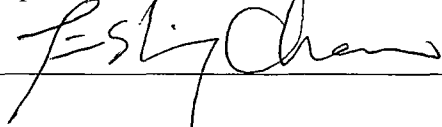


**HSERC MEMBERS OR THE VOTING REPRESENTATIVES'  
SIGN-IN SHEET FOR DECEMBER 13, 2007**

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

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Tin Shing Chao  
Manager  
Occupational Safety and Health Division  
Department of Labor and Industrial Relations



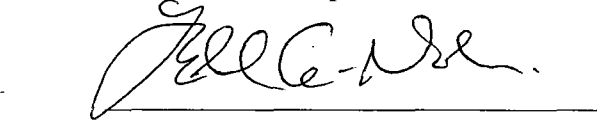
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John Ross  
Hawaii Representative/LEPC Chairperson



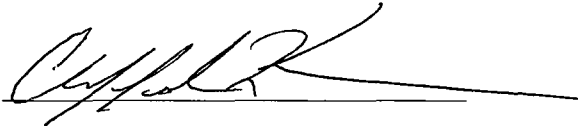
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Captain Carter Davis  
Honolulu Representative/LEPC Chairperson  
Honolulu Fire Department



---

Clifford Ikeda  
Kauai Representative/LEPC Chairperson  
Kauai Civil Defense



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Scott Kekuewa  
Maui Representative/LEPC Chairperson  
Maui Fire Department

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Laurence K. Lau  
Deputy Director, Environmental Health  
Department of Health

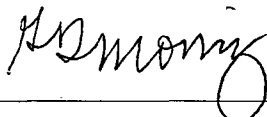


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Maria Lutz  
Manager, Disaster Services  
American Red Cross

---

Gary Moniz  
Chief of Enforcement  
Department of Land and Natural Resources



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Director  
Environmental Quality Control Ofc.

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**HSERC MEMBERS OR THE VOTING REPRESENTATIVES' SIGN-IN  
SHEET FOR DECEMBER 13, 2007**

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

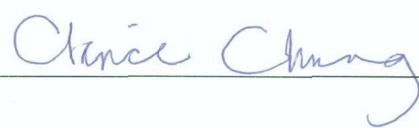
  
\_\_\_\_\_

Chris Takeno  
Hazardous Materials Officer  
Department of Transportation

\_\_\_\_\_

Edward Teixeira  
Vice Director  
State Civil Defense  
Department of Defense

Jay Maddock, Ph.D.  
Director  
Office of Public Health Studies  
University of Hawaii at Manoa

*for*   
\_\_\_\_\_

\_\_\_\_\_



LINDA LINGLE  
GOVERNOR OF HAWAII



CHIYOME L. FUKINO, M.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 #69

Thursday, December 13, 2007 from 9:00 a.m. to 12:00 p.m.

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

AGENDA

- |           |  |   |
|-----------|--|---|
| 1) 9:00   | Call to Order<br>Opening Remarks<br>Approval of Minutes from Mtg #68 | Laurence K. Lau, Deputy Director for Environmental Health   |
| 2) 9:15   | LEPC Updates   | John Ross, Hawaii LEPC Representative<br>Clifford Ikeda, Kauai LEPC Representative<br>Scott Kekuewa, Maui LEPC Representative<br>Carter Davis, Oahu LEPC Representative |
| 3) 9:45   | EPA Update   | Mike Ardito, USEPA Region 9   |
| 4) 10:00  | HMEP Update  | Ken Lesperance, SCD   |
| 5) 10:15  | SCD MOA Proposed   | Ken Lesperance, SCD   |
| 6) 10:30  | Break  |   |
| 7) 10:45  | HSERC Financial Report<br>Tier II Reallocation of Funds              | HEER  |
| 8) 11:00  | HEPCRA<br>128-E Statutory Changes Update                             | LEPC Chairs, HEER   |
| 9) 11:15  | HEPCRA<br>128-E Administrative Rules Update                          | LEPC Chairs, HEER   |
| 10) 11:30 | Other Business   | Elizabeth Galvez<br>Table Top Exercise  |
| 11) 11:45 | Schedule next HSERC meeting  |   |

## CORRECTIONS TO MEETING #67 MINUTES

Ken said MOA signed since last meeting. Only concern was whether funds could be forwarded. Charley Rogoff said it was not a problem. Recommend that within the project, write your MOA. Whether doing study or sending someone to NASTTPO using HMEP funds, stipulate payment process. When Vice Director of SCD signs, everyone at SCD will have to follow it. Their attorney always reviews this so it will be legal and signed.

6) Break.

7) Re-distribution of Unused Tier II Funds

Leland Nakai:

1) Explained that matching funds from Tier II that were not used were returned. What is happening to that money?

Sharon answered funds should be there.

John asked could these funds be carried over for next year's distribution to counties.

Sharon will talk to Curtis.

John is concerned about money that he has not submitted for. Discussion between John, Larry, Carter.

Carter explained about the 20% match and that money is left over from not being used. What happens to unused money and can it be divided between LEPCs.

Larry clarified about funds to LEPC and 20% match. Needs a process to identify amounts and act on it. Do we need a financial report?

John suggests an update towards end of year to see how much is left in the 20% match. Can be determined whether to roll over into next year operating fund, added to base or percentage.

Larry does not want to make it an agenda item, yet. Think about process to keep track and make sure it's brought up in a timely manner to reallocate spending so funds are used. Will ask staff to let him know what it takes to process quarterly report.

John would like reports towards end of year, whether State fiscal year or revolving. Just a time we decide on and remaining funds can be decided on also.

Larry wants everyone to keep this in mind for next meeting, important issue. Item 8 was done earlier

9) Super Ferry.

No one available from company to attend.

10) Other Business

1) John asked Ken which county would be supported for NASTTPO this past year? Should be revolving?

Ken said no one came forward.

Carter said Honolulu volunteered to go last, to give opportunity to neighbor islands.

Ken wants to leave it to LEPCs to figure it out. Don't need to vote on it.

John stated Hawaii County funded their person to go to NASTTPO this past conference. Can they recoup funds?

Ken will find out if they can get it back. If it needs to be voted on, will put it on next meeting agenda.

John asked if HMEP grant did not support anyone this year, could a county apply toward grant fund. Discussion on applying for funds by John, Ken, Clifford. In the minutes from previous years, possible one to two years ago, voted on rotation.

Ken has put \$10,000 in next years grant towards travel. This is for **2 people**, from the planning side of grant.

Last time he requested to go to conference and supervisor denied him. He will ask to go again.

John notified meeting the next conference is first week in November, Hazmat Expo.

## Leonida, Sharon L

---

**From:** Pascual, Maria L.  
**Sent:** Wednesday, November 07, 2007 3:09 PM  
**To:** Chau, Aletta Man Yin  
**Cc:** Sugimoto, Roy H.; Leonida, Sharon L  
**Subject:** RE: S 342 H 000338 00 371

Hi Aletta,

Okay, here are the balances:

Project #000338 YR 08 -	(13,197.81)
07-	(6,206.15)
06-	6,463.29
05-	(1,726.22)
04-	61,887.24
03-	2,012.00
Net balance	49,232.35

Thanks,  
Lucy

---

**From:** Chau, Aletta Man Yin  
**Sent:** Friday, November 02, 2007 4:29 PM  
**To:** Pascual, Maria L.  
**Cc:** Sugimoto, Roy H.; Leonida, Sharon L  
**Subject:** S 342 H 000338 00 371

Hi Lucy,

HEER office would like to get the following information from 1999/2000 to now for subject account:

- 1) Available balance for each year;
- 2) Is the balance available to expend;
- 3) If not, what can they do in order to spend the fund.

Thanks in advance and have a nice weekend.

Aletta

## Leonida, Sharon L

---

**From:** Ardito.Michael@epamail.epa.gov  
**Sent:** Friday, November 30, 2007 4:00 PM  
**To:** Leonida, Sharon L  
**Cc:** Yocum.Janet@epamail.epa.gov; Witul.Janice@epamail.epa.gov  
**Subject:** HSERC meeting minutes for #68 and Agenda for #69



68MIN.DOC



69 AGENDA.DOC

Sharon,

Thanks for sending me the draft minutes from the HSERC meeting held on Sept. 20, 2007 and the draft agenda for the upcoming HSERC meeting to be held on Dec. 13, 2007.

By the way, I believe EPA's On Scene Coordinator Janet Yocum will be able to attend the HSERC meeting on Dec. 13 with me. At this point I don't know if Janet wants to speak about any EPA emergency response or planning issues.

Also, please correct the spelling of Janet Yocum's name (not Jancie Yokam) as shown in the draft minutes (as referenced in the Maui LEPC report).

Under Leland Nakai's report from the Honolulu LEPC, I have several comments. Under point 5, "Clean" should be capitalized and spelled out the first time -- CLEAN (Campbel Local Emergency Action Network). What is the PIG working group as mentioned in Leland's HEPCRA report?

During the last HSERC meeting (according to the minutes) there appeared to be quite a discussion about EPA and EPCRA guidelines for such reporting issues as vehicle batteries in parking lots. Does EPA need to address or help clarify the issue at the next HSERC meeting?

In certain sections of the draft minutes -- you may want to spell out acronyms the first time of use -- such as ERGs (Emergency Response Guidebooks). It will be helpful to readers not familiar with our emergency planning program.

Anyway, when you get a chance let's chat early next week (Dec. 3 or 4) before you finalize the minutes.

Mahalo,

Michael (Mike) Ardito  
Emergency Preparedness Coordinator  
U.S. Environmental Protection Agency,  
Pacific Southwest Region  
75 Hawthorne Street, Mail Code SFD-9-3  
San Francisco, CA 94105

Work Telephone: 415-972-3081  
Work Fax: 415-947-3520  
Work Email: ardito.michael@epa.gov

*agenda  
V Janet Yocum*

"Leonida, Sharon  
L"

<sharon.leonida@  
doh.hawaii.gov>

To  
Michael Ardito/R9/USEPA/US@EPA  
cc

11/30/2007 05:02  
PM

Subject  
Meeting minutes for #68 and  
Agenda for #69

Let me know if you see any mistakes. <<68MIN.DOC>> <<69 AGENDA.DOC>>  
THANKS MIKE. (See attached file: 68MIN.DOC) (See attached file: 69  
AGENDA.DOC)



December 13, 2007

1. HEER Christmas Party today.
2. Philip Arbitrario is here for Tin Shing Chao
3. Scott – LEPC from Maui not able to be here..
4. Robert Boesch is unable to attend.

Memorandum of Agreement  
Between the  
Hawaii State Emergency Response Commission,  
State Civil Defense, (Parent Agency)  
And the \_\_\_\_\_ Local Emergency Planning Committee

Purpose and Scope

This Memorandum of Agreement (hereinafter "MOA") establishes a cooperative framework for the funding of the project to update the \_\_\_\_\_ Local Emergency Planning Committee (hereinafter "\_\_\_\_\_ LEPC") Hazardous Materials Response Plan (Appendix 5 to Annex T of the City and County of Honolulu Emergency Operations Plan) (hereinafter "Project"), as approved by the Hawaii State Emergency Response Commission (hereinafter "HSERC") at its meeting on \_\_\_\_\_. **All work shall be completed during the Hazardous Materials Emergency Preparedness (HMEP) Grant performance period, from (month/day/year), to (month/day/year).**

Authority

The Hawaii Emergency Planning and Community Right-to-Know Act, Hawaii Revised Statutes, 128E requires the preparation and annual update of the local hazardous materials emergency response plan by each Local Emergency Planning Committee (hereinafter "LEPC").

