	
<p><b>a. Total Response Cost</b> \$</p>	<p><b>b. Total Reimbursement Requested</b> \$</p>
<p><b>c. Complete and Attach Table 1, "Detailed Cost Breakdown"</b></p>	
<p><b>d. Complete and Attach Table 2, "Cost Recovery Summary"</b></p>	
<p><b>e. Attach Other Pertinent Financial Information</b></p>	
<p><b>5. Certification and Authorization (To be completed by highest ranking official of applying local government.)</b></p> <p>I hereby certify that:</p> <ol style="list-style-type: none"> <li>1) All costs are accurate and were incurred specifically for the response for which reimbursement is being requested.</li> <li>2) Reimbursement for costs incurred for response activities does not supplant local funds normally provided for response</li> <li>3) Cost recovery was pursued as presented in the attached Table 2; and</li> <li>4) Reimbursement funds for which costs are later recovered will be returned to EPA</li> </ol> <p>I further certify that I am authorized to request this reimbursement and to receive funds from the Federal Government.</p>	
<p>Printed or Typed Name of Highest Ranking Local Government Official or Authorized Representative</p>	<p>Signature of Highest Ranking Local Government Official or Authorized Representative</p>
<p>Title</p>	<p>Date</p>
<p><b>Burden Statement:</b></p> <p>The Agency requires applicants for reimbursement to submit an application package that demonstrates consistency with program eligibility criteria and certifies compliance with the reimbursement requirements. This information collection is necessary to ensure proper use of the Superfund and appropriate distribution of reimbursement awards among applicants. EPA will receive and closely evaluate reimbursement requests in accordance with 40 CFR 310 to ensure that the most deserving cases receive awards.</p> <p>The public reporting and recordkeeping burden for this collection of information is estimated to average 9 hours per response annually. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.</p> <p>Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, OPPE Regulatory Information Division, U.S. Environmental Protection Agency (2137), 401 M St., S.W., Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.</p>	

EPA Form 8310-1

\* Form 8310-1 is not considered complete unless it is signed by the highest ranking official of the local government requesting reimbursement, or signed by the authorized representative indicated in an enclosed letter delegating signature authority for this application process.

## ATTACHMENT 1 TO FORM 9310-1 COST ELEMENT CODES AND COMMENTS

[Cost Element Codes for use in Table 1]

Code	Cost category	Cost element	Comments
PC .....	Personnel Compensation.	PC1: Overtime—for services excess of the local agency's standard work day or work week. PC2: Experts and consultants—for services rendered on a per diem or fee basis or for services of an intermittent, advisory nature.	Compensation of overtime costs incurred specifically for a response will be considered only if overtime is not otherwise provided for in the applicant's operating budget.
TR .....	Transportation .....	TR1: Passenger vehicle rental—for transportation of persons during evacuation. TR2: Nonpassenger vehicle rental—for transportation of equipment or supplies.	Passenger and nonpassenger vehicle rental costs will be considered for private vehicles not owned or operated by the applicant or other unit of local government.
RC .....	Utilities .....	RC1: Utilities—for power, water, electricity and other services exclusive of transportation and communications.	Utility costs will be considered for private utilities not owned or operated by the applicant or other unit of local government.
OS .....	Other Contractual Services.	OS1: Contracts for technical or scientific analysis—for tasks requiring specialized hazardous substance response expertise. OS2: Decontamination services—for specialized cleaning or decontamination procedures and supplies to restore clothing, equipment or other serviceable gear to normal functioning.	May include such items as specialized laboratory analyses and sampling.
SM .....	Supplies and Materials.	SM1: Commodities—for protective gear and clothing, cleanup tools and supplies and similar materials purchased specifically for, and expended during, the response.	May include such items as chemical foam to suppress a fire; food purchased specifically for an evacuation; air purifying canisters for breathing apparatus; disposable, protective suits and gloves; and sampling supplies.
EQ .....	Equipment .....	EQ1: Replacement—for durable equipment declared a total loss as a result of contamination during the response. EQ2: Rents—for use of equipment owned by others	Equipment replacement costs will be considered if applicant can demonstrate total loss and proper disposal of contaminated equipment. Equipment rental costs will be considered for privately owned equipment not owned or operated by the applicant or other unit of local government.

Temporary Emergency Measure	Cost Incurred By	Cost Element (See Attachment 1)	Amount

**Table 2  
Cost Recovery Summary**

**Note: This "Cost Recovery Summary" must accompany each request for reimbursement.  
You Must Fill Out Each Section Of This Form.**

<b>Name and Title of Source Contacted</b>	<b>Date(s) Contacted</b>	<b>Brief Summary of Response</b>	<b>Details Attached</b>
<b>Attempts to Recover Costs from Potentially Responsible Parties (Including PRP Insurance)</b> <hr style="border-top: 1px dashed black;"/>			
<b>Attempts to Recover Costs from State Funding Sources</b> <hr style="border-top: 1px dashed black;"/>			
<b>Attempts to Recover Costs from Local Government Insurance</b> <hr style="border-top: 1px dashed black;"/>			

**The 6th Annual  
Emergency Medical Preparedness  
Educational Symposium**

**“IT’S NOT IF...IT’S WHERE...  
DISASTER STRIKES”**

**September 11-13, 2001**  
(Pre-conference courses on September 10<sup>th</sup>)

**Holiday Inn TURF**

205 Wolf Road  
Albany, New York



*Presented jointly by the:*  
Department of Veterans Affairs  
Emergency Management Strategic Healthcare Group  
VA Healthcare Network, Upstate New York (VISN 2)  
Employee Education System  
Healthcare Association of New York State  
United States Attorney's Office, Northern District of New York

*In Cooperation with:*  
Chesapeake Health Education Program, Inc., Perry Point, Maryland



**MONDAY, SEPTEMBER 10, 2001**

**Pre-conference Course(s)**

8:00 a.m. – 12:00 p.m.

**Hospital Emergency Incident Command System**

Confusion and chaos are commonly experienced by the hospital at the onset of a medical disaster. However, these negative effects can be minimized if management responds quickly with structure and a focused direction of activities. This four hour pre-conference course, Hospital Emergency Incident Command System describes an emergency management system that employs a proven management structure, defined responsibilities, clear reporting channels, and common terminology to help integrate hospitals with other public safety agencies. Attendees will participate in a tabletop exercise to reinforce the major benefits of implementing the Hospital Emergency Incident Command System.

**Target Audiences:** Healthcare providers (physicians, physician assistants, nurse practitioners, nurses, emergency medical technicians, paramedics) emergency managers in local, state and federal roles; emergency preparedness coordinators; safety officers; public health officials; and fire and law enforcement personnel.

**Objectives:** Upon completion of this program, you will be able to:

- Define the role of a hospital executive relative to the Hospital Emergency Incident Command System (HEICS);
- Describe the organizational structure of HEICS and the basic responsibilities of each major function;
- List the benefits of integrating HEICS into a health care facility's emergency preparedness program; and
- Demonstrate the effectiveness of the HEICS during a table-top exercise.

Registration 7:00am  
Faculty: William H. Campbell  
Thomas J. Fargione

1:00 p.m. - 5:00 p.m.

**Management of the Hazmat Patient**

This presentation will focus on the pre-hospital and hospital management of the chemically/radiologically contaminated patient. Topics to be included are: pre-planning procedures with pre-hospital personnel and industrial concerns (target hazards) in the community, ABC's associated with the management of the HAZMAT patient, contamination control, patient decontamination, bioassay sampling, and patient/staff exit from the area. The importance of the pre-incident briefing and the post-incident critique will be presented. Associated acute and long-term signs and symptoms as a result of exposure to the chemical will also be discussed. The entire decontamination procedure will be demonstrated (from start to finish) on a "volunteer" patient.

**Target Audiences:** Healthcare providers (physicians, nurses, nurse practitioners, physician assistants, emergency medical technicians, paramedics) associated with the management of the HAZMAT patient.

**Objectives:** Upon completion of this program, you will be able to:

- Define and discuss the term "Hazardous Material";
- Identify and discuss the new terminology associated with a HAZMAT plan (i.e., DEA, buffer zone, triage) and the duties of each team member in her/his designated area;
- Explain the differences in protective clothing and respiratory protection associated with the treatment of the HAZMAT patient;
- List the priorities associated with safety and treatment of the HAZMAT patient both in the field and in the hospital setting;
- Discuss and identify procedures that should be implemented in the emergency department prior to patient arrival;
- Recognize the importance of documentation related to medical information, sample taking, and the decontamination process;
- Discuss the importance of pre-incident and post-incident vitals of all staff members working with the HAZMAT patient; and
- Identify and discuss the importance of obtaining samples from HAZMAT patient for both medical and legal reasons.