Funding Protocols

The total cost of the project is \$ \_\_\_\_\_ to (project description). Of the total anticipated cost, twenty percent (20%) or \$ \_\_\_\_\_ shall be provided by the HSERC and eighty percent (80%) or \$ \_\_\_\_\_ shall be provided by the Department of Transportation Hazardous Materials Emergency Preparedness (HMEP) Planning Grant through the State Civil Defense (SCD). The \_\_\_\_\_ LEPC shall invoice the respective State Departments for not more than the amounts stated above in accordance to the schedule of payments as provided in the contract for the Project. Any allocated funds that are not expended shall be reimbursed to the respective State Departments at the twenty percent (20%) and eighty percent (80%) proportion. Any expenditures beyond the above stated \$ \_\_\_\_\_ and \$ \_\_\_\_\_ shall be the responsibility of the \_\_\_\_\_ LEPC. If the cost of the project is less than the anticipated \$ \_\_\_\_\_, the respective 20% and 80% apportionment shall apply to the final project cost. **The Scope of Services is attached.**

Guidelines

The (parent agency) is responsible for the following:

Selection of a qualified consultant for the Project

Provide contract oversight and ensure "Scope of Services" is being accomplished in accordance to the contract

Provide payment to the consultant for services rendered **within ten (10) days after receipt of funds from HSERC/SCD**

Follow all necessary procurement procedures

The \_\_\_\_\_ LEPC is responsible for the following:

Assist the (parent agency) in the selection of a qualified consultant for the Project

Assist the (parent agency) in providing oversight of the contract for services

Ensure "Scope of Services" is being accomplished in accordance to the contract

Provide progress reports to the HSERC and SCD

**Provide Mid Year Progress Report in April for inclusion in following year HMEP grant application**

**Provide progress report, proof of payment of the 20% state match from the LEPC to the consultant, and documentation of the funding source of the 20% match, at least 45 days prior to anticipated invoice date, for inclusion in HMEP grant drawdown request**

Provide a written final report **or final product** to the HSERC and SCD

Submit invoices to the HSERC and SCD for respective portions outlined above

Upon receipt of funds from the HSERC/SCD, provide funds to the (parent agency) for payment to the consultant **within seven (7) days**

Provide the HSERC and SCD with proof of payment to the consultant **within ten (10) days** after payments are made:

The HSERC is responsible for the following:

Provide twenty percent (20%) funding of HSERC approved projects or activities to the \_\_\_\_\_ LEPC upon receipt of invoice for consultant services

The SCD is responsible for the following:

Provide eighty percent (80%) funding of HSERC approved projects or activities to the \_\_\_\_\_ LEPC upon receipt of invoice for consultant services.

#### Oversight

The \_\_\_\_\_ LEPC is responsible for utilizing the subject funding for the purposes of completing the Project.

The \_\_\_\_\_ LEPC is responsible for submitting a written Project summary along with each invoice, describing the progress and work accomplished during that work period, and will provide a progress report at each meeting of the HSERC.

The \_\_\_\_\_ LEPC shall provide a final project report to the HSERC and SCD.

Amendments and Effective Date

This MOA may be amended by agreement of each signatory. This MOA will remain in effect until completion of the Project.

This MOA is effective upon signing by the HSERC Chair, the Vice Director of State Civil Defense, the (parent agency), and the Chair of the \_\_\_\_\_ LEPC.

\_\_\_\_\_  
Laurence Lau  
Chair, Hawaii State Emergency Response Commission

\_\_\_\_\_  
Date

\_\_\_\_\_  
Edward T. Teixeira  
Vice Director of Civil Defense

\_\_\_\_\_  
Date

\_\_\_\_\_  
(name)  
(title, parent agency)

\_\_\_\_\_  
Date

\_\_\_\_\_  
(name)  
Chair, \_\_\_\_\_ Local Emergency Planning Committee

\_\_\_\_\_  
Date

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael S. Vincent  
Deputy Attorney General, State of Hawaii

\_\_\_\_\_  
Date

APPROVED AS TO FORM AND LEGALITY:

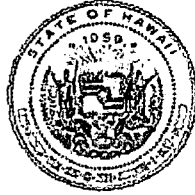
\_\_\_\_\_  
(name)  
(title)

\_\_\_\_\_  
Date

LINDA LINGLE  
GOVERNOR

MAJOR GENERAL ROBERT G. F. LEE  
DIRECTOR OF CIVIL DEFENSE

EDWARD T. TEIXEIRA  
VICE DIRECTOR OF CIVIL DEFENSE



PHONE (808) 733-4300  
FAX (808) 733-4287

**STATE OF HAWAII**  
**DEPARTMENT OF DEFENSE**  
**OFFICE OF THE DIRECTOR OF CIVIL DEFENSE**  
3949 DIAMOND HEAD ROAD  
HONOLULU, HAWAII 96816-4495

December 13, 2007

TO: Mr. Laurence K. Lau, Chair  
Hawaii State Emergency Response Commission

FROM: Edward T. Teixeira   
Vice Director of Civil Defense

SUBJECT: DECEMBER 2007 HSERC MEETING

I am unable to attend the December 13, 2007, HSERC meeting due to a conflicting schedule.

I hereby appoint Clarice Chung from State Civil Defense to represent me at the above meeting with all the rights as a voting member.



United States  
Environmental Protection Agency  
Pacific Southwest Region



**EMERGENCY PREVENTION, PREPAREDNESS, AND RESPONSE  
PROGRAM UPDATE FOR HAWAI'I SERC  
MEETING IN HONOLULU ON DECEMBER 13, 2007**

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## **PREVENTION, PREPAREDNESS AND RESPONSE ACTIVITIES**

### **NASTTPO Receives EPA Regional Award**

The U.S. EPA's Pacific Southwest Regional Prevention and Preparedness Leadership Award 2007 was presented to the National Association of SARA Title III Program Officials (NASTTPO) at HazMat Explo in Las Vegas on Nov. 8. NASTTPO is comprised of national, state, regional, local, tribal and other partners obligated and interested to carry forth the EPCRA law in our communities.

Through the dedication of numerous NASTTPO board members and other partners, the organization has been able to keep the membership informed of important issues and new developments impacting EPCRA implementation. The information provided includes federal regulations and programs as well as grant guidance from such entities as the U.S. Dept. of Transportation, the Dept. of Homeland Security, FEMA, the U.S. EPA, and the U.S. Chemical Safety Board.

### **EPA Emergency Contact Calendar Cards for 2008**

The EPA is providing at the Hawai'i SERC meeting today a small stack of EPA's emergency contact calendar cards for 2008 – sized to fit into a wallet or pocket.

### **EPA Pacific Southwest Annual Environmental Progress Report 2007**

The annual progress report for the EPA Pacific Southwest Region's environmental programs was posted to our Web site during Earth Week at [www.epa.gov/region9/annualreport/index.html](http://www.epa.gov/region9/annualreport/index.html) . For those interested, some hard copies are available at today's HSERC meeting.

### **HazMat Explo with Emergency Prevention and Preparedness Conference 2008**

The 12<sup>th</sup> annual HazMat Explo will be held at the Tuscany Hotel and Conference Center in Las Vegas, NV from Monday, Nov. 3 to Thursday, Nov. 6, 2008. Concurrent again with HazMat Explo will be the mid-year NASTTPO meeting combined with the annual EPA Western Regions' Emergency Prevention and Preparedness conference on Nov. 4 to 6.

This guide is a quick reference for State and local first responders. It provides general information for use during the first 12 hours after the detonation of an explosive radiological dispersal device (RDD), also called a *dirty bomb*.

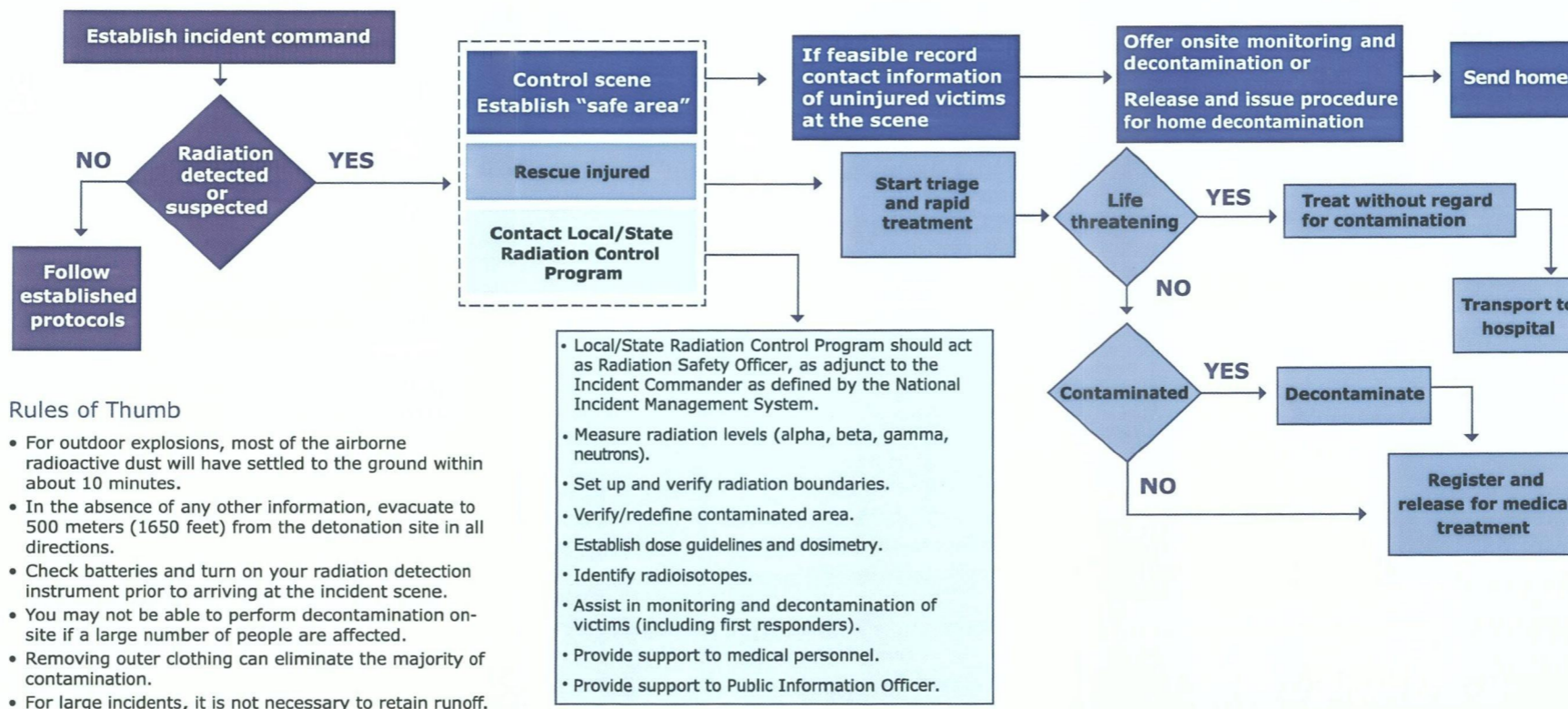
It does not attempt to address all situations, but many concepts can be applied to other types of radiation incidents. A CRCPD RDD companion handbook provides additional information including contacts. The last page of this booklet provides an area to list your contact numbers.

Law enforcement and local/State radiation control staff play a key role in response to an RDD event. It is assumed that an incident command structure has been established and its role is not discussed in this guide.

Radiation usually is measured by field survey instruments in Roentgens per hour (R/hr), milliRoentgens per hour (mR/hr), or counts per minute (cpm). It is strongly recommended that you become familiar with your radiation detection equipment prior to responding to an incident. Refer to your instrument user's manual or the CRCPD RDD handbook for additional guidance.

Contact your State or local radiation control program for recommended policies and procedures or if you have questions.

## Remember ... Saving Lives is a Priority!



## Contacts

Local/State Radiological  
Lead Agency \_\_\_\_\_

**Radiation Emergency Assistance**  
**1-877-GET RAD 1**  
**(877-438-7231)**  
Nevada State Health Division  
Radiological Health Section  
4150 Technology Way, Ste. 300  
Carson City, NV 89706  
Business Phone 775-687-7550

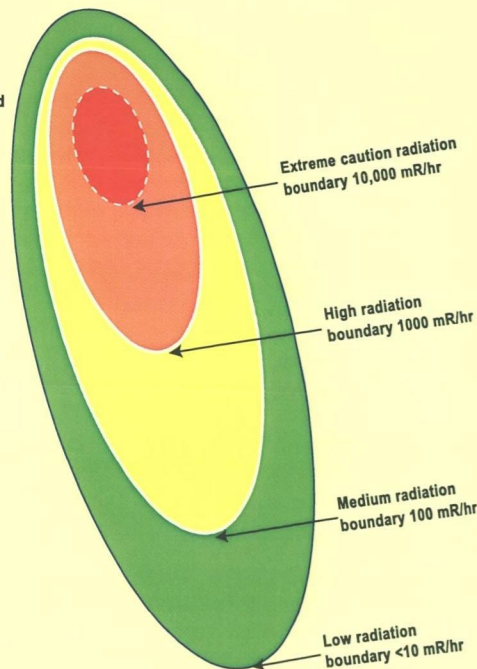
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© 2006 Conference of Radiation Control Program Directors, Inc.

This publication was supported in part by funding through purchase order #200-2004-M-09776 from the Department of Health and Human Services Centers for Disease Control and Prevention.

### SUGGESTED ZONES FOR IMPACTED AREA

★ Incident Command



Assume 1 milliRoentgen (mR) = 1 millirem (mrem)  
1 R/hr = 1000 mR/hr

### RADIATION ZONES AND SUGGESTED ACTIVITIES FOR EACH ZONE DURING THE FIRST 12 HOURS

Boundary mR/hr	Radiation Zones mR/hr	Activities	Total Stay Time*
Back-ground	Uncontrolled	No restrictions. Best location for Incident Command and decontamination activities.	Unlimited
<10	Low Radiation Zone <10-100	If feasible, restrict access to essential individuals. Initial decontamination of responders should occur near outer boundary. Uninjured personnel can be directed home to shower if contamination surveying at the scene is not feasible.	Full 12 hours
100	Medium Radiation Zone 100-1000	Only authorized personnel. Personal dosimetry should be worn. Buffer zone/transition area between the high and low radiation zones. Survey people for contamination before releasing.	5-12 hours (12 hours for critical property & lifesaving)
1000	High Radiation Zone 1000-<10,000	Only authorized personnel with specific critical tasks such as firefighting, medical assistance, rescue, extrication, and other time-sensitive activities. Personal dosimetry should be worn. Survey people for contamination before releasing.	30 minutes - 5 hours
10,000	Extreme Caution Zone ≥ 10,000	Located within the high radiation zone. Restricted to the most critical activities, such as lifesaving. Personal dosimetry required (one monitor for several responders is acceptable). Limit time spent in this area to avoid Acute Radiation Sickness. Survey people for contamination before releasing.	Minutes to a few hours

\*Total Stay Time is calculated by dividing total allowed dose by exposure rate. For example, if total allowed dose for lifesaving is 50,000 mrem, Total Stay Time in a 200,000 mR/hr field is 15 minutes.

$$\frac{50,000 \text{ mrem}}{200,000 \text{ mR/hr}} = 0.25 \text{ hour (15 minutes)}$$

### TURN-BACK EXPOSURE RATES AND DOSE GUIDELINES

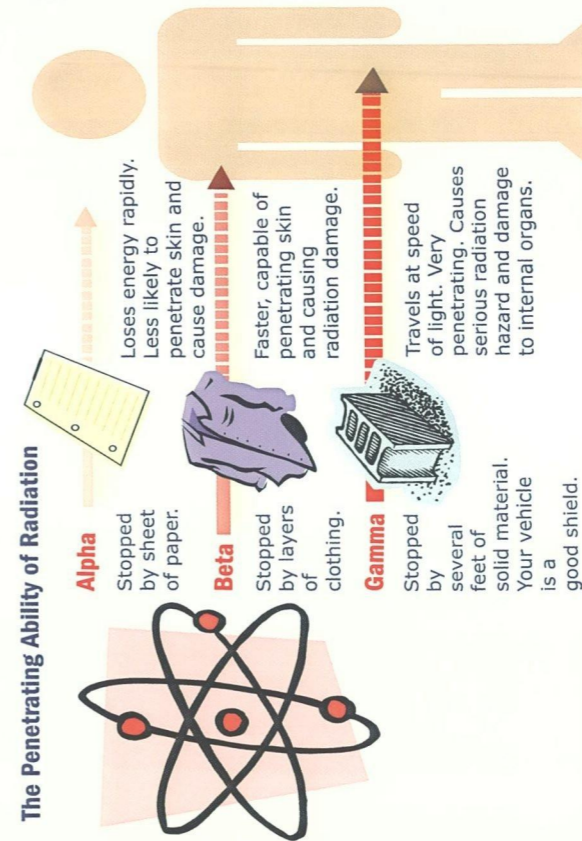
Activities	Suggested Turn-Back Exposure Rates	Guidelines for Total Accumulated Dose	Increased Cancer Risk*
Emergency worker dose limit	Follow Radiation Safety Officer instructions	5,000 mrem**	0.5%
Non-lifesaving activities (major critical property protection)	10,000 mR/hr	10,000 mrem	1%
Lifesaving activities	200,000 mR/hr*** EXTREME CAUTION	50,000 mrem	5%

\*National Council on Radiation Protection and Measurements Report No. 138.

\*\*Note that the 5,000 mrem dose guideline represents the standard occupational dose limit for one year. The 50,000 mrem dose guideline is a level where effects from short-term radiation exposure are possible.

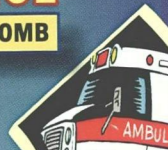
\*\*\*Specific approval and controls required to exceed this turn-back exposure rate.

### The Penetrating Ability of Radiation



### FIRST RESPONDER'S GUIDE

## RADIOLOGICAL DISPERSAL DEVICE DIRTY BOMB

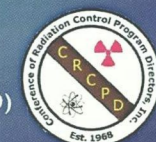


The First 12 Hours

Conference of Radiation Control Program Directors, Inc. (CRCPD)

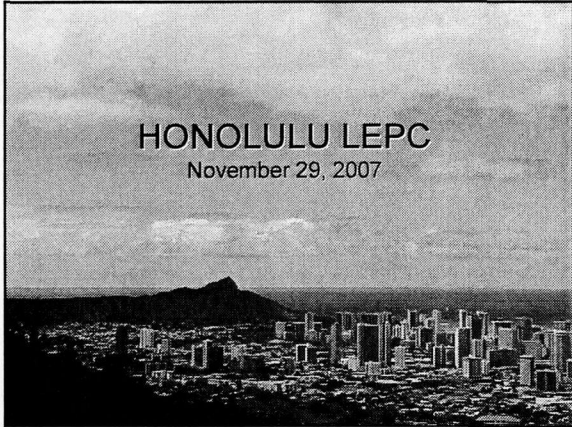
For ordering information, visit [www.crccd.org](http://www.crccd.org) or call 502/227-4543.

Rev. 9/06

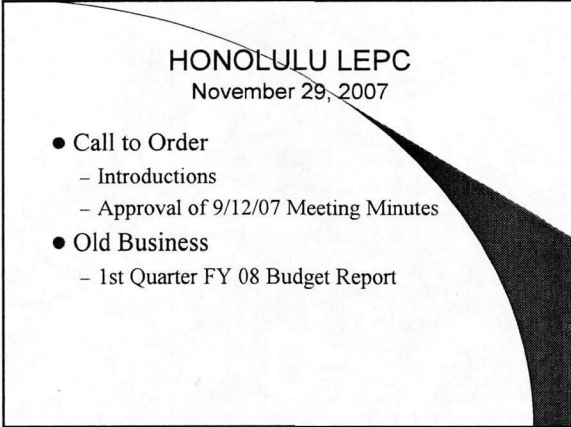


CRCPD Pub. #06-RDD-PG



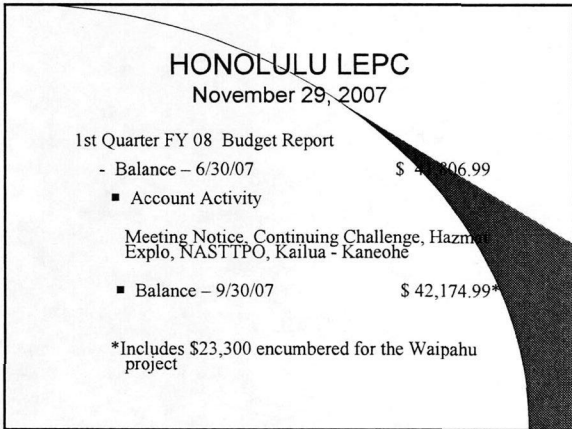


**HONOLULU LEPC**  
November 29, 2007



**HONOLULU LEPC**  
November 29, 2007

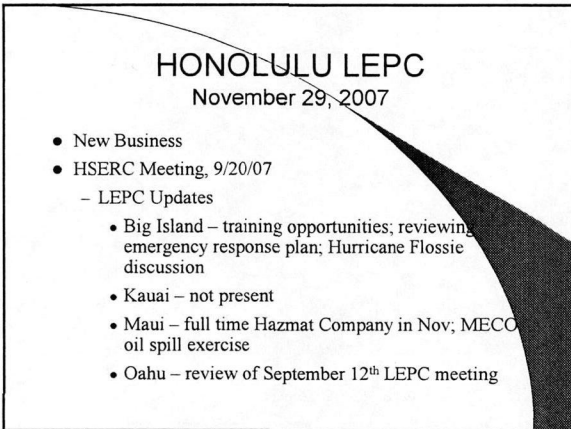
- Call to Order
  - Introductions
  - Approval of 9/12/07 Meeting Minutes
- Old Business
  - 1st Quarter FY 08 Budget Report



**HONOLULU LEPC**  
November 29, 2007

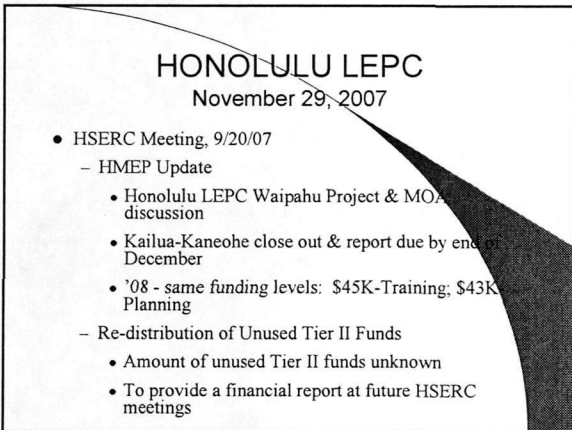
- 1st Quarter FY 08 Budget Report
- Balance – 6/30/07 \$ 41,806.99
    - Account Activity
- Meeting Notice, Continuing Challenge, Hazmat Explo, NASTTPO, Kailua - Kaneohe
- Balance – 9/30/07 \$ 42,174.99\*

\*Includes \$23,300 encumbered for the Waipahu project



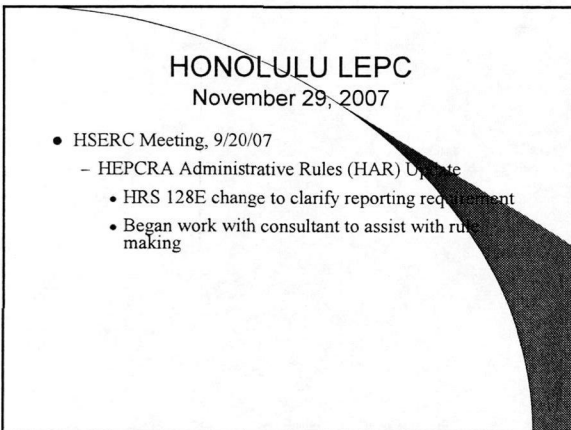
**HONOLULU LEPC**  
November 29, 2007

- New Business
- HSERC Meeting, 9/20/07
  - LEPC Updates
    - Big Island – training opportunities; reviewing emergency response plan; Hurricane Flossie discussion
    - Kauai – not present
    - Maui – full time Hazmat Company in Nov; MECO oil spill exercise
    - Oahu – review of September 12<sup>th</sup> LEPC meeting



**HONOLULU LEPC**  
November 29, 2007

- HSERC Meeting, 9/20/07
  - HMEP Update
    - Honolulu LEPC Waipahu Project & MOA discussion
    - Kailua-Kaneohe close out & report due by end of December
    - '08 - same funding levels: \$45K-Training; \$43K-Planning
  - Re-distribution of Unused Tier II Funds
    - Amount of unused Tier II funds unknown
    - To provide a financial report at future HSERC meetings



**HONOLULU LEPC**  
November 29, 2007

- HSERC Meeting, 9/20/07
  - HEPICRA Administrative Rules (HAR) Update
    - HRS 128E change to clarify reporting requirement
    - Began work with consultant to assist with rule making

## HONOLULU LEPC

November 29, 2007

- HSERC Meeting, 9/20/07
  - Glove Bag demo/discussion
    - To handle unknown powder incidents
    - FBI approved
    - \$364 per copy
    - HEER has ordered 12, and will provide 1 to each hazmat team
  - Emergency Response Guidebooks
    - 2008 distribution

## HONOLULU LEPC

November 29, 2007

- Clean Islands Council Presentation

Kim Beasley

## HONOLULU LEPC

November 29, 2007

- Hazmat Explo/Mid-Year NASTTPO/EPA Meeting
  - Bio Decon
    - EPA treating clean up of naturally occurring Anthrax the same as bio terror event – excessive clean up, investigation & certification
      - Can never get back to zero contamination
    - Bio Watch system in 7 cities. EPA responds in PPE for 2<sup>nd</sup> hit.
    - Visual Sampling Plan software for sampling
      - Rationale for decision making
      - Provides gov't a cost vs. benefit factor to consider