Registration: 12:30pm  
Faculty: Bob Harty

**The 6th Annual  
Emergency Medical Preparedness  
Educational Symposium**

**"IT'S NOT IF...IT'S WHERE...  
DISASTER STRIKES"**

**Main Conference  
September 11-13, 2001**

*Program Description:*

Please join us for this unique and exciting educational experience. Symposium attendees will receive three days of didactic and hands-on education/training and continuing education credits.

*Program Objectives:*

Upon completion of this program, you will be able to:

- Define, develop and implement Emergency Preparedness Plans for a specific healthcare organization or facility;
- Identify the health and medical consequences of disasters;
- Identify and define specific treatment regimes for various health and medical consequences of disaster situations;
- Identify management plans for coordinating responses to a community disaster;
- Identify lessons learned when responding to various community disaster events;
- Identify appropriate detection devices in the event a Weapon of Mass Destruction is deployed; and
- Identify appropriate protective equipment and safety procedures when responding to a contaminated victim and/or situation.

*Target Audiences:*

Healthcare providers (physicians, nurse practitioners, physician assistants, nurses, emergency medical technicians, paramedics); emergency managers in hospitals, local, state, and federal roles; emergency preparedness coordinators; safety officers, public health officials, law enforcement, firefighters and first responders.

*Continuing Education Credits:*

The VA Employee Education System is accredited as a provider of continuing education in nursing by the American Nurses Credentialing Center's Commission on Accreditation. The Employee Education System designates the educational activity on September 10 (a.m. session) for 4.2 contact hours and September 10 (p.m.

session) for 4.2 contact hours and the educational activity on September 11-13 for 25.5 contact hours as determined by the American Nurses Credentialing Center's Commission on Accreditation.

The VA Employee Education System is accredited by the Accreditation Council for Continuing Medical Education to sponsor continuing medical education for physicians. The VA Employee Education System designates this educational activity for a maximum of 3.5 hours for September 10 (a.m. session), 3.5 hours for September 10 (p.m. session), and 21.25 hours for September 11-13 of category 1 credit towards the American Medical Association Physician's Recognition Award. Each physician should claim only those hours of credit that he/she actually spent in the educational activity.

Application for Continuing Education Hours for emergency care providers, administrators, and educators has been made to the Continuing Education Coordinating Board for Emergency Medical Services (CECBEMS).

All other participants will receive 3.5 contact hours for September 10 (a.m. session) and 3.5 contact hours for September 10 (p.m. session) and 21.25 contact hours for September 11-13, 2001.

The Employee Education System maintains responsibility for the program. Certificates of attendance will be awarded to participants and accreditation records will be on file at the Employee Education System. In order to receive continuing education credit, participants must attend 100% of the program(s) and complete an evaluation form(s).

It is the program participant's responsibility to ensure this training is documented in the appropriate location according to her/his locally prescribed process. PLEASE NOTE: If you are an employee of the VA Healthcare Network Upstate New York (VISN 2), the Employee Education System VISN 2 Team will submit your training to your TEMPO coordinator.

*Faculty Disclosure(s)*

The Employee Education System (EES) must insure balance, independence, objectivity, and scientific rigor to all EES sponsored educational activities. The intent of this disclosure is not to prevent faculty with a significant financial or other relationship from presenting materials, but rather to provide the participant with information on which they can make their own judgements. It remains for the participant to determine whether the faculty interests or relationships influence the materials presented with regard to exposition or conclusion. When an unapproved use of a FDA approved drug or medical device, or an investigational product not yet FDA approved for any purpose is mentioned, EES requires disclosure to the participants. Each faculty reported no disclosable relationships or FDA issues.



*Americans with Disabilities Act Policy:*

The Employee Education System wishes to ensure no individual with a disability is excluded, denied services, segregated or otherwise treated differently from other individuals attending this workshop because of the absence of auxiliary aids and services. If you require any special arrangements to attend and fully participate in this educational workshop, please contact Carolyn Burton, Program Manager at (207) 623-8411, Ext. 5867, carolyn.burton@lrn.va.gov or Patricia Priputin, Program Support Assistant at Ext. 5514, patricia.priputin@lrn.va.gov or FAX (207) 621-4831.

For more information about the products and services provided by the Employee Education System, visit our website at <http://vawww.ees.lrn.va.gov/>.

*Hotel Accommodations*

A block of rooms at reduced rates (\$92 single or double) plus 11% sales tax has been reserved for conference participants at the Holiday Inn TURF on Wolf Road, Albany, New York until August 10, 2001. Please contact the Reservations Department directly at (518) 458-7250 to reserve your room. Please be certain to state that you will be attending the Emergency Medical Preparedness Symposium. For visitor information in the Albany area, please contact the Albany County Convention and Visitors Bureau at 800 258-3582. If you are a VA employee, you may claim tax exemption by submitting a tax exemption form to the hotel at check-in time.

## PLANNING COMMITTEE

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\* Denotes Faculty

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# MAIN CONFERENCE AGENDA

## TUESDAY, SEPTEMBER 11, 2001

- 7:00a.m.      **Registration**  
Continental Breakfast  
Exhibits
- 8:00 a.m.      **Welcome/Announcements**  
PAUL D. KIM, M.D.  
DARLENE A. DELANCEY, M.S.
- 8:15 a.m.      **Keynote Address**  
Frank J. Cilluffo
- 10:00 a.m.      Break/Exhibits
- 10:30 a.m.      **Who Are These People and Why Do They Say All Those Rotten Things About Us?**  
JOHN D. GODEC
- This session is designed to address both the strategy and tactics of dealing with the news media.*
- Learning Objectives:    Upon completion of this session, you will be able to:
- Discuss the "Rules of Engagement" considering issues that trigger public outrage;
  - Basic dos and don'ts of dealing with news media;
  - Proven techniques in dealing with reporters and the best response to the toughest question.
- 12:30 p.m.      Lunch/Exhibits
- 1:30 p.m.      **Critical Terrorism Issues for Healthcare Facilities**  
PAUL MANISCALCO, M.P.A.

*terrorism, a long and hard look must be taken at our hospitals and EMS systems in order to properly determine the contemporary level of readiness. This presentation is designed to focus on threat and vulnerability, response and training policy and operational requirements of healthcare organizations. Healthcare workers and infrastructures are vulnerable to new threats such as secondary devices and acts of hostility focused upon workers.*

- Learning Objectives:    Upon completion of this session, you will be able to:
- Develop a more comprehensive understanding of the threats posed by terrorism for the healthcare industry;
  - Recognize the vulnerabilities healthcare facilities face regarding terrorism events;
  - Review and analyze existing healthcare facility terrorism response plans to determine readiness and level of capacity to confront the aftermath of a terrorism incident.

3:15 p.m.      Break/Exhibits

3:30 p.m.      **Medical Consequences of Building Bombings**  
MICHAEL L. OLINGER, M.D.

*A clinical presentation on the unique aspects of locating, accessing, assessing, treating and extricating victims entrapped in bombed buildings.*

- Learning Objectives: Upon completion of this session, you will be able to:
- Explain some of the effects of blast injuries;
  - Discuss an overview of injuries associated with building collapse; and
  - Describe the complexities of locating and extricating victims from a collapsed building and the concept of a multispecialty team response to those incidents.

5:00 p.m.      Evaluation

7-9 p.m.      **Ice Breaker**

*Please join the Symposium Planning Committee for hors d'oeuvres, cash bar and great company! A time to unwind, make friends and share stories.*

*The overall expectations vs. the role of healthcare organizations will play in response to an act of terrorism vary widely. To effectively respond to acts of*

# WEDNESDAY, SEPTEMBER 12, 2001

7:00 a.m. Check-in  
Continental Breakfast  
Exhibits

8:00a.m. **CONCURRENT SESSIONS**

## **1A: Crew Resource Management Applied to the Incident Management System**

DENNIS L. RUBIN

*This interesting and information presentation will focus on the principles that commercial airlines use to ensure operational safety. Fire Chief Dennis Rubin will highlight ways that this information can be used to improve fire fighter health and safety and operational effectiveness. Chief Rubin will use case study materials to convey the key points of this newly developed program. You will have the opportunity to apply and practice some of the techniques that are presented during this 2-hour program.*

Learning Objectives: Upon completion of this session, you will be able to:

- Discuss principles that commercial airlines use to ensure operational safety; and
- Utilize techniques learned from this presentation to improve fire fighter health and safety and operational effectiveness.