## HONOLULU LEPC

November 29, 2007

- Hazmat Explo/Mid-Year NASTTPO/EPA Meeting
  - Radiation Dispersal Device (RDD)
    - Surprised that RDD hasn't been used
    - Decon of personnel 1<sup>st</sup> priority
      - Potential decision to allow runoff to enter storm water/drains & handle residue later
    - If ER is contaminated, continue to use that hospital for contaminated patients & keep other hospitals clean

## HONOLULU LEPC

November 29, 2007

- Hazmat Explo/Mid-Year NASTTPO/EPA Meeting
  - Evolving Terrorism
    - No reliable terrorist profile for most recent cases – Madrid trains, London buses, London planes
      - Unremarkable
      - Single or married, 16-55 yrs old
      - Male or female
      - Native born, citizen, or naturalized
      - Above average education
      - Well assimilated into culture
    - Concern – Radicalized Religious Groups

## HONOLULU LEPC

November 29, 2007

- Hazmat Explo/Mid-Year NASTTPO/EPA Meeting
  - Evolving Terrorism
    - Tools are evolving
      - Peroxide based & liquid explosives
      - Easily made from readily available products
      - Not easily detected by nitrate screening equipment or bomb dogs
    - Meth lab booby traps

## HONOLULU LEPC

November 29, 2007

- Hazmat Explo/Mid-Year NASTTPO/EPA Meeting
  - Key Note Speaker – Carole Cameron, NIMS Integration Center
    - FY 2008 – 2 yr window to meet NIMS training needs
  - Feds working on 1<sup>st</sup> Responder credentialing system
    - Pilot program – MD, VA, DC
    - All personnel must be credentialed for future disaster involvement
  - National Response Framework by Nov 30
    - Roles/responsibilities at all gov't levels
  - 900 new FEMA positions in 10 Regions

## HONOLULU LEPC

November 29, 2007

- Hazmat Explo/Mid-Year NASTTPO/EPA Meeting
  - HMEP Program – Tim Wilke
    - Program to double in near future. Hurt by continuing resolutions
    - States have flexibility to increase training vs planning
    - Apply in April '08 for '08 HMEP funds

## HONOLULU LEPC

November 29, 2007

- Hazmat Explo/Mid-Year NASTTPO/EPA Meeting
  - \*HMEP Program Future\*
    - Every program on chopping block
    - Small size increases vulnerability
    - States must account for all HMEP funding
    - Need to explain why planning funds are still required
    - Information Collection Request, Federal Register, 11/21/07 – 30 comment period
      - Congressional contacts
      - Must do better in telling our story

## HONOLULU LEPC

November 29, 2007

- Hazmat Explo/Mid-Year NASTTPO/EPA Meeting
  - DOT
    - 25% of transportation accidents occur during loading/unloading
    - 25% of accidents that occur enroute are due to loading problems
    - Moving from paper to electronic shipping documents
    - Undeclared Hazmat shipments from on-line transactions
    - Reverse logistics – mixed shipments of returns to stores

## HONOLULU LEPC

November 29, 2007

- Hazmat Explo/Mid-Year NASTTPO/EPA Meeting
  - Kansas & Oklahoma Floods '07
    - Refinery oil release into river
    - Spill crossed state boundaries, EPA & FEMA jurisdictions
    - ICS Planning Cycle was lengthened to 48 hrs in order to manage meeting schedule
    - Refinery bought oil stained trees (for later clean up)

## HONOLULU LEPC

November 29, 2007

- Hazmat Explo/Mid-Year NASTTPO/EPA Meeting
  - Chemical Facility Anti-Terrorism Standards (CFATS)
    - To prevent having our chemical infrastructure used against us
    - Appendix A, chemical list (325 chemicals), formally appeared in the Federal Register on November 20, 2007
      - 60 day clock running for facilities to complete a Top Screen
      - 50,000 Top Screens expected
    - Top Screens reviewed by DHS & assigned Tiers (1-4) within 30 days
    - 90 days to then submit a Security Assessment tool
    - Tier levels will determine security enhancements required
    - 5,000 – 8,000 facilities expected to be regulated

## HONOLULU LEPC

November 29, 2007

- Hazmat Explo/Mid-Year NASTTPO/EPA Meeting
  - Chemical Facility Anti-Terrorism Standards (CFATS)
    - Duty desk available to answer questions
    - 35 inspectors, 8 employees in section
    - Facility information treated as Chemical-Terrorism Vulnerability Information (CVI)
      - Treated as Secret, need-to-know
    - [www://dhs.gov/chemicalsecurity](http://www.dhs.gov/chemicalsecurity)
    - NASTTPO will cross-walk List of Lists with the CFATS Appendix A chemicals & post that on its website

## HONOLULU LEPC

November 29, 2007

- Hazmat Explo/Mid-Year NASTTPO/EPA Meeting
  - EPA Update
    - Cameo & Marplot to be updated
    - RMP – internet based submission in 2009
    - RMP facility accident history being compiled
      - Large facilities w/many chemicals have more accidents
      - Number of accidents declining, severity remains the same
      - To focus on high risk facilities

## HONOLULU LEPC

November 29, 2007

- Hazmat Explo/Mid-Year NASTTPO/EPA Meeting
  - EPA Update
    - E Plan
      - Web based Hazardous Materials Info System
      - Data from 5 participating states on system
      - Facilities on Google maps
      - Secure access
      - Info can be downloaded to Cameo & Marplot
      - Links to plans
      - Free
      - Oahu data??

## HONOLULU LEPC

November 29, 2007

- Hazmat Explo/Mid-Year NASTTPO/EPA Meeting
  - EPA Update
    - TOPOFF 4
      - RDD exercise
      - Portland, OR; Phoenix, AZ; Guam
      - UK, Canada & Australia participation

## HONOLULU LEPC

November 29, 2007

- Hazmat Explo/Mid-Year NASTTPO/EPA Meeting
  - EPA Update
    - TOPOFF 4
      - Lessons Learned/Continuing Problem Areas
        - Uncoordinated leadership – lack of cooperation, ineffective EOCs, poor understanding of NIMS
        - Failed communications – people problem
        - Weak planning
        - Resource constraints
        - Poor public relations

## HONOLULU LEPC

November 29, 2007

- Hazmat Explo/Mid-Year NASTTPO/EPA Meeting
  - EPA Update
    - China EPCRA Presentation
      - Mary Wesling, EPA Region IX
      - Overview of US EPCRA program
      - Chinese interest in chemical safety driven by 2008 Olympics & 2010 Worlds Fair

HONOLULU LEPC  
November 29, 2007

- CLEAN UPDATE

HONOLULU LEPC  
November 29, 2007

- HSERC Initiatives
  - MOA for HMEP Planning Grant Projects
    - SCD proposing changes
  - Business licensing process - Tier II program inclusion
    - ~2000 Businesses sent survey letters
    - Hotels identified/surveyed

HONOLULU LEPC  
November 29, 2007

- HSERC Initiatives
  - HRS 128E
    - Clarification of reporting requirement
      - Long sentence describing who should report separated for ease of understanding
    - 2008 Legislative session

HONOLULU LEPC  
November 29, 2007

- HSERC Initiatives
  - Hawaii Administrative Rules (HAR)
    - Consultant assisting with Rule Making
    - Examine other state rules & lessons learned
    - Use similar process to Meth Lab clean up rule making
    - Consider HAR 11-451 (HRS 128D)
    - Use 40 CFR Part 370, Federal Rules for EPCRA as a model

HONOLULU LEPC  
November 29, 2007

- HSERC Initiatives
  - Hawaii Administrative Rules (HAR)
    - Outline & materials ~Feb '08
    - 1st Draft ~ June '08
    - Focus group meetings, Apr/Jun '08
    - Public Hearing ~ Oct/Nov '08
    - Final by end of Dec '08

HONOLULU LEPC  
November 29, 2007

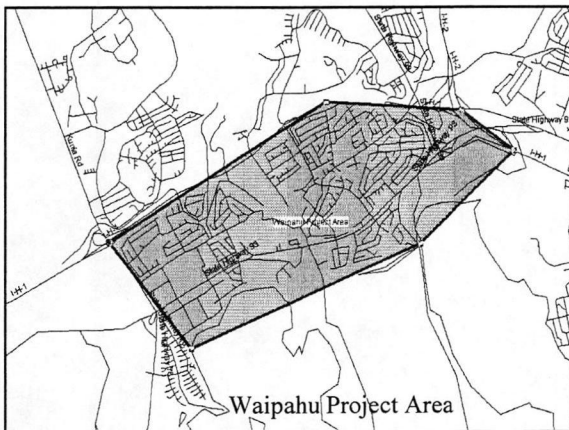
- Kailua - Kaneohe Project
  - Completed in September
  - Paul Dixon, Dixon Risk Services

HONOLULU LEPC  
November 29, 2007

- Waipahu Project
  - MOA approved
  - Project committee selected Tetra Tech, Inc. to complete the project
  - January 2008 start
  - September 2008 completion

HONOLULU LEPC  
November 29, 2007

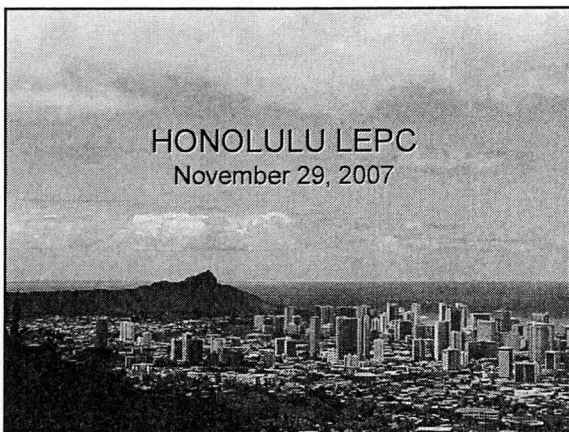
- Waipahu Project
  - Area of study:
    - Zip Code 96797
    - H-1 Freeway on north, Kunia Road on west, Pearl Harbor on south, and Leeward Community College on the east



HONOLULU LEPC  
November 29, 2007

- Other Business
  - LSU Cameo Course, Nov 19-21, 2007
  - Hazmat IQ Course, ~April '08
  - Next LEPC Meeting
    - March 2008 (T)

HONOLULU LEPC  
November 29, 2007



**HONOLULU LOCAL EMERGENCY PLANNING COMMITTEE  
MEETING**

9:00 A.M. – 11:00 A.M.  
November 29, 2007

Emergency Operating Center  
Department of Emergency Management  
650 South King Street  
Honolulu, Hawaii 96813

**AGENDA**

**1. Call to Order**

- Opening Remarks & Introductions
- Discussion/Approval of Minutes from September 12, 2007 Meeting

**2. Old Business**

- LEPC Budget Report, 1<sup>st</sup> Quarter FY 2008

**3. New Business**

- HSERC Meeting (9/20/07)
- Clean Islands Council Presentation
- Hazmat Explo/Mid-Year NASTTPO/EPA Regions IX & X Meeting
- CLEAN Update
- HSERC Initiatives
- Kailua – Kaneohe Project
- Waipahu Project

**4. Other Business/Open Discussion**

**5. Schedule next LEPC meeting/Adjournment**

**HONOLULU LOCAL EMERGENCY PLANNING COMMITTEE MEETING  
SEPTEMBER 12, 2007**

Chair Carter Davis called the meeting to order at 9:08 A.M.

**I. INTRODUCTIONS/REMARKS/ADOPTION OF MINUTES**

Chair Carter Davis welcomed everyone and gave introductory remarks. Attendees (list attached) then introduced themselves. The minutes of the June 12, 2007 meeting were reviewed and approved.

**II. OLD BUSINESS**

**LEPC BUDGET REPORT, 4th QUARTER, FY07**

Balance - 3/31/07 \$49,769.12

Account Activity

Meeting Notice, Continuing Challenge, Hazmat Explo,  
NASTTPO, Office Supplies, Kailua-Kaneohe

Balance - 6/30/07 \$41,806.99\*

\*Includes \$17,760 encumbered for the Kailua-Kaneohe project

**EPCRA REPORTING REQUIREMENTS**

L. Nakai reported on clarification received from EPA on the issue of Extremely Hazardous Materials reporting requirements for parking lots and farmers mentioned at the last LEPC meeting. This reporting requirement pertains to the EPCRA Section 302 Emergency Planning Notification requirement, and not the annual Tier II Chemical Inventory reporting requirement.

**III. NEW BUSINESS**

**HAWAII STATE EMERGENCY RESPONSE COMMISSION (HSERC) MEETING,  
6/28/07**

L. Nakai briefed the members on the June 28th meeting of the HSERC. The following LEPC updates were given: The Big Island is reviewing their Emergency Response Plan and their By-Laws, and will be sending 4 people to the national NASTTPO conference. They also announced the loss of 50% of their hazmat techs. Kauai discussed NIMS training and an upcoming CST Exercise. Maui was not present, and Honolulu provided a re-cap of their June 12th meeting.

The Honolulu LEPC presented their proposal to conduct a hazard assessment study of the Waipahu area, and the HSERC approved the project. The MOA between State Civil Defense and the Department of Health outlining the



management of the USDOT HMEP Program, to include funding procedures for HMEP Planning Grant projects was signed by all parties. The next issue discussed was the potential re-distribution of unused Tier II funds that were set aside for the 20% State matching funds in support of the HMEP Planning Grant. Since the HMEP Planning Grant has not been fully spent in previous years, there should be an accrual of unused Tier II funds. It was agreed that these unspent funds will be reported to the HSERC in future meetings, for possible distribution to the LEPCs.

The HSERC then reviewed a letter signed by the four LEPCs listing their concerns and issues over the lack of HEPCRA Administrative Rules. After much discussion, it was agreed that a Permitted Interactive Group (PIG) can be formed to work on developing Administrative Rules, and not be subject to the Sunshine Law. Members of the PIG include the HSERC Chair, DBEDT representative, the four LEPCs, and HEER support staff.

### **2007 CONTINUING CHALLENGE HAZMAT WORKSHOP**

Captain Maguire gave a presentation on the 2007 Continuing Challenge Hazmat Workshop held in Sacramento, CA during September 3-7, 2007. Nearly 1,000 personnel participated in this premier event. He discussed hazmat training and described the Hazmat Olympic competition, and announced that Carter Davis was given the Responder of the Year award. Captain Maguire thanked the LEPC and CLEAN for sponsoring this critical training for our hazmat personnel.

### **TESORO PRESENTATION**

Wade Nakashima from Tesoro gave a presentation on their operations. He discussed refinery operations, their pipeline operation and the one call system, and their terminal, trucking and barge operations.

### **C.L.E.A.N. UPDATE**

Annie Lam provided an update on C.L.E.A.N. activities. C.L.E.A.N. membership has increased to 18 member companies, and C.L.E.A.N. continues to focus on enhancing the preparedness of CIP businesses and its surrounding communities. C.L.E.A.N., in partnership with the Honolulu LEPC, has purchased 4,000 copies of the Fire Pal interactive CD which will be distributed to Leeward area schools. She also discussed C.L.E.A.N.'s sponsorship of six HFD personnel to attend the 2007 Continuing Challenge Hazmat Workshop. C.L.E.A.N. also sponsored Captain Maguire's participation in planning meetings in preparation for the workshop, and Ms. Lam stated that C.L.E.A.N. will be looking at continuing their support of this valuable training event.

### **HSERC INITIATIVES**

L. Nakai reviewed the Memorandum of Agreement concerning funding procedures for HMEP projects and reimbursement procedures, stating that the MOA for the Waipahu Project is the first under the new MOA. State Civil Defense is currently reviewing the Waipahu Project MOA. L. Nakai then discussed efforts to inform

businesses of EPCRA requirements when they apply for business licenses. In researching this potential avenue with DBEDT, approximately 2,000 businesses that potentially fall under HEPCRA were identified and will be sent survey letters. LEPC members were informed that research into establishing a web-based Tier II filing system found that systems that the state currently uses will not allow for such a program.

L. Nakai then reviewed actions to date taken by the Permitted Interactive Group (PIG). The group reviewed and discussed the issues and concerns listed in the LEPC letter to the HSERC with Kathy Ho of the Adjutant General Office. There was a consensus that Administrative Rules are required by the current statute, and the group decided on the strategy to make house keeping changes to HRS 128E in time for the 2008 Legislative Session, and then prepare Administrative Rules for the 2009 Legislative Session.

#### **SITE VISITS**

L. Nakai discussed recent site visits to Waikiki Hotels. Several hotels were not reporting diesel storage tanks, and were brought into the HEPCRA program.

#### **KAILUA – KANEOHE PROJECT**

The Kailua-Kaneohe project is on track to finish later in September 2007, and Paul Dixon will be presenting his findings at the next LEPC meeting.

#### **WAIPAHU PROJECT**

L. Nakai described the Waipahu Project area of study. A Project Review Committee will be evaluating proposals for the project, and once the MOA is completed, the contract can be processed. A late fall 2007/early 2008 start is projected, with project completion due in September 2008.

#### **IV. OTHER BUSINESS/SCHEDULE NEXT MEETING**

Andy Keith was thanked for conducting tours of HECO facilities on September 15 & 28, 2007 for 17 personnel, and that we were looking forward to the 2008 tours.

The next LEPC meeting is tentatively scheduled for November 29, 2007. The meeting was adjourned at 10:28 A.M.

Respectfully Submitted,



Leland A. Nakai  
LEPC Coordinator

Attachment

**HONOLULU LOCAL EMERGENCY PLANNING COMMITTEE MEETING  
SEPTEMBER 12, 2007**

**ATTENDANCE LIST**

**VOTING MEMBERS:**

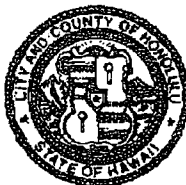
Carter Davis	HFD
Leland Nakai	OCDA
Virginia Bisho	Transportation Services
Andy Keith	HECO
Tom Vendetta	Human Resources
Earl Nishikawa	Chevron
Annie Lam	Tesoro
Lope Salvatierra	Enterprise Services
Morgan Barrett	DOH
Alex Leong	BWS
Steven Ogata	Agriculture
Shirley Zhai	BEI
Kim Ribellia	City Council
Gavan Imamura	Red Cross
Michael Freitas	Customer Services

**NON-VOTING MEMBERS:**

Beryl Ekimoto	HEER
Sharon Leonida	HEER
Paul Chong	HEER
Liz Galvez	HEER
Terry Corpus	HEER
Lynne Nakamoto	USAGHI Environmental
Roy Murakami	HFD
Matt Melim	HFD
Dale Mosher	HFD
Vernon Maguire	HFD
Zoe Williams	Gas Company
Michele Chang	MCBH
David Hudock	MCBH
Wade Nakashima	Tesoro
Janet Yocum	EPA
Karen Rosa	USFWS
Nathan Kapule	Young Bros.
Laura Newman	Tetra Tech

DEPARTMENT OF EMERGENCY MANAGEMENT  
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET  
HONOLULU, HAWAII 96813



MUFI HANNEMANN  
MAYOR

PETER J.S. HIRAI  
ACTING DIRECTOR

November 19, 2007

TO: HMB PARKING  
DEPARTMENT OF TRANSPORTATION SERVICES

FROM: LELAND NAKAI, COORDINATOR *Leland Nakai*  
HONOLULU LOCAL EMERGENCY PLANNING COMMITTEE

SUBJECT: PARKING FOR HONOLULU LOCAL EMERGENCY PLANNING  
COMMITTEE (LEPC) MEETING, NOVEMBER 29, 2007

This individual is attending the meeting of the Honolulu LEPC in the Oahu Civil Defense Agency, from 9:00 – 11:30 AM, on November 29, 2007. Parking in the Alapai Bus Terminal lot has been coordinated with Glenn Moir, Department of Transportation Services and Garrett Ogawa, Department of Facility Maintenance.

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

\* next LEPC meeting

Nov. 29, 2007

Did review of HSEPC meeting 9/20/07.

NAS TTPO / EPA

Bio Decon - Anthrax - naturally occurring -  
treating as bio-terror event.

Bio-watch <sup>system</sup> in 7 cities

Radiation - Disp D sim - Dirty Bomb

pres from  
DHS - explained what CFATS would cover  
Facilities that are  
CFATS - Not normally regulated by other agencies.

Liz Aug 1-08 table top - 1st responder, State <sup>Lab</sup> #1  
& UH Lab. "Incident threat protocol"

\* next. LEPC meeting - March - (T)

# EPA Progress Report 2007

## Pacific Southwest Region



U.S. Environmental Protection Agency  
Pacific Southwest/Region 9  
EPA-909-R-07-003

## From the Regional Administrator

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Dear Readers,

This last year we faced many challenges and achieved several significant accomplishments in EPA's Pacific Southwest Region. Together with our state, local and tribal government partners, we have been able to better protect our air, water and land. We do it through our daily actions, such as issuing permits and grants; ongoing compliance assistance and strong enforcement; and through our innovative, creative voluntary efforts.

In this report, we are pleased to focus on the results achieved in collaboration with our partners, stakeholders, colleagues, and the public. The challenges we face are daunting. We have the nation's fastest-growing major urban areas — Las Vegas and Phoenix. We have more than 1,300 water bodies impaired by pollution. We have 125 toxic sites on EPA's Superfund National Priorities List. California's heavily populated South Coast and San Joaquin Valley have the nation's worst air quality. Our region has a U.S.-Mexico border area with more than 8 million people, 146 federally recognized tribes, and far-flung territories in the Pacific, where many communities still lack basic safe drinking water and wastewater facilities.

The land and people of our region are diverse, and it is that diversity that gives us our strength. We are fortunate to have a workforce that reflects the diversity of our region and community partners that are fully committed to protecting public health and the environment.

Air quality has always been one of our highest priorities. Last year, the San Joaquin Valley finally met the health standard for coarse particulate pollution — an agent of asthma and respiratory disease — after exceeding it for more than 15 years. Through the West Coast Collaborative, we made great strides reducing diesel emissions, especially in the ports of Long Beach and Los Angeles. We concluded legal cases against four major oil companies, requiring them to reduce emissions from seven California refineries.

Two of our foremost goals for clean water are to ensure that everyone has access to safe drinking water and to restore impaired waters. We have worked to meet water and wastewater infrastructure needs on tribal lands and in Mexican border and Pacific island communities. We have reached agreements through our enforcement actions with urban areas to make major improvements to prevent sewage spills. EPA grants are supporting work by state and tribal governments on permits, pollutant limits, inspections, enforcement and preventing polluted runoff.

Our work to restore land involves many tools. In 2006 we started the Route 66 Partnership, to help small communities in northern Arizona clean up abandoned fuel tanks and gas stations. Our Superfund program cleans up the most difficult toxic sites, such as Arizona's Indian Bend Wash, where we completed construction of groundwater cleanup facilities. We launched EPEAT, to prevent e-waste and save energy by making it easy for purchasers to buy greener computers. We are leading the nation in cleaning up underground tanks and illegal dumps on tribal lands. We collaborated with Mexico to collect 36 tons of waste pesticides along the border. Emergency Response is also a priority, with homeland security threats now included in EPA's disaster preparedness work.

By leveraging a diverse array of resources, actively engaging in innovative partnerships, and utilizing the full breadth of our capabilities, we have accomplished far more than would otherwise be possible.

I invite you to keep working with us to conserve, protect and restore the air we breathe, the water we drink, and the unique urban and natural environments of our vast Pacific Southwest Region. There's a lot more that we can — and must — accomplish in the coming years.