## **2A: Bombs and Today's Technology**

CHIEF SERGEANT JOHN CURRY

*This presentation will provide an overview of international/national explosive-related problems and how they affect us.*

Learning Objectives: Upon completion of this session, you will be able to:

- Determine when/when not to evacuate;
- Discuss what you should do if you find explosive packages, and
- List some areas where you can locate explosive packages.

## **3A: The Use of Triage Guidelines for the Dispatch of EMS Units**

KEITH HOLTERMAN, DR.PH

*This presentation will provide explanations and examples of how technical Emergency Medical Dispatch can be used to enhance EMS resource allocation, act as screen for terrorist and other high impact events, and promote safety of EMS personnel.*

Learning Objectives: Upon completion of this session, you will be able to:

- Explain the concepts/structure/process of 9-1-1 medical aid calls;
- Discuss the forces being brought to bear on the US 9-1-1 system and recommended health policies to address this issue at the level of 9-1-1 dispatch;
- Discuss issues of safety regarding the use of light and siren response;
- Describe potential ways that 9-1-1 data can be used for monitoring for terrorist events, and
- Discuss the results of a study regarding the efficacy, efficiency, and effectiveness of a commonly used 9-1-1 call-screening tool.

## **4A: The Breeder Report, Findings and Implications**

DAVID CID

*On June 7, 2000 the National Commission on Terrorism, chaired by Ambassador Paul Breeder, issued their report assessing the laws, regulations, policies, directives and practices relating to combating International Terrorism directed against the United States. The recommendations from this report are receiving attention at the highest levels of government and may have profound effects on the counterterrorism community. This presentation will address the recommendations and their implications. The current threat from International and Domestic terrorists will also be discussed.*

Learning Objective: Upon completion of this session, you will be able to:

- Identify area of concern and how terrorism impacts the United States.

10:00 a.m. Break/Exhibits

10:30 a.m. **CONCURRENT SESSIONS**

## **1B: Terrorism Response for First Responders**

JAMES ORME

*This presentation will provide a basic overview of the hazards and response considerations of a terrorist event. The various signs of terrorism and actions that a first responder can take will be covered, as well as the use of tactical checklists.*

Learning Objectives: Upon completion of this session, you will be able to:

- Identify the signs of terrorism;
- Provide guidelines for response to a terrorism incident; and
- List the advantages of tactical worksheets.

## **2B: Introduction to Disaster Medical Assistance Teams**

(10:30-11:30)

FUN FONG, M.D.

*This presentation will review some of the history that led to the formation of disaster medical assistance teams. The concept of disaster medical assistance teams has evolved over time and current concepts of national disaster medical system (NDMS) activation, assets, and response will be covered. DMAT composition, logistical support and typical missions will be outlined, along with other NDMS assets.*

Learning Objectives: Upon completion of this session, you will be able to:

- Explain what a DMAT is, when a DMAT should be activated, and what DMAT missions are typically given;
- Describe the activation process in case of a federally-declared disaster;; and
- Discuss the national assets for federally-declared disasters.

## **Radiation Accident Update**

(11:30-12:30)

FUN H. FONG, M.D.

*Serious worldwide radiation accidents will be reviewed and lessons learned from these cases will be discussed. Basic radiation accident management will be reviewed as time allows.*

Learning Objectives: Upon completion of this session, you will be able to:

- Discuss the type, scope and severity of worldwide radiation accidents;
- Review principles of radiation accident management; and
- Describe the newest assessments and emerging therapies for radiation accident management.

## **3B: Y'all Come Mass Gatherings "Crush Load"**

DONALD H. HIETT, JR.

*Crush load is the assembly of persons inside or outside a facility which overwhelms the capacity of a given area, resulting in gridlock, limited access and hazards incompatible with life safety.*

Learning Objectives: Upon completion of this session, you will be able to:

- Discuss what to include in a comprehensive plan to provide medical support for all;
- Utilize the incident management system to provide the necessary control, coordination and communication for Mass Gatherings, including Command, phases of operation, sectors, resources, and other considerations; and
- List the critical factors that are relevant to Mass Gatherings.

## **4B: Biochemical Events: Near and Long-term Medical Effects**

JOHN S. URBANETTI, M.D.

*This presentation is designed to provide attendees with a working knowledge of biochemical exposures and their treatment.*

Learning Objectives: Upon completion of this session, you will be able to:

- Recognize several of the most important biochemical risks;
- Identify the diagnostic and therapeutic aspects of those exposures;
- Identify near and long-term medical consequences of exposures; and
- Identify the critical items in his/her immediate care that will most beneficially affect those near and long-term effects.

12:30 p.m. Lunch/Exhibits

1:30 p.m. **FBI Preparedness Planning Program**

SAM GONZALES

*This presentation will cover the logistical aspects of managing an incident like the Oklahoma City Bombing. Many "pitfalls" can be avoided with interagency pre-planning. Topics covered include: medical issues, media issues, volunteers, mental health, donated items, crime scene access, and evidence recovery.*

Learning Objective: Upon completion of this session, you will be able to:

- Discuss the importance of interagency preplanning.

2:30 p.m. **Disaster Nomenclature - A Functional Impact Approach: The PICE System**

KRISTI KOENIG, M.D.

*What is a disaster? Traditional definitions of disaster will be discussed and a new way to conceptualize these events, "Potential Injury Creating Event" (PICE) will be described. The PICE nomenclature (as referenced in the new JCAHO standards) utilizes a functional impact approach.*

Learning Objectives: Upon completion of this session, you will be able to:

- Discuss conceptual problems with traditional definitions of disaster;
- Illustrate how the PICE nomenclature can be used to describe the functional impact of any type of emergency; and .
- List the 6 critical elements necessary for normal hospital operations.

3:30 p.m. Break

3:45 p.m. **CONCURRENT SESSIONS**

**1C: How Well Are We Organized Nationally?**

MICHAEL WERMUTH

*This presentation will address the status of national strategy, policy, and implementation plans as it relates to combating terrorism generally and medical preparedness in particular. He will specifically outline the related health and medical recommendations of the Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction (the "Gilmore Commission").*

Learning Objectives: Upon completion of this session, you will be able to:

- Summarize the current status of government policy and plans for better preparedness; and
- Discuss and understand the related issues remaining to be resolved. understand the related issues remaining to be resolved.

**2C: Human Needs During Disaster**

LES RADFORD

*This session will review the efforts of New York State government and local government to address the myriad of needs created in a disaster environment. He will detail the process by which New York is addressing these problems and the relationship with the Federal Emergency Management Agency.*

Learning Objectives: Upon completion of this session, you will be able to:

- Recognize the need for a bottom-up approach to address human needs in a disaster environment;
- Discuss the need for a comprehensive management approach to human needs restoration;
- Establish a Human Services Task Force at your level of government;
- Involve voluntary organizations.

**3C: Emergency Burn Care**

JOHN CHOONGWHA KANG, M.D.

*This presentation will focus on the initial management of burn patients in the field and at the initial treatment center all the way up to transfer of burn patients to a trauma/burn center.*

Learning Objective: Upon completion of this session, you will be able to:

- Discuss the aspects of burn care, in the ABCDE format, including evaluation, stabilization, and resuscitation.

**4C: Weapons of Mass Destruction (WMD) - Past Employment, Present Threat and Available Training to Manage Future Events**

TODD M. STANFORD, PA-C

*Weapons of Mass Destruction are not new. While most civilized nations view the use of such weapons as unacceptable, there are rogue nations and terrorist organizations that consider WMD a relatively inexpensive*

means to achieve their end. Responders at all levels from federal to state to local must be prepared to deal with such an event and its consequences. Training programs and sites are in place and under development to provide the training to these responders who when the unthinkable occurs (again) they will be ready.

Learning Objectives: Upon completion of this session, you will be able to:

- Recognize that "Weapons of Mass Destruction (WMD)", though a relatively new term, is not a new concept;
- Discuss the historical milestones from medieval times to present including the employment of chemical, biological, radiological or nuclear weapons during each era;
- Define a weapon of mass destruction as well as related terminology;
- Identify WMD training facilities and their programs, sponsors, and intended clients;
- List the advantages / limitations of the various WMD training programs.

5:30 p.m. Evaluation

## THURSDAY, SEPTEMBER 13, 2001

7:00 a.m. Check-in  
Continental Breakfast  
Exhibits

8:00 a.m. **Customer Service and Emergency Services**  
ALAN V. BRUNACINI

*This presentation will describe a full range of customer service opportunities for emergency responders. Actual case studies will be used to describe how we can improve both basic technical operational performance and the added value services that customers remember the longest.*

Learning Objectives: Upon completion of this session, you will be able to:

- Recognize the need for responders to deliver "emotional labor" to address the customer's personal needs;
- Distinguish and understand the difference between responders' technical operation and the customer's emotional response; and
- Identify what basic organizational behavior support and improve customer service.

10:00 a.m. Break/Exhibits

10:15 a.m. **Disaster Mortuary Operation Response Teams (DMORT)**  
TOM SHEPARDSON

*This session will provide attendees with an overview of the national DMORT program and the structure and function of a DMORT team.*

Learning Objectives: Upon completion of this session, you will be able to:

- Describe the geographic organization of the national DMORT program.
- Explain the basic structure and primary roles of a DMORT.

11:15 a.m. **CONCURRENT SESSIONS**

**1D: Emergency Management for the Health Care Industry**  
PETE BREWSTER

*The recent changes to the Joint Commission Environment of Care 1.4, Emergency Management standard effectively brought health systems into the "mainstream". Still, a truly comprehensive emergency management program requires a broader framework than what EC 1.4 provides. This session will describe how the overall EM program can be structured and developed, including a detailed illustration of the relationship between the response plan and incident management system.*

Learning Objectives: Upon completion of this session, you will be able to:

- Describe how the Joint Commission and NFPA emergency management standards relate to one another;
- Explain a general process of EM program development based on those standards;
- Demonstrate the relationship between the response plan and the incident management system for health care facilities.

**2D: Risk Assessment**  
NEAL DOLAN

*The current evolution of risk management has changed the way professionals view their roles. Analysis of incidents shows discernable indicators that should heighten awareness to potential dangers. This session is designed to provide a fundamental understanding of contemporary risks in the workplace and how to develop effective strategies for their management.*



Learning Objectives: Upon completion of this session, you will be able to:

- Gain a heightened awareness of risk management issues in the workplace; and
- Discuss contemporary issues in the workplace and how they will effect the safety and security of employees.

### **3D: Employee Awareness Training for All Hospital Staff**

DENEEN E. CARTER-COLEMAN

*The purpose of this presentation is to familiarize you with recent events involving the potential or actual use of NBC materials by terrorists. You will also become familiar with all aspects of NBC terrorism, including the potential for terrorists to use NBC agents, the sources and the hazards associated with NBC agents; the likely targets and indicators of a terrorist NBC attack; and the potential outcomes of such an attack.*

Learning Objectives: Upon completion of this session, you will be able to:

- Discuss the potential for terrorist use of NBC weapons;
- Recognize an NBC attack; and
- Properly notify and communicate the nuclear, biological, chemical (NBC) hazard.

### **4D: Terrorism Update for Emergency Responders**

PAUL MANISCALCO, M.P.A.

*Focus on threat and vulnerability, response and training policy and operational requirements will be discussed. This is not your routine emergency response, yet many of the fundamentals of planning and response that we employ daily can be tapped to aid the emergency service community in its challenge to deploy an effective counter response to a terrorist act. Rescuers and infrastructures are vulnerable to new threats such as secondary devices and acts of hostility focused upon the responders. This session aims to demystify the confusion surrounding response to terrorism while sharing steps that can be explored and adopted to better understand emerging policies and prepare rescuers to confront this emerging problem.*

Learning Objectives: Upon completion of this session, you will be able to:

- Develop a better understanding of the prevailing terrorism threat;
- Discuss the present state of response readiness and programmatic support by the federal government; and

- Assess your own organization's current state of readiness and contrast against what is truly required to be capable of responding.

12:30 p.m. Lunch

1:30 p.m. **CONCURRENT SESSIONS**

### **1E: A Profile of a VA Emergency Medical Response Team**

DAVID R. ROSSI, M.H.A.

DENNIS R. HERB

*A VA Emergency Medical Response Team (EMRT) is established to perform appropriate mission(s) required in the event of a natural disaster, mass casualty incident, and/or a nuclear/biological/chemical (NBC) incident. EMRT is a personnel augmentation team designed to supplement other VA and/or Federal response units at a fixed or field site.*

Learning Objectives: Upon completion of this session, you will be able to:

- Discuss the EMRT's composition, multiple missions, training, history, etc.;
- Identify EMRT's role in Consequence Management 1998 and 2000 and their training at Fort Indiantown Gap, Pennsylvania in 1999;
- Discuss EMRT's Contingency Training, Education, and Exercise at Fort Indiantown Gap and VA Medical Center in Lebanon, Pennsylvania in May 2001.

### **2E: Columbine Community/Events of April 20, 1999: How should communities and law enforcement address the issue of school violence?**

C. SUZANNE MENCER

*Ms. Mencer will describe the Columbine community and the events of April 20, 1999, including problems that occurred with the media, school emergency procedures, communications, and emergency response plans. The tasking of the District Task Force on School Safety, its recommendations to increase building security as well as ways to identify the risk student will be explained. She will also provide from her own perspective how communities and law enforcement should address the issue of school violence, based on her expertise in domestic and international terrorism,*

her background in secondary education, and what she has gleaned from serving on these two commissions.

Learning Objectives: Upon completion of this session, you will be able to:

- Describe events surrounding April 20, 1999 at Columbine High including building security, emergency plans, equipment problems, crowd control, media problems, communication issues, and the Columbine community atmosphere then and now;
- List security recommendations made by Jefferson County Task Force and the status of those recommendations;
- Discuss cost, both in human resources and in dollars, for increased school security;
- Identify areas in your own community and/or school system that could be improved and ways to improve them based on the lessons learned from Columbine.

### **3E: Importance of Evidence-Based Disaster Planning**

ERIK AUF DER HEIDE, M.D.

*Disaster planning is only as good as the assumptions upon which it is based. Therefore, it is important that these assumptions are valid. However, numerous field research studies have shown that planning is frequently based on incorrect beliefs about what actually happens in disasters. Using data from field studies and epidemiological surveys, this presentation will illustrate how evidence-based planning can improve disaster response. Handout material will list further sources of disaster research information that can be used for planning.*

Learning Objectives: Upon completion of this session, you will be able to:

- Describe how unsolicited responders effect disaster medical care;
- List at least 2 reasons why disaster responses are frequently different than what is prescribed in the plan;
- List at least 3 types of medical assets that are commonly left out of disaster planning;
- Identify common types of casualties in disasters and how to plan for them.

### **4E: Contemporary Disaster Management Issues**

WADE JONES

*The public understanding of who is responsible for disaster response has changed. Prior to the depression of the 1930's, disaster and its impact on humans was generally regarded as an "Act of God," and rescue a spontaneous effort by police officers, firefighters, and volunteer organizations. Today, the public expects an orderly rescue drama successfully managed by a capable government jurisdiction. This perception, coupled with an increased disaster potential, is forcing a change in the disaster manager's role.*

Learning Objectives: Upon completion of this session, you will be able to:

- Identify the issues confronting contemporary disaster managers (responders); and
- Discuss the basic planning tools associated with disaster preparedness including, various disaster matrices, definitions, and common natural phenomena ranking systems.

3:30 p.m. Evaluation  
Adjourn

4:00 p.m. Issuance of Certificates of Attendance

# REGISTRATION INFORMATION

## Pre-conference Courses

### Hospital Incident Command System

September 10, 2001 (TRACE Code 01.V2.EMS.A1)  
8:00 a.m. - 12:00 p.m.

### Management of the Hazmat Patient-NBC

September 10, 2001 (TRACE Code 01.V2.EMS.A2)  
1:00 p.m. - 5:00 p.m.

## Main Conference

### It's Not IF...It's WHERE...Disaster Strikes

September 11-13, 2001 (TRACE Code 01.V2.EMS.B)

#### Non-VA Employee Fees:

- Registration fee is \$60 per person for September 10, 2001 a.m. or p.m. session. Registration fee includes tuition, continental breakfast (a.m. session), breaks, conference materials, and continuing education credits. Please Note: Lunch is on your own
- Registration fee is \$449 per person for September 11-13, 2001. Registration fee includes tuition, continental breakfast, breaks, lunch, conference materials, and continuing education credits.

#### EARLY BIRD DISCOUNT!

If we receive your payment by check, purchase order/purchase order number or credit card by August 31, the registration fee is:

- September 10, 2001 (a.m. or p.m. session): \$50
- September 11-13, 2001: \$399

#### VA Employee Fees:

September 10 (a.m. session): \$11 (Lunch on your own)  
September 10 (p.m. session): \$5 (Lunch on your own)  
September 11-13: \$96

Your tuition fee is waived. This required fee is for food/beverage only.

#### Registration/Payment

We will process your registration as soon as we receive payment (check, cash, credit card, purchase order or authorization from your employer).

Registration is quick and convenient! You may:

Call us at (207) 623-8411, Exts. 5514, 5867, or 5621 between 8:00 a.m. and 4:30 p.m., Monday through Friday, and have your credit card, purchase order number or employer authorization ready.