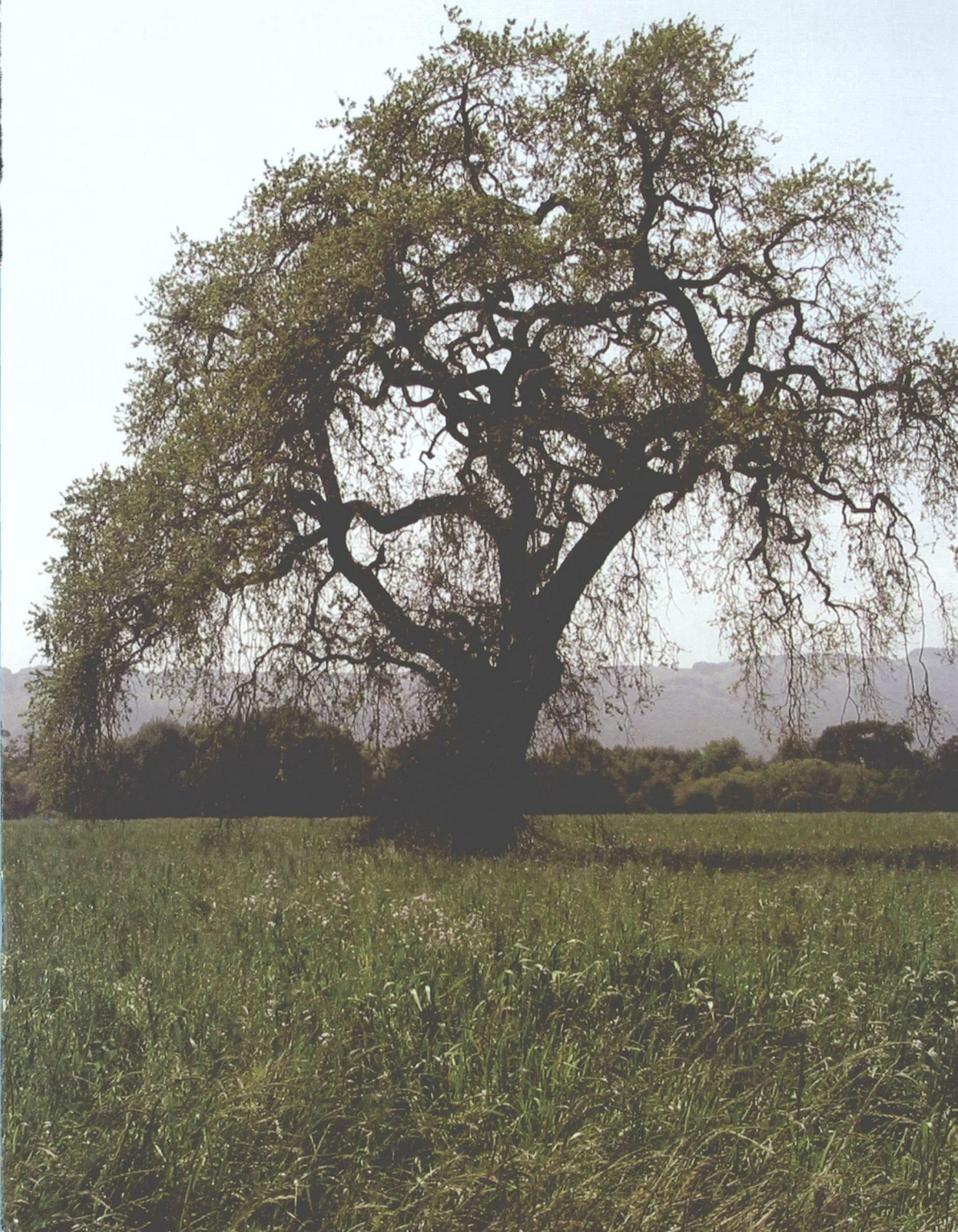


Wayne Nastri

Regional Administrator

EPA Pacific Southwest Region





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Clean Air 2

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Clean Water 10

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Clean Land 16

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Communities and Ecosystems 24

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Compliance and Stewardship 32

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Contact Information

Inside Back Cover



# Clean Air



**EPA's Pacific Southwest Region has many of the nation's most dramatic mountain landscapes. But in some places, they can be obscured by air pollution. Los Angeles had lung-searing smog days as early as 1943. Phoenix, Las Vegas, and California's San Joaquin Valley have also suffered from unhealthy levels of particulate pollution.**

A combination of factors has made the quest for clean air in these areas an uphill battle. In addition to topography and weather, rapid urban growth plays a major role, generating more smog ingredients from vehicles, and more dust (coarse particulates) from construction sites. For the past two decades, Las Vegas and Phoenix have been the nation's fastest-growing major urban areas.

Yet despite these considerable challenges, pollution control measures have gotten results. Peak smog lev-

els in the Los Angeles area are less than half what they were in the 1970s. Las Vegas is on the verge of attaining the national health standards for ozone and coarse particulates, while Phoenix has attained the standards for ozone and carbon monoxide — even as it continues its visible struggle with coarse particulate pollution.

Clean air is not an easy goal. But through traditional planning, new technologies, and innovative partnerships, real progress is being made.

Trends

## Air Quality Trends Positive — But Key Areas Still Lag

**EVEN AS POPULATION AND** economic activity have boomed over the past few decades, the trend in air quality in the Pacific Southwest has been a positive one. However, millions of people live in areas that are still a long way from meeting health standards.

As shown in Figure 1, the biggest long-term success for clean air in the Pacific Southwest is also the biggest remaining problem: Ozone (smog) levels in the South Coast air basin — the greater Los Angeles area — are far better than they were in the 1970s, but still the unhealthiest in the nation. Ozone levels there have failed to meet the national health standard on more than 100 days per year in some recent years.

In other areas of the Pacific Southwest, progress has been slow, but consistently trending toward meeting the health standard for ozone.

The data in Figure 2, showing levels of fine particulate pollution, or PM<sub>2.5</sub>, only go back to 1999, but the trends are also positive: All but

two areas have consistently met the national health standard of 15 micrograms per cubic meter of air. The exceptions, California's South Coast and San Joaquin Valley, are making gradual progress. (With EPA's recent tightening of one of its PM<sub>2.5</sub> standards due to better understanding of health impacts, additional areas will also need to improve.)

"Rapid growth makes it difficult to achieve the health standards, because emission reductions from pollution control measures can be erased by growth in the number of sources," says Dave Jesson, EPA's senior expert on air quality in the Pacific Southwest.

"We've made big strides through measures requiring cleaner vehicles, low-emission products, and better controls on industrial sources," says Jesson. "Extending progress will require increasingly creative and aggressive combinations of policymaking, planning and new technologies."

Key Air Pollution Areas in the Pacific Southwest

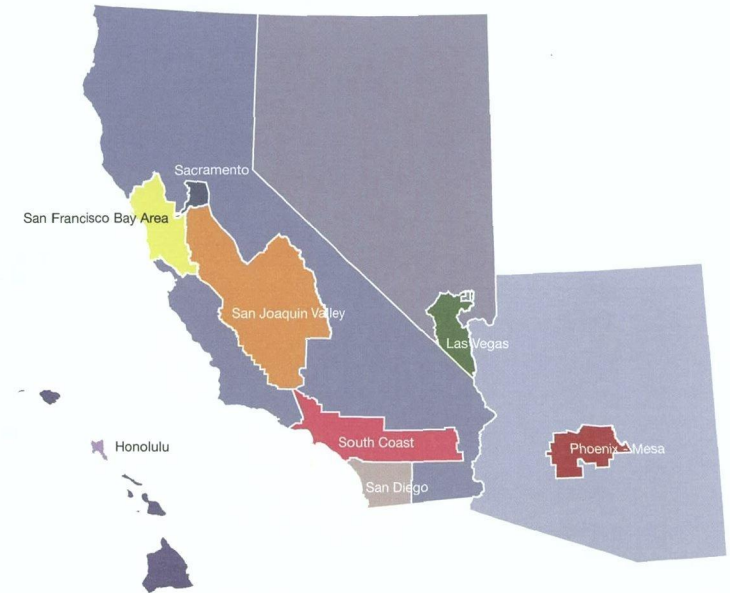


Fig. 1. Ozone (O<sub>3</sub>) Concentrations

National 8-hour Standard  
Average of 4th Highest Days over Three Years

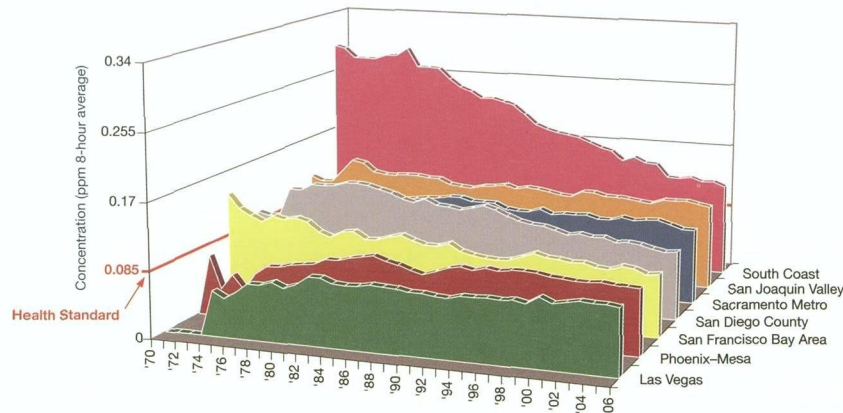
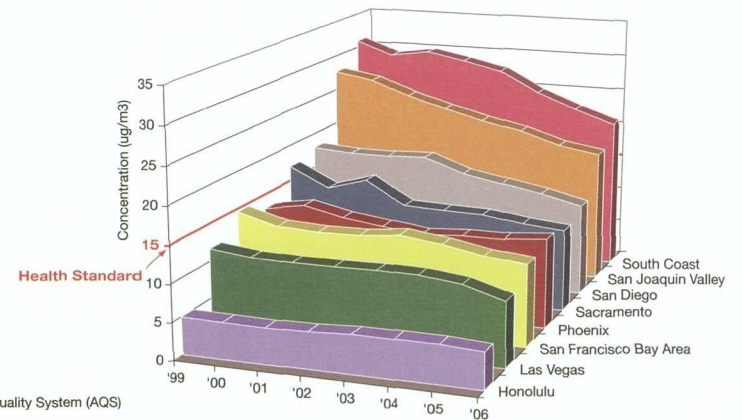


Fig. 2. Particulate Matter — PM<sub>2.5</sub> Concentrations

Mean Concentrations — Highest Site in Each Area



Source: US EPA's Air Quality System (AQS)

## Primer

## Goods Movement: Working with Ports to Reduce Air Pollution

**IN THE VAST TRANSPORTATION** network of ships, trucks and trains that move every conceivable type of goods from place to place, few locations can match the intense activity of a port.

The adjacent ports of Long Beach and Los Angeles, taken together, handle 40% of the nation's containerized cargo traffic — more than 14 million 20-foot containers annually, carrying more than \$260 billion worth of goods. As big as they are, these figures may double by 2020. The combined ports are an economic powerhouse for the Los Angeles area, and, by some estimates, are responsible for more than 300,000 jobs in the five-county region.

However, with the economic benefits come environmental challenges. Air pollution from these seaports is a major ingredient in the area's in-

famous smog, still the nation's worst despite decades of hard-won gains in air quality. The area's airborne particulate pollution also still reaches unhealthy levels.

Not only do the ships add air pollutants from their smokestacks, but vast armies of diesel equipment work to support port activities, from the tugs that help move the ships safely, to the equipment that moves containers from place to place on the docks, to the trucks and trains that bring the containers to their final destinations. Each type of equipment contributes to the air quality challenges of the LA area. All of the parties now recognize that in order for the area to attain the health-based standards for fine particles and ozone, it is essential that all of this equipment operate cleaner than it does now.

State and local agencies are deeply involved in ambitious plans to reduce emissions from the ports. One of the most innovative and far reaching plans is the San Pedro Bay Ports Clean Air Action Plan, drafted by both ports with the involvement of key regulatory agencies, including EPA. The plan, unveiled in 2006, proposes hundreds of millions of dollars in investments by the ports, government agencies, and port-related industries to reduce the ports' air pollution by an ambitious 50% in the next five years, cutting diesel particulates by 1,200 tons and nitrogen oxides by 12,000 tons annually.

In 2007, port tenants, railroads, and trucking companies at the ports are expected to sign on to participate in the plan, which includes commitments to:



- Eliminate dirty diesel trucks from the ports by helping finance a new generation of clean or retrofitted vehicles.
- Develop shore-side electricity at ship berths, so docked ships will no longer need to generate power by running their main, smoke-producing engines.
- Require ships to reduce speeds when entering or leaving the harbor region, use low-sulfur fuels, and employ other emission-reduction technologies.

Recognizing the importance of goods movement and ports in particular to environmental issues nationwide, EPA in September 2006 convened a meeting of regional administrators, national EPA officials, and other key stakeholders to discuss solutions for port-related pollution in all U.S. coastal states. These efforts, together with EPA's core role in setting national emissions standards, will continue to ensure progress in improving public health.

### Clean Diesel and the West Coast Collaborative

On September 1, 2006, California required service stations to sell diesel with 97% less sulfur, greatly reducing particulates in diesel emissions. Under an EPA regulation, the rest of the nation followed suit on October 15. The move is predicted to benefit public health even more than the phase-out of leaded gasoline in the 1970s and 1980s.

EPA has funded 51 diesel emissions reduction projects in the West since 2004, together with more than 30 government agencies and private partners that form the West Coast Collaborative. EPA grants totaling \$7.5 million for the projects have leveraged tens of millions from other sources.



Above: EPA awarded a \$300,000 grant to the Port of Long Beach to develop a hybrid-powered cargo-handling vehicle. Left to right: EPA Deputy Administrator Marcus Peacock, port director Richard Steinke, cargo terminal VP Anthony Otto, Harbor Commission President James Hankla, EPA Regional Administrator Wayne Nasti, port planner Robert Kanter.