FAX us at (207) 621-4831, with a credit card, employer authorization, or purchase order. For your convenience, our FAX is available 24 hours a day, 7 days a week!

Mail your registration, with a check (payable to CHEP, Inc.), credit card number, purchase order, or employer authorization to the Employee Education System (11C), VA Center, Togus, ME 04330.

There is a \$25 fee if your check is returned to us.

#### Cancellations/Refunds

- You may send a substitute to this program at no additional charge.
- We will be happy to issue a refund as long as you call our office at (207) 623-8411, Exts. 5514, 5867 or 5621 on or before the "Early Bird" date of August 31. You will receive a refund (minus \$25 for processing).
- We are unable to provide refunds for cancellations received after August 31, 2001.

#### General:

- If you have not received a confirmation letter by September 4, 2001, please call us at (207) 623-8411, Exts. 5514, 5867 or 5621 to verify that we have received your registration and that space is available in the program.
- Your confirmation letter is a courtesy reminder that we send as soon as we process your registration. While it verifies that you have a confirmed space in the program, it is not required for admission.
- Because the conference room temperatures can fluctuate, we suggest dressing in layers to ensure your comfort.

# REGISTRATION FORM

## The 6th Annual Emergency Medical Preparedness Education Symposium

September 10, 2001 (TRACE Code 01.V2.EMS.A1)  
September 10, 2001 (TRACE Code 01.V2.EMS.A2)  
September 11-13, 2001 (TRACE Code 01.V2.EMS.B)

\_\_\_\_\_  
(Last) (First) (Degree or licensure)  
Title: \_\_\_\_\_

Employer: \_\_\_\_\_  
Preferred Address \_\_\_ Home \_\_\_ Business

Street/P.O. Box \_\_\_\_\_

City \_\_\_\_\_ ST. \_\_\_\_\_ Zip \_\_\_\_\_

Telephone \_\_\_\_\_ FAX \_\_\_\_\_

email \_\_\_\_\_

SSN (Needed to certify attendance) \_\_\_\_\_

I will be attending:

- Hospital Emergency Incident Command System**  
Early Bird: \$50; After August 31: \$60; VA: \$11
- Managing the Hazmat Patient**  
Early Bird: \$50; After August 31: \$60; VA: \$5
- Main Conference**  
Early Bird: \$399, After August 31: \$449; VA: \$96

**Total** \_\_\_\_\_

If paying by check, please make payable to: **CHEP, Inc.**

Use Your Credit Card to Register:

Visa  MasterCard  American Express

Name as it appears on card: \_\_\_\_\_

(Please print)

Card Number: \_\_\_\_\_ Date of Expiration: \_\_\_\_\_

Signature: \_\_\_\_\_

### Selection of Sessions:

Please register me for the following sessions (see daily agenda for detailed listings)

#### Wednesday, September 12:

8:00 - 10 a.m. (Select One)

- 1A Crew Resource Management/Incident Management System  
 2A Bombs and Today's Technology  
 3A The Use of Triage Guidelines for the Dispatch of EMS Unit  
 4A The Breeder Report, Findings and Implications

10:30 a.m. - 12:30 p.m. (Select One)

- 1B Terrorism Response for First Responders  
 2B DMATS (10:30-11:30) & Radiation Accident Update (11:30-12:30)  
 3B Mass Gatherings "Crush Load"  
 4B Biochemical Events: Near and Long-term Medical Effects

3:45 - 5:30 p.m. (Select One)

- 1C How Well Are We Organized Nationally?  
 2C Human Needs and Issues in Disasters  
 3C Emergency Burn Care  
 4C Weapons of Mass Destruction-Past Employment, Present Threat and Available Training

#### Thursday, September 13:

11:15 a.m. - 12:30 p.m. (Select One)

- 1D Emergency Management for the Health Care Industry  
 2D Risk Assessment  
 3D Employee Awareness Training for All Hospital Staff  
 4D Terrorism Update for Emergency Response Personnel

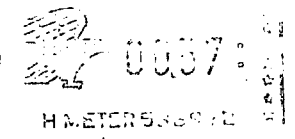
1:30 - 3:30 p.m. (Select One)

- 1E A Profile of a VA Emergency Medical Response Team  
 2E Columbine Community/School Safety  
 3D Importance of Evidence-Based Disaster Planning  
 4E Contemporary Disaster Management Issues

**Print this page, complete and FAX to 207/621-4831**



VA Medical Center (11E)  
Perry Point, MD. 21902



RECEIVED  
DEPARTMENT OF HEALTH  
2001 JUL 23 P 3:32  
HEER OFFICE

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

BENJAMIN J. CAYETANO  
GOVERNOR OF HAWAII



BRUCE S. ANDERSON, Ph.D., M.P.H.  
DIRECTOR OF HEALTH

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

In reply, please refer to:  
HEER OFFICE

May 21, 2001

LEPC Chairs:

At the HSERC meeting held on May 18, 2001, the TIER II funds in the amount of \$53,342 that is presently available to the LEPCs has been approved by the HSERC members to be dispersed in the following manner: a base of \$5,000 and the balance on the percentage of TIER II funds collected in each emergency planning district for the 1999 calendar year. The following is the distribution to the nearest dollar:

Honolulu  $\$5,000 + .43(\$33,342) = \$5,000 + \$14,337 = \$19,337$

Hawaii  $\$5,000 + .28(\$33,342) = \$5,000 + \$ 9,337 = \$14,336$

Maui  $\$5,000 + .17(\$33,342) = \$5,000 + \$ 5,668 = \$10,668$

Kauai  $\$5,000 + .12(\$33,342) = \$5,000 + \$ 4,001 = \$ 9,001$

If there is any additional distribution of funds, it shall be approved by the HSERC members.

Please invoice the HEER Office in July 2001 for your respective LEPC funds. The invoices shall not be dated prior to July 2001 and cannot be processed until the start of the new fiscal year.

One of the requirements of the LEPC is to have quarterly meetings. Please send in a tentative schedule of your FY 01-02 quarterly meetings to the HEER Office. This is to assist us in our scheduling and a request by the legislature.

If you have any questions, you may call me at (808) 586-4694.

Sincerely,

A handwritten signature in cursive script that reads "Denis M. Shimamoto".

Denis M. Shimamoto  
HSERC Coordinator

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

JEREMY HARRIS  
MAYOR



CHAIR  
CARTER DAVIS

COORDINATOR  
LELAND NAKAI

July 2, 2001

Mr. Gary Gill  
Hawaii State Emergency Response Commission  
Hawaii State Department of Health  
919 Ala Moana Blvd. Room 206  
Honolulu, Hawaii 96814-4912

Dear Mr. Gill:

Attached is the Honolulu Local Emergency Planning Committee's (LEPC) invoice for the 2002 budget year, as discussed in the May 18, 2001 meeting of the Hawaii State Emergency Response Commission (HSERC).

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

Sincerely,

A handwritten signature in black ink, appearing to read "Carter Davis".

Carter Davis, Chair  
Honolulu LEPC

Attachment

cc: **HEER Office**

# Invoice

Date: July 2, 2001

Honolulu Local Emergency Planning Committee (LEPC)

Transfer of operating funds from the Environmental Response Revolving Fund (ERRF) to the Honolulu LEPC, Account No.:

Fund: 380 Dept: 9037 Level 2: 3595 Rev Code: 6677 - \$19,337

<u>Description</u>	<u>Amount</u>
Operations	\$19,337
Total	\$19,337

Mail Check to: Honolulu LEPC Chair  
Oahu Civil Defense Agency  
650 S. King St.  
Honolulu, HI 96813

I certify that this is an original invoice.

 LEPC Coordinator

Signature

Payment Approved:  
Goods/Svs. Satisfactorily Received:  
By: \_\_\_\_\_  
Date Goods/Svs. Rec'd \_\_\_\_\_  
Date Invoice Rec'd. JUL 3 2001



HAWAII COUNTY LOCAL EMERGENCY PLANNING COMMITTEE

c/o Hawaii District Health Office

1582 Kamehameha Avenue

Hilo, Hawaii 96720

COPY

5 July 2001

Hawaii State Emergency Response Commission  
c/o Dennis Shimamoto, HEER  
Hawaii State Dept of Health  
919 Ala Moana Boulevard - Room 206  
Honolulu, Hawaii 96814

INVOICE:

Transfer of funds from the Environmental Response Revolving Fund (ERRF) to the Hawaii County Local Emergency Planning Committee (LEPC) in the amount of \$14,336 for the Fiscal Year 2002.

I certify that this is an original invoice.

  
\_\_\_\_\_  
John E. Bowen, Chair  
Hawaii County Local Emergency  
Planning Committee

5 July 2001  
Date

**KAUAI CIVIL DEFENSE AGENCY**

4396 RICE STREET 107 • LIHUE, HAWAII 96766  
PHONE: (808) 241-6336 • FAX: (808) 241-6335  
emops@kcda.state.hi.us

JUL 6 2001

COPY



July 2, 2001

**INVOICE**

Kauai Local Emergency Planning Committee

Transfer of funds from the Environmental Response Revolving Fund (ERRF) to the Kauai LEPC, Account No. 251-1200-553.94-99 ERRF in the amount of \$9,001.00 for the Fiscal Year 2002. Forward funds to:

Attn: Miles Tone  
Department of Finance  
4444 Rice Street 280  
Lihue, HI. 96766

Budget for FY-2002 is attached

I certify that this is an original invoice.



Clifford Ikeda  
Kauai LEPC, Chair

2-Jul-2001  
Date

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

JEREMY HARRIS  
MAYOR



CHAIR  
CARTER DAVIS

COORDINATOR  
LELAND NAKAI

August 3, 2001

Mr. Gary Gill  
Hawaii State Emergency Response Commission  
Hawaii State Department of Health  
919 Ala Moana Blvd. Room 206  
Honolulu, Hawaii 96814-4912

Dear Mr. Gill:

As discussed in the Local Emergency Response Committee Meeting #1 held on July 31, 2001, the Honolulu LEPC is submitting a revised proposal to update the Honolulu LEPC Hazardous Materials Response Plan:

Attached is a Request for Proposal that outlines the project and defines the scope of work. We will keep the project under \$25,000 to expedite the contractual process and ensure that we utilize the funds during the fiscal year. The project will be funded as follows:

HSERC Funds	3,200
HMEP Planning Grant Funds	12,800
LEPC Funds	9,000
Total Cost: (Not to exceed)	\$25,000

Please call me or 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 "C. Davis", is written over a white background.

Carter Davis, Chair  
Honolulu LEPC

Attachment

cc: HEER Office

RECEIVED  
DEPARTMENT OF HEALTH  
2001 AUG -6 A 10:15  
HEER OFFICE

## **Request for Proposal to Prepare a Hazard Assessment Attachment to the Hazardous Materials Response Plan, Appendix 6 to Annex S, City and County of Honolulu Emergency Operations Plan**

**Description:** The Hazard Assessment portion of the City and County of Honolulu Hazardous Materials Response Plan is to be rewritten to provide a current assessment of off-site risks associated with two hazardous chemicals. The preparation of this Hazard Assessment Attachment is being done under contract from a federal grant. This project will utilize hazard assessment guidelines contained in the EPA Risk Management Program (RMP) and will reflect current hazardous material preparedness, prevention and response regulations. The completed attachment will become part of the Hazardous Materials Response Plan, Appendix 6 to Annex S of the City and County of Honolulu Emergency Operations Plan, and will also serve as the Honolulu Local Emergency Planning Committee (LEPC) Plan.

**Outline of Work:** The contractor shall perform the work outlined below:

- Prepare hazard assessments for chlorine and anhydrous ammonia for the City and County of Honolulu, as further described below.
- Hazard assessments will be based on current Hawaii Emergency Planning & Community Right-to-Know Act (HEPCRA) reporting quantities for Oahu facilities, as maintained by the State Department of Health (DOH) Hazard Evaluation and Emergency Response (HEER) Office.
- Hazard Assessments will be prepared using the EPA RMP guidelines, and will include, but not be limited to, maps depicting Worst Case and Alternative Release Scenarios.
- Hazard Assessments will be consistent with those contained in the Campbell Local Emergency Action Network Emergency Resources Guide for Businesses in Campbell Industrial Park (CIP).
- For Fixed Facilities:
  - Prepare off-site hazard assessments for Oahu reporting facilities.
- For Transportation Sources:
  - Prepare hazard assessments along the primary road transportation routes between the port of entry and all reporting facilities.
- Consolidate these hazard assessments into a stand-alone document, formatted similarly to the Hazardous Materials Response Plan, Appendix 6 to Annex S of the City and County of Honolulu Emergency Operations Plan.
- Coordinate with the Administrator, Oahu Civil Defense Agency and Chair or Coordinator of the Honolulu LEPC.

- Contractor will attend LEPC meeting to review attachment and incorporate changes into the final product.
- Provide two copies of the draft attachment for review.
- After final review and approval, submit a camera-ready attachment along with computer disk copy compatible with Oahu Civil Defense office software and hardware.

Maui Local Emergency Planning Committee  
200 Dairy Road  
Kahului, HI 96732  
Ph. (808) 242-1478 Fax. (808) 242-4479  
Joseph Blackburn email: [joeb@maui.net](mailto:joeb@maui.net)

June 20, 2001

State of Hawaii  
Department of Health/Heer Office  
P.O. Box 3378  
Honolulu, HI 96801  
Attn: Curtis Martin

Dear Curtis,

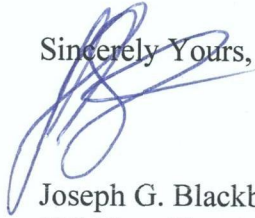
I would like to submit this letter as a request to access grant funds for planning in Maui County for 2001-2002 Fiscal Year:

\$4,500.00 for Facility Profile Planning

Scope:

The Maui LEPC needs to start the Facility Profile Planning Process. We would like to pay a private contractor to start the facility profiles under our direction for the hazmat facilities with the highest release consequences for our community. Please start the process that will allow this grant to be processed and approved.

Sincerely Yours,



Joseph G. Blackburn  
320 Ekoa Place  
Wailuku, HI. 96793  
Ph. (808) 242-1478 Fax (808) 242-4479  
Email: [joeb@maui.net](mailto:joeb@maui.net)

HAWAII COUNTY LOCAL EMERGENCY PLANNING COMMITTEE

RECEIVED  
DEPARTMENT OF HEALTH c/o Hawaii District Health Office

2001 JUN 28 P 2:20 1582 Kamehameha Avenue

HEER OFFICE

Hilo, Hawaii 96720

*To be amended  
per LEPC meeting on  
July 31, 2001*

27 June 2001

Mr. Gary Gill via Mr. Denis Shimamoto  
Hawaii State Emergency Response Commission  
c/o Dennis Shimamoto, HEER  
Hawaii State Dept of Health  
919 Ala Moana Boulevard - Room 206  
Honolulu, Hawaii 96814

Dear Mr. Gill:

The Hawaii County Local Emergency Planning Committee (HC-LEPC) is submitting via this letter an application for **\$32,600** from the HMEP Planning Grant funds. It is our intent to use this money to:

1) Study geographical response patterns and response times for hazardous materials incidents in Hawaii County over the past five (5) years, and correlate this with the location of emergency response resources in the County (Hawaii County Fire Department, Federal Fire Department at Pohakuloa Training Area and Kilauea Military Camp, US Coast Guard, National Park Service, Clean Island Council, etc.) The goal will be to affirm the current distribution of resources and to recommend changes if deemed necessary. This study and resulting information is especially critical in view of the large area (4000+ square miles) encompassed by Hawaii County. [**\$10,800 for contractual professional services from University of Hawaii at Hilo personnel**]

2) Conduct a statistical analysis of past hazardous materials emergencies in Hawaii County to define patterns in the types of incidents and the chemical(s) involved. These interpretations will be provided to the Hawaii County Fire Department to assist it in prioritizing purchases of equipment that is most likely to be needed for a hazardous materials response in Hawaii County. [**To be conducted concurrently with Objective #1 above**]

3) Evaluate the availability of off-Island emergency response resources within the State of Hawaii that can respond

to Hawaii County in the event of a hazardous materials emergency, and provide accurate estimates for the capabilities and response times for each resource. [**\$4,800 for professional services**]

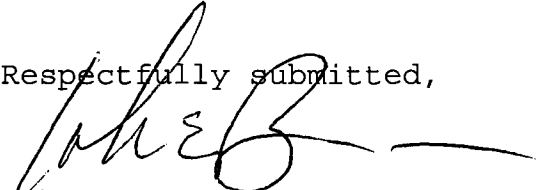
4) Undertake a public education program for Hawaii County commercial, industrial, and government entities to explain the State and Federal regulatory compliance requirements for handling hazardous materials and for responding to a hazardous materials emergency at a facility for which it is potentially the responsible party. We presently have a low rate of regulatory compliance in Hawaii County, in large measure because there has never been a unified campaign planned and carried out to strengthen concern among affected persons, companies, and agencies. [**\$12,800 for printing of an explanatory brochure and bulk mailing**]

5) Provide planning and training sessions with HC-LEPC members, Hawaii County emergency responders, and off-Island mutual aid emergency responders to generate a shared comprehension of our response capabilities and operating procedures, and to form a cohesive togetherness among the numerous agencies and personnel involved in response to hazmat emergencies in Hawaii County. [**\$4,200 for travel and per diem for off-Island participants to attend planning sessions**]

This project will be completed by 30 June 2002. A terminal report on the project, and also a closing summary of expenditures, will be provided to the Hawaii State Emergency Response Commission on or before 31 July 2002.