Below: The Port of Los Angeles' shore facilities stretch over several square miles. All cargo is containerized for easy transfer to trucks and trains. (Photo: Matt Haber)



## Places

## San Joaquin Valley Strives for Healthier Air

**THE TOPOGRAPHY OF CALIFORNIA'S** San Joaquin Valley provides an almost perfect trap for air pollution: It is long, low, and surrounded by mountains except at its northern extension, the Sacramento Valley.

The San Joaquin has been California's most productive agricultural area for more than a century, and in recent years it has experienced rapid urban growth and an influx of large dairies. All three contribute to some of the nation's most challenging air quality problems, which affect the health and livelihood of the valley's 3.3 million residents and 27,000 farms.

In the valley's hot, dry summers, emissions from cars, trucks, trains, livestock waste, prescribed burning, oil and gas production, recreational boats, and pesticides combine to create unhealthy ozone levels. During the cooler fall and winter, particulates are the greater health problem. Particulate sources include dust from vehicles on both paved and unpaved roads, smoke from home fireplaces and burning of agricultural waste, and diesel exhaust from the

region's trucks, buses, tractors, locomotives, and irrigation pumps.

Thanks to efforts led by the San Joaquin Valley Unified Air Pollution Control District, the valley for the first time met the national health standard for coarse particulate matter such as dust and soot (known as  $PM_{10}$ ) for the 2003-2005 period. The agency's 2003  $PM_{10}$  reduction plan put a variety of measures in place that have added up to cleaner air, including restrictions on fireplaces, and on burning dead trees and branches from orchards and other agricultural materials. There were state-funded financial incentives for replacing dirty diesel engines with cleaner ones.

"A lot of people put a lot of effort into improving the valley's air quality," says Kerry Drake, associate director of EPA's regional Air Division. "But there is still much more to do."

EPA has long been a partner in San Joaquin's efforts to reduce air pollution. The agency has worked with agriculture to build a flexible, menu-driven program for reducing agricultural dust, developed standards for engine emissions and fuels — which over time will have a particular impact on non-road sources such as diesel pumps and tractors — and has funded key research on emissions inventories, monitoring, and modeling. The agency has also brought together a diverse group of stakeholders to advance innovative emission reduction projects through the West Coast Collaborative.

The valley has a long way to go to meet the national health standards for ozone and small

particulates,  $PM_{2.5}$ . These small particles, which are even more harmful than  $PM_{10}$  because they go deeper into people's lungs, come from some of the same sources: Farming, road dust, and managed burning account for nearly half the valley's  $PM_{2.5}$ . Other major sources include stationary sources (irrigation pump engines and smokestacks) and burning of residential fuels such as propane and natural gas.

To help the valley meet a number of challenges, including air quality, Governor Arnold Schwarzenegger formed the California Partnership for the San Joaquin Valley in September 2005. EPA and the air district were part of the partnership's Air Quality Workgroup, which submitted an action plan to the governor in late 2006, focusing on collaboration between federal, state, and local agencies to accelerate adoption of emissions reduction technologies such as replacing diesel engines with cleaner alternatives.

The air district's most recent efforts include requiring wineries and dairies to reduce their volatile organic compound (VOC) emissions. Also starting in 2007, housing and commercial developers must mitigate the added air pollution their developments will create, or pay into a mitigation fund. In addition, the district is due to submit a plan in mid-2007 to meet the new health standard for ozone.

Exactly when the valley will meet all air quality health standards is difficult to predict. But one thing is certain: Everyone's effort will be needed.



Orange groves and cultivated fields stretch across the east side of California's San Joaquin Valley.

## Science

## Research Supports Mission, Spurs Innovation

**WORKING BEHIND THE SCENES** on many environmental challenges in the Pacific Southwest is EPA's Regional Science Council, which strives to strengthen EPA's scientific skills and knowledge. Its membership includes staff and managers from across EPA's programs and from the Management and Technical Services Division, which provides regional science support.

The council regularly hosts seminars on cutting-edge science developments and emerging issues. It also plays a leadership role in deploying support resources from EPA's national Office of Research and Development. In 2006, the council assembled EPA's first regional science plan, which examines the critical science needs and activities driving broader priorities in the Pacific Southwest.

### Studying Air Pollution from Airports

One of EPA's top regional priorities is reducing air pollution in urban areas. EPA funded a study conducted by the UCLA School of Public Health to identify ambient levels of the complex particulate and toxic emissions at Los Angeles International Airport (LAX), both at the blast fence and in the community downwind of the LAX runways.

This project was proposed and designed as part of the LAX Environmental Impact Statement (EIS) review process because EPA had identified a lack of information on jet engine emissions as a deficiency in the 2000 EIS for LAX. The results of the first phase of that study, which was focused on the blast fence area, are expected in early spring of this year.

This research has laid the groundwork for further projects at LAX, as well as airports in Boston and Rhode Island. This year, a larger year-long air quality and emission source apportionment study is planned. Results are expected to help assess community exposure to air pollution from aircraft and airports worldwide.

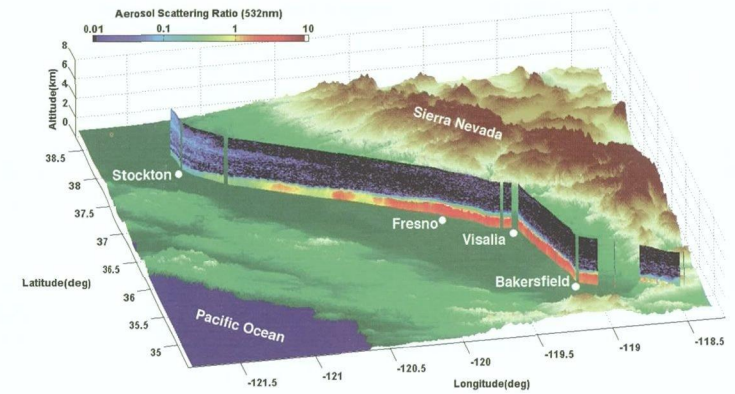
### Air Quality Research Centers in California

Two California research centers have each received \$8 million in EPA funding for innovative work on air quality and health. The first of the two grants is funding five years of research at the San Joaquin Valley Aerosol Health Effects Center at the University of California, Davis. Focused on the San Joaquin Valley, researchers here are evaluating exposures to airborne particulate matter and trying to figure out which components and sources lead to observed health effects.

The second is being put to use by the Southern California Particle Center, a consortium of universities including the University of Southern California, UC Irvine and UCLA. Researchers are investigating the underlying mechanisms that produce the health effects associated with exposure to particulate matter. They are also looking at how the health effects vary depending on the source, chemical composition and physical characteristics of the particulates.

### Advanced Monitoring Initiative and GEOSS

The U.S. is part of an international effort to better understand the Earth's natural processes and environmental conditions — the Global Earth



Observation System of Systems (GEOSS). EPA is supporting GEOSS by funding short research projects through the agency's Advanced Monitoring Initiative (AMI).

EPA has two AMI-funded projects underway in the Pacific Southwest. One will evaluate whether data from satellites, ground sensors, and balloons can be combined to better understand ozone (smog) formation, severity, and movement in the U.S.-Mexico border area. Partners include NASA-Ames, Jet Propulsion Laboratory, Southwest Consortium for Environmental Research and Policy, UC Berkeley, and the Pan American Health Organization.

The other project is using satellite and overflight data to study the distribution of fine airborne particulates (PM<sub>2.5</sub>) in the San Joaquin Valley. This data will also enable researchers to test the reliability of the valley's ground-based measurement network and the need for future ground-based studies. Partners include NASA, NOAA, the San Joaquin Valley Air Pollution Control District, and the California Air Resources Board.

**This High Spectral Resolution Lidar (HSRL) image is the result of data collected by a NASA aircraft flying over the eastern San Joaquin Valley on February 15, 2007. It shows that aerosols (fine particulates) were mostly confined to the southern part of the valley, and below 1,500 meters altitude. (Image courtesy of NASA Langley Research Center)**

Senior science policy adviser Jan Baxter and Waste Division environmental scientist Mary Blevins co-chair the Regional Science Council.



## Advances

**Biofuels: Grease Is the Word**

**THANKS TO AN INCREASING** awareness of global climate change and the risks of dependence on foreign oil, there's been a resurgence of interest in cleaner, domestic energy such as biofuels — renewable fuels from plant and animal sources, such as methane from cow manure, ethanol from corn or switchgrass, and biodiesel from restaurant grease or soybeans.

In addition to an array of programs to increase energy efficiency (see p. 35 for examples), EPA has helped promote the use of biofuels and other alternative energy sources. In the Pacific Southwest, more than a dozen dairies are already converting manure into methane and using it to generate electricity. In the region's cities, a growing number of restaurants and cafeterias

are redirecting tons of used cooking oil and grease to the production of biodiesel.

In San Francisco, oils used to fry food in restaurants are fueling the city's vehicle fleet. In 2005, the city's transit system fueled a single bus with B20 — a mixture of 20% biodiesel and 80% regular diesel. More B20 buses are now operating, and Mayor Gavin Newsom announced that by 2008 all of the city's vehicles will use B20, creating a demand for over 2 million gallons of pure biodiesel annually. In March 2007, EPA Regional Administrator Wayne Nastri awarded a \$200,000 grant to the City College of San Francisco to start training mechanics to work on vehicles using B20 or 100% biodiesel.

In Southern Nevada, recycled grease from Las Vegas casino restaurants fuels more than 1,300 Clark County School District buses, which use B20. At the University of Nevada, Reno, an EPA grant helped chemical engineering Professor Hatice Gecol develop a low-cost, continuous production process to make biodiesel from the student cafeteria's waste cooking oils. The scaled-up production facility will soon make 800,000 gallons of biodiesel per year.

In Santa Cruz, California, a \$75,000 EPA grant to Ecology Action proved the local market potential of biodiesel. This led to the construction of a biodiesel production plant in the nearby Salinas Valley that uses both agricultural and restaurant waste as feedstock. On the Hawaiian Island of Maui and at Los Angeles International Airport, you can rent "Bio-Beetle" cars that run on biodiesel.

**Biodiesel from restaurant grease burns cleaner and takes far less energy to manufacture and distribute than petroleum-based diesel.**

According to Olof Hansen, EPA's regional biodiesel expert, biodiesel from restaurant grease has great advantages over conventional diesel. First, it's cleaner-burning (60% less particulate emissions, and nearly 80% less greenhouse gases). Second, it takes far less energy to manufacture and distribute, especially if it's made and used locally. Third, it diverts restaurant grease that can clog sewer pipes and thereby prevents sewage overflows to surface waters (see story, p. 12).

And finally, it enables restaurants, institutional kitchens, and biodiesel producers to turn a waste into a valuable product. In California, there's even a trade association, CalFOG (FOG = "Fat, Oils, Grease") that unites restaurants, waste haulers, and wastewater treatment plant managers. Ironically, the diesel engine's inventor, Germany's Dr. Rudolph Diesel, originally built the engine in 1894 to run on peanut oil, which was cheaper than petroleum fuels. Biodiesel, like recycling, has come full circle.

For more information, go to [www.epa.gov/region9/waste/biodiesel](http://www.epa.gov/region9/waste/biodiesel)



**Biodiesel-powered vehicles like this "Bio-Beetle" are turning heads in Hawaii and other locations.**

## People

## Bob Baker: Preventing Air Pollution Through Precise Permitting

**NEXT TIME YOU'RE IN A PLANE** flying over an urban area, look around. Can you see any smokestacks belching smoke? Probably not, thanks to people like Bob Baker. He reviews air emission permits issued by states and tribes for new electric power plants, to make sure they minimize air pollution. Baker has been very busy in recent years, as the energy crisis of 2000-2001 sparked an upsurge in plans for new power plants.

These permits are crucial to clean air, because they limit the allowable emissions from all major "stationary sources" — mostly industrial facilities, as opposed to "mobile sources," such as vehicles and construction equipment.

Under the federal Clean Air Act, EPA oversees the issuance of permits for new stationary sources. To prevent delays in the already lengthy permit process, Baker works with his counterparts at state or tribal air pollution control agencies to find out what's being proposed early on. He'll take a close look at the plans, and tell them what the project needs to do to minimize air pollution. The state regulators then write these conditions into the permit.