We thank the HSERC very much for its consideration of our proposal as we strive together to further the safety of Hawaii's emergency responders and the public.

Respectfully submitted,



John E. Bowen  
Chair, Hawaii County LEPC



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

JUL - 3 2001

JEREMY HARRIS  
MAYOR



CHAIR  
CARTER DAVIS

COORDINATOR  
LELAND NAKAI

July 2, 2001

*To be amended  
Per LEPC meeting  
on July 31, 2001*

Mr. Gary Gill  
Hawaii State Emergency Response Commission  
Hawaii State Department of Health  
919 Ala Moana Blvd. Room 206  
Honolulu, Hawaii 96814-4912

Dear Mr. Gill:

The Honolulu LEPC submits a proposal for \$25,000 to update its Hazardous Materials Response Plan. This submittal replaces the proposal sent to you on May 24, 2001.

We have been unable to utilize the \$29,000 approved by the HSERC in September 2000 to update our plan due to lengthy contractual requirements, and have thus re-designed the update of our plan to focus only on chlorine and anhydrous ammonia. Attached is a Request For Proposal that outlines the details of the project.

We intend to keep the project under \$25,000 to expedite the contractual process and ensure that we utilize the funds during the fiscal year.

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Carter Davis".  
Carter Davis, Chair  
Honolulu LEPC

Attachment

cc: HEER Office

## **Request for Proposal to Prepare a Hazard Assessment Attachment to the Hazardous Materials Response Plan, Appendix 6 to Annex S, City and County of Honolulu Emergency Operations Plan**

**Description:** The Hazard Assessment portion of the City and County of Honolulu Hazardous Materials Response Plan is to be rewritten to provide a current assessment of off-site risks associated with two hazardous chemicals. The preparation of this Hazard Assessment Attachment is being done under contract from a federal grant. This project will utilize hazard assessment guidelines contained in the EPA Risk Management Program (RMP) and will reflect current hazardous material preparedness, prevention and response regulations. The completed attachment will become part of the Hazardous Materials Response Plan, Appendix 6 to Annex S of the City and County of Honolulu Emergency Operations Plan, and will also serve as the Honolulu Local Emergency Planning Committee (LEPC) Plan.

**Outline of Work:** The contractor shall perform the work outlined below:

- Prepare hazard assessments for chlorine and anhydrous ammonia for the City and County of Honolulu, as further described below.
- Hazard assessments will be based on Hawaii Emergency Planning & Community Right-to-Know Act (HEPCRA) reporting quantities for Oahu facilities, as maintained by the State Department of Health (DOH) Hazard Evaluation and Emergency Response (HEER) Office.
- Hazard Assessments will be prepared using the EPA RMP guidelines, and will include, but not be limited to, maps depicting Worst Case and Alternative Release Scenarios.
- Hazard Assessments will be consistent with those contained in the Campbell Local Emergency Action Network Emergency Resources Guide for Businesses in Campbell Industrial Park (CIP).
- For Fixed Facilities:
  - Prepare off-site hazard assessments for Oahu reporting facilities.
- For Transportation Sources:
  - Prepare hazard assessments along the primary road transportation routes between the port of entry and all reporting facilities.
- Consolidate these hazard assessments into a stand-alone document, formatted similarly to the Hazardous Materials Response Plan, Appendix 6 to Annex S of the City and County of Honolulu Emergency Operations Plan.
- Coordinate with the Administrator, Oahu Civil Defense Agency and Chair or Coordinator of the Honolulu LEPC.

- Contractor will attend LEPC meeting to review attachment and incorporate changes into the final product.
- Provide two copies of the draft attachment for review.
- After final review and approval, submit a camera-ready attachment along with computer disk copy compatible with Oahu Civil Defense office software and hardware.

## KAUAI CIVIL DEFENSE AGENCY



4396 RICE STREET 107 • LIHUE, HAWAII 96766  
PHONE: (808) 241-6336 • FAX: (808) 241-6335  
emops@kcda.state.hi.us

May 18, 2001

*To be amended/deleted  
Per LEPC meeting on  
July 31, 2001*

Mr. Gary Gill  
Hawaii State Emergency Response Commission  
SOH – Department of Health  
919 Ala Moana Blvd 206  
Honolulu HI 96814-4912

Dear Mr. Gill,

The Kauai Local Emergency Planning Committee (LEPC) submits a \$2,643 proposal for consideration by the Hawaii State Emergency Response Commission (HSERC) for tools (software) to develop plans and guidelines by which local, state and supporting emergency operating centers may improve and enhance operational response to the public and response community effected by hazardous materials incidents.

We propose that the HSERC approve \$2,643 for this project by allocating \$2,115 from the HMEP Planning Grant and \$528 from the HEPCRA funds. We will proceed with this project once financial assurance is received.

Sincerely,

Clifford Ikeda, Chairperson

**KAUAI CIVIL DEFENSE AGENCY**



4396 RICE STREET 107 • LIHUE, HAWAII 96766  
PHONE: (808) 241-6336 • FAX: (808) 241-6335  
emops@kcda.state.hi.us

May 18, 2001

Mr. Gary Gill  
Hawaii State Emergency Response Commission  
SOH – Department of Health  
919 Ala Moana Blvd 206  
Honolulu HI 96814-4912

*To be amended per  
LEPC meeting on  
July 31, 2001*

Dear Mr. Gill,

The Kauai Local Emergency Planning Committee (LEPC) submits a \$25,230 proposal for consideration by the Hawaii State Emergency Response Commission (HSERC) for professional services to develop and simultaneously conduct an inter-island disaster operations exercise between local and state emergency operating centers, and supporting organizations. The purpose of this project is to improve planning for response and administrative activities for hazardous materials incidents that requires wide area coordination and control.

We propose that the HSERC approve \$25,230 for this project by allocating \$20,184 from the HMEP Planning Grant and \$5,046 from the HEPCRA funds. We will proceed with this project once financial assurance is received.

Sincerely,

Clifford Ikeda, Chairperson

Date sent: Thu, 12 Jul 2001 10:51:59 -1000  
From: Gary L Gill <glgill@mail.health.state.hi.us>  
Send reply to: glgill@mail.health.state.hi.us  
Organization: Hawaii State Department of Health  
To: Dennis Shimamoto - HEER <dshimamoto@eha.health.state.hi.us>  
Copies to: Curtis Martin - HEER <cmartin@eha.health.state.hi.us>,  
Keith Kawaoka - HEER <kkawaoka@eha.health.state.hi.us>  
Subject: Re: HSERC Meeting

D.  
Sure.  
G.

Dennis Shimamoto - HEER wrote:

> Hi Gary. Would it be O.K. if I put you down for an update of the  
> mercury spill and to preside over the discussion on upcoming  
> legislation (raid on special funds) at the Aug. 10 HSERC meeting?  
> Aloha.  
> Denis Shimamoto  
> HSERC Coordinator  
> HEER Office 586-4694 fax586-7537

**BENJAMIN J. CAYETANO**  
GOVERNOR OF HAWAII



**BRUCE S. ANDERSON, Ph.D.**  
DIRECTOR OF HEALTH

**STATE OF HAWAII**  
**DEPARTMENT OF HEALTH**

In reply, please refer to:  
HEER OFFICE

P.O. BOX 3378  
HONOLULU, HAWAII 96801

**HAWAII STATE EMERGENCY RESPONSE COMMISSION**  
**MEETING #41**

Friday, January 12, 2001 from 1:12 p.m. to 3:42 p.m.

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

**Final Meeting Summary**

**Attendees**

**Voting**

John Bowen, Hawaii LEPC Representative  
Capt. Carter Davis, Oahu LEPC Representative  
Gary Gill, Department of Health  
Clifford Ikeda, Kauai LEPC Representative  
Robert A. Boesch, Department of Agriculture  
Chris Takeno, Department of Transportation  
W. Mason Young, Department of Land and Natural Resources  
Sean O'Keefe, Maui LEPC Representative  
Jackie Miller, UH Environmental Center  
Jennifer Shishido, Department of Labor and Industrial Relations  
Genevieve Salmonson, OEQC, Department of Health  
Clement Jung, Department of Defense

**Non Voting**

Leland Nakai, Oahu Civil Defense  
Mike Ardito, USEPA Region IX  
Kathy Ho, Attorney Generals Office  
Jim Vinton, Tesoro Hawaii  
Denis Shimamoto, Department of Health, Hazard Evaluation and Emergency Response Office  
Keith Kawaoka, Department of Health, Hazard Evaluation and Emergency Response Office  
Randall Lee, C&C Environmental Services  
Audrey Uyema Pak, C&C Environmental Services  
John Lacio, 93D WMD-CST  
Curtis Martin, Department of Health, Hazard Evaluation and Emergency Response Office  
Major Stanley E. Toy, 93D WMD-CST

1) The meeting was convened at 1:12 p.m. by Gary Gill.

1.1 Minutes from the previous meeting were adopted with no changes.

2) LEPC Updates

2.1 Hawaii

John Bowen-Will need two new LEPC members. The administration office that processes the funding and other financial work for the Hawaii LEPC was destroyed in the flood. Three drums of unknown material were found in the Kona district and the Police followed up on this. Due to the flooding, creosote and other materials were unearthed in the Hilo waterfront. Soliciting bids for a 24 hour phone.

2.2 Kauai

Clifford Ikeda-Selected a contractor for their project. Waiting for execution of MOA with the State before proceeding.

2.3 Maui

Sean O'Keefe-Inquired on the process for reimbursement for the CAMEO workshop.

2.4 Honolulu

Carter Davis-Gave update of the Honolulu LEPC meeting as follows: 1) CAMEO course is being offered. 2) Jim Vinton gave an update of CLEAN activities. 3) Work on the contract to update the emergency response is being done to meet required financial wording. 4) Leland Nakai and Dave Hoffman gave a briefing on CLEAN. 5) Leland Nakai gave a briefing on the M2K Conference held in Las Vegas, Nevada. 6) Briefing on STTARS reporting system (Tier II reporting).

3) LEPC Funding

Curtis Martin-There is a balance of \$20,000 for this fiscal year. A motion was made to allocate the balance of \$20,000 equally among the LEPCs. (Carter/Ikeda) Unanimously approved. At the next meeting, a decision on the allocation of funds must be determined.

4) HEPCRA Funds & Tier II Filing Fees

Carter Davis-Re-evaluate the collection and allocation of the Tier II filing fees. If filing fee collections must be evaluated, should look into the fee structure of other states.

5) EPA Update

Mike Ardito

Update of the CEPP Conference and the "M2K HazMat Explo"

EPA Risk Management Program Reading Room Procedures (handout)

At the next HSERC meeting, must review needs and suggestions for EPCRA implementation for Hawaii

6) NASTTPO 2002 Conference & CHER-CAP

Clem Jung

The NASTTPO 2002 Conference will be held in Hawaii at the Ala Moana Hotel on April 8-13, 2002.

The next NASTTPO planning meeting will be on Feb. 28, 2001 at State Civil Defense.

If funds are available, a CHER-CAP exercise will be held in February 2002.

7) Replacement of School of Public Health Representative

Gary Gill-make an amendment to the law to get a representative from the John A. Burns School of Medicine.

8) Weapons of Mass Destruction

Major Stanley E. Toy, Commander of the 93D WMD-CST, gave a WMD presentation.

Mission is to assess, advise and facilitate WMD situations



Deal with domestic terrorism  
Cooperate within the ICS  
Designed to response for the unknown

9) Schedule next HSERC meeting.  
The next HSERC meeting will be on May 18, 2001 at 9:00 a.m.

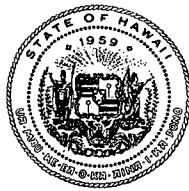
The meeting was adjourned at 3:42 p.m.

Respectfully Submitted

A handwritten signature in cursive script that reads "Denis M. Shimamoto". The signature is written in black ink and is positioned above a horizontal line.

Denis M. Shimamoto, HSERC 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 #42

Friday, May 18, 2001 from 9:20 a.m. to 11:30 a.m.

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

Draft Meeting Summary

Attendees

Voting

John Bowen, Hawaii LEPC Representative  
Capt. Carter Davis, Oahu LEPC Representative  
Gary Gill, Department of Health  
Clifford Ikeda, Kauai LEPC Representative  
Chris Takeno, Department of Transportation  
W. Mason Young, Department of Land and Natural Resources  
Joseph Blackburn, Maui LEPC Representative  
Jennifer Shishido, Department of Labor and Industrial Relations  
Ed Teixeira, Department of Defense  
Thomas J. Smyth, Department of Business, Economic Dev. & Tourism

Non Voting

Leland Nakai, Oahu Civil Defense  
Denis Shimamoto, Department of Health, Hazard Evaluation and Emergency Response Office  
Latarsha S. McQueen, USCG MSO  
Dennis Poma, Brewer Environmental Industry  
Clem Jung, State Civil Defense  
Cynthia Pang, CNR HI  
Mike Cripps, Department of Health, Hazard Evaluation and Emergency Response Office

1) The meeting was convened at 9:20 a.m. by Gary Gill.

1.1 Minutes from the previous meeting were adopted with no changes.

1.2 Legislative Updates

Tom Smyth-Bill to raid funds from the underground storage tanks special fund did not pass.

Bills to raid special funds did not pass in the legislature.

Mason Young-Bills to raid special funds will be brought up next legislative year so pay extra attention to upcoming bills.

AGENDA ITEM-Discussion on the upcoming legislature should be on the Fall meeting agenda.

HB 662 HD 2 passed. Criminal penalty for abandonment of any hazardous waste, used oil, or used oil fuel.

Mercury spill-Gary Gill gave an update of the mercury spill. Report to the legislature were given to the members of the HSERC.

Mike Cripps-HEER Office collected approximately 54 pounds of mercury from a house in Ewa.

2) LEPC Updates

2.1 Hawaii

John Bowen-1) Would like to know what are the minimum training/refresher requirements for first responders. He would like the LEPCs to discuss this subject at their respective meetings. Should HSERC establish minimum requirements for the various levels of training? Clem Jung stated that State Civil Defense uses "8 hours for awareness and 4 hours for refresher". OSHA requirements must be taken into consideration. 2) For the training that is provided by the State, he would like to know what funds were available and what was spent. Clem Jung will provide the information. 3) Status of the Hawaii Emergency Response Plan, Annex M. Initial requirement was to have it completed by 9/30/00. A vender was interested but could not meet the deadline so vender did not bid. This vender is questioning present contract because deadline has not been met.

2.2 Kauai

Clifford Ikeda-Presentation was distributed. 1) Kauai LEPC meeting held on March 9, 2001 2) USDOT/HMEP planning grant 3) NASTTPO 2001 annual convention, Atlanta, GA.

2.3 Maui

Joe Blackburn-1) Need HAZCAT training on Maui. 2) Computer programs are not compatible to retrieve TIER II information 3) Would like to resubmit planning grant project because did not have funds to execute project this fiscal year.

2.4 Honolulu

Carter Davis-Gave update of the May 14, 2001 Honolulu LEPC meeting as follows: 1) CAMEO class 2) HAZMAT II is operational 3) HEPCRA filing fee distribution 4) Contract for the update of the Honolulu Emergency Plan 5) CLEAN update-shelter in place for schools 6) announcement of upcoming of various exercises 7) CHER-CAP development of a full scale exercise in August 2001

3) LEPC Funding

Denis Shimamoto-Decision on the distribution of HEPCRA funds to be made this meeting. Carter Davis-presentation of various base and percentage distribution of funds. Motion to use a \$5,000 base and the balance distributed on a percentage based on TIER II collection for the funds that are presently available for distribution (\$53,342). (Blackburn/Davis) Approved with one opposed.

4) NASTTPO 2002 Conference & CHER-CAP

Clem Jung-Report on the NASTTPO 2001 Conference held in Atlanta, GA and an update of the NASTTPO Conference to be held in Honolulu on April 8-13, 2002. HAZMAT training funds for FY 01-02 has been reduced by 33% to approximately \$73,700. Training classes will be held on Maui and Honolulu. A four day CHER-CAP field exercise will be held in May or June 2002.

5) New Business

Carter Davis-A "heads up" on the NFPA 1994 which has new changes for PPE.

Clifford Ikeda-Presented two project applications in the amounts of \$2,643 and \$25,230. He stated that projects were due the last meeting of the fiscal year. Since it was not on the agenda, all project request will be due in the HEER Office by June 30, 2001 and will be discussed at the next HSERC meeting.

6) Schedule next HSERC meeting

The next HSERC meeting will be on August 10, 2001 at 9:00 am.

The meeting was adjourned at 11:30 am.