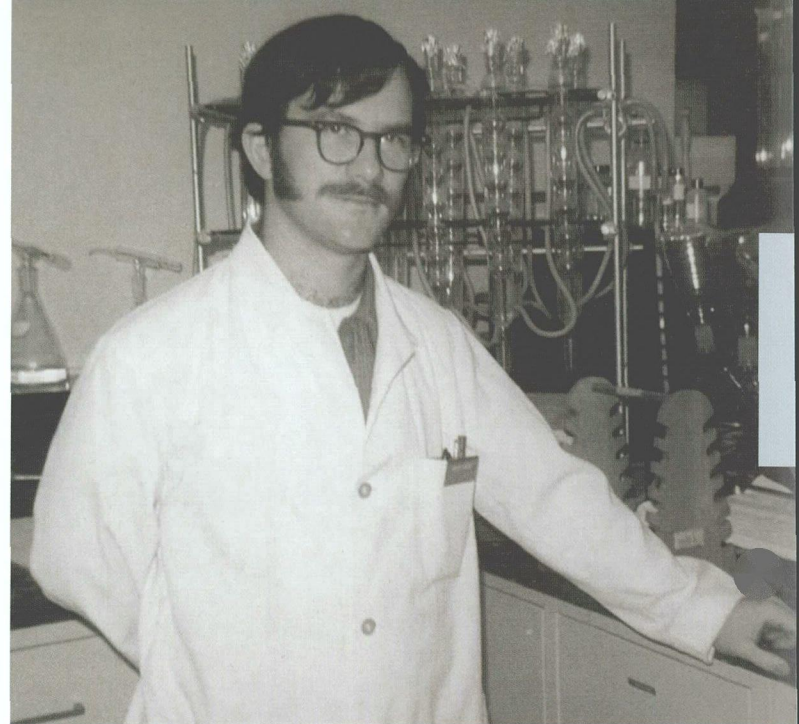
For example, one important requirement is known as "BACT" — Best Available Control Technology. This requires new stationary sources to use state-of-the-art pollution control equipment. Another is the offset requirement that applies in areas like California's South Coast air district, where the air fails to meet national health standards. Here, applicants wanting to build a new facility are required to find and

reduce existing pollution sources, so there's no net increase in air pollution. This has also helped drive technical innovations, since it's a strong incentive to minimize emissions from the new facility.

Another crucial requirement in every permit is the modeling protocol. This specifies how air emissions from the facility will be accurately measured, recorded, and submitted to the regulatory agency. The data enables the agency to take enforcement action if the facility puts out more pollution than its permit allows.

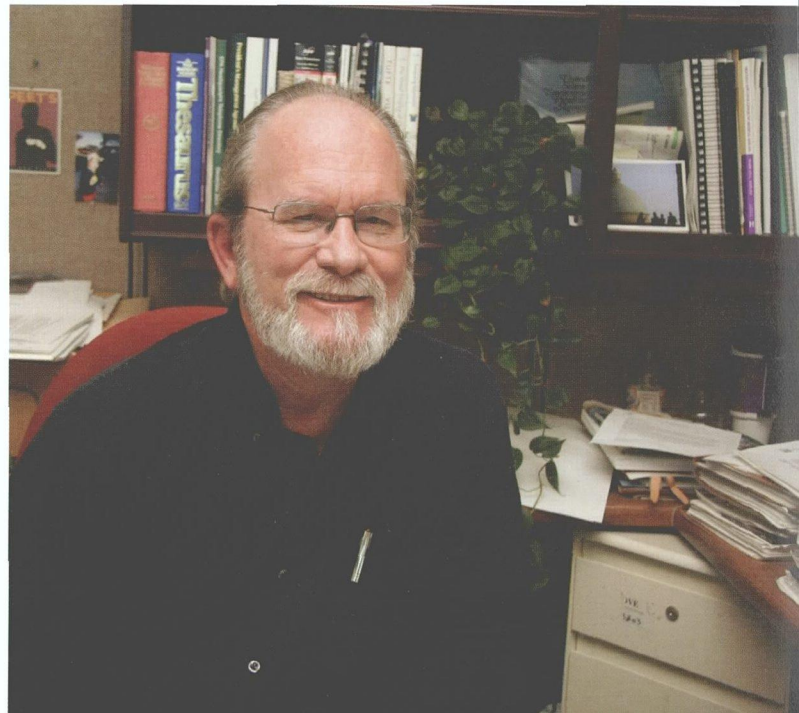
Baker is an expert on combustion processes, the emissions they generate, and ways to reduce them. During his career in EPA's regional Air Division, new technology has allowed new power plants to become far more efficient, and far less polluting. The latest emission controls on natural gas-fired power plants have reduced nitrogen oxide emissions (an ingredient in smog) from 150 parts per million (ppm) down to 2.5 ppm or less.

A UC Davis-trained civil engineer, Baker was born at Letterman Hospital in the Presidio of San Francisco, and grew up in Vallejo. After college, he served three years in the U.S. Army, including one in Vietnam as a tank commander, before coming to EPA in 1972. At EPA, he worked first as a lab technician, then in 1980 started doing technical analysis of proposed new stationary sources. He's been doing similar work ever since. After more than 35 years at EPA, Baker is planning to retire this year.



Above: Bob Baker in the early '70s at EPA's lab in Alameda, California.

Below: Baker today.





# Clean Water



**Clean water is essential for life — not just for people, but for plants, wildlife, livestock, fish, and other aquatic life. That's obvious in arid areas of the Pacific Southwest, such as Arizona, Nevada, and Southern California. Here, small sources of pollution can do major damage to wetlands and rivers.**

Clean water is just as essential in wetter areas like Hawaii. In the tropical Pacific, soil erosion can wash silt into nearshore waters, killing coral — and all the other organisms that depend on it.

Everywhere, polluted runoff from careless logging or agricultural practices can dump silt, manure, or toxics into waterways. Sewage overflows and cesspools can spread disease pathogens. To prevent these and other water pollution problems, EPA assists state and tribal agencies by enforcing the federal Clean Water

Act, funding infrastructure improvements, and providing other key types of support.

For human consumption, tap water must meet strict federal standards. Drinking water is routinely tested for dozens of potential bacterial and chemical contaminants. With more than 10,000 agencies and companies providing drinking water in the Pacific Southwest, making sure they all do it right is a big job. EPA works closely with state and tribal agencies to support and oversee these local compliance efforts.

Trends

## How's the water? Surprises in California, Arizona's Monitoring Results

**THE CLEAN WATER ACT OF 1972** requires states to identify waters that are "impaired" by pollutants. That's why state water monitoring efforts have usually focused on the most polluted waters. Over the last several years, however, EPA's Environmental Monitoring and Assessment Program (EMAP) has funded the first truly statewide surface water monitoring in western states. In 2006, Arizona and California published their first EMAP results.

These "big picture" studies provide important context to the Pacific Southwest Region's official state lists of impaired waters, which now total about 1,300. A water body can be a section of river or stream, a lake, a bay, or a coastal area. Some waters are impaired by more than one pollutant.

Some of the results were surprising: For instance, 98% of California's coastal bays and estuaries had sufficient dissolved oxygen — an indicator of clean water — to support fish and other aquatic life.

In assessing streams, Arizona and California monitored water chemistry, habitat, and biological integrity. Both states developed a macroinvertebrate index — a biological indicator of stream health — rather than just analyzing the water. Using this index, California found 78% of its streams "non-impaired" (where invertebrates indicating clean water were found). Arizona, however, categorized 57% of its stream areas as "most disturbed" — lacking aquatic invertebrates that indicate clean water (see Figure 1).

Arizona's outlook was not as good as had been expected. One possible explanation is that Arizona's streams, especially in the desert landscapes that cover most of the state, have less water than California's, making Arizona's

aquatic life more vulnerable to pollutants and other stressors.

Janet Hashimoto, a water monitoring expert in EPA's Pacific Southwest Office, says the EMAP-type probabilistic monitoring approach provides baselines to track water quality trends. California took samples at 130 random sites, including San Francisco Bay. Arizona took samples at 47 perennial stream sites.

In 2007, Arizona, California, Nevada, the Navajo Nation, and the Pyramid Lake Paiute Tribe are participating in a nationwide lakes survey. EPA is also planning to assess the nation's large, non-wadeable rivers using the EMAP-type survey design in the near future.

Work has been underway since the 1980s to reduce pollutants in impaired waters, under EPA and the states' TMDL — Total Maximum Daily Loads — programs. TMDL studies identify the sources and amounts of a pollutant in a water body, and specify the reductions needed to restore the water body's designated beneficial uses — a first step toward actual pollution reductions. By late 2006, Pacific Southwest

**Fig. 1. Statewide Assessments of Wadeable Perennial Streams**  
Macroinvertebrate Index of Biotic Integrity

California (stream miles)	
impaired	22%
non-impaired	78%
Arizona (stream miles)	
most disturbed	57% (±12%)
intermediate	29% (±13%)
least disturbed	14% (±9%)

states and territories had completed more than 940 TMDLs (see Figure 2).

TMDL targets are often met by limiting discharges allowed by permits issued to facilities like factories and wastewater treatment plants. TMDLs also help EPA and states prioritize projects to reduce polluted runoff, or "nonpoint sources." EPA has issued grants to states and tribes for hundreds of nonpoint source projects in recent years.

No single solution can clean up the nation's thousands of impaired water bodies. But with the Clean Water Act and continued large-scale monitoring, EPA and states are taking a comprehensive approach to assessing our waterways and restoring them to ecological health.

**Fig. 2. Number of TMDLs Completed in the Pacific Southwest Region**

	AZ	CA	HI	NV	Outer Pacific	All
<b>1990 &amp; prior</b>	5	9	87	3	0	104
<b>1991-1995</b>	2	5	1	24	0	32
<b>1996-2000</b>	36	53	1	0	0	90
<b>2001-2005</b>	42	469	16	35	0	562
<b>2006-present</b>	2	150	0	0	3	155
<b>TOTAL</b>	<b>87</b>	<b>686</b>	<b>105</b>	<b>62</b>	<b>3</b>	<b>943</b>

## Primer

## Beneath the Cities: Reducing Sewage Spills

**UNDER THE STREETS** IN every urban area, there's a potential health hazard: sewage collection pipes connecting to every home and building. When sewage flow is blocked below ground, it promptly rises to street level, and flows through street gutters and storm drains, exposing people to disease pathogens and polluting streams and beaches. Major sewage pipe breaks in Honolulu and Manhattan Beach, California, last year made headlines and forced the closure of nearby beaches.

While the big beach spills got the most publicity, more numerous sewage overflows into city streets are also a serious health hazard. In the 1990s, hundreds of these stinking overflows plagued Southern California every year. But today, there's good news: Los Angeles reports a 70% reduction, and San Diego claims a 77% reduction in the number of sewage spills in the past five years.

The pollutants in sewage include bacteria and viruses, nutrients, industrial wastes, and some-

times toxics. Many overflows occur during wet weather, when more water can enter the sewage pipes. During these maximum flows, sewers are most vulnerable to constrictions caused by insufficient pipe capacity, poor operation and maintenance, vandalism, and obstructions like grease from restaurants.

EPA provided nearly \$70 million in Clean Water State Revolving Fund capitalization grants in fiscal 2006 to fund local wastewater treatment and other water quality protection projects in the Pacific Southwest. EPA's most recent effort to reduce sewage spills in the region began in 2000, with a regionwide inventory of state spill records to find out where the biggest problems were. EPA staff worked with state agencies to collect data on the 214 major municipal systems, 33 minor systems, and 16 federal facilities in the Pacific Southwest that have water discharge permits.

Unfortunately, sewage spills are quite common. With several hundred spills occurring each year, it made sense for EPA to focus on the large spills and the cities and towns with recurring spill problems. EPA worked with sewer system managers to find the root causes of the spills. Urban growth, pipe failures, pump station breakdowns and deterioration of old sewer pipes are typical causes of overflows. The next step involved training and technical assistance on approaches for improving sewer system management and maintenance and to promote renewal of aging infrastructure.

After that, EPA and the state agencies initiated enforcement actions. Four Southern California

## Urban growth, pump station breakdowns, and the deterioration of old sewer pipes can all cause overflows.

coastal cities were ordered to reduce spills and develop infrastructure renewal plans. To resolve the Los Angeles and San Diego actions, EPA and the state's regional water boards required these cities to improve operation and maintenance, as well as rebuild some of their infrastructure. Los Angeles alone is in the midst of a \$2 billion project to rebuild 488 miles of sewer, annually clean more than 40% of its 6,500-mile sewer system, better control restaurant grease discharges, and plan for future urban expansion.

California in 2006 adopted a Statewide Permit for publicly owned systems requiring them to develop management plans requiring maintenance, inspections, infrastructure rehabilitation, capacity assessment, rapid response to spills and public notification.

Over the next few years, EPA expects other communities in the Pacific Southwest to follow the lead of Los Angeles and San Diego. In 2007, the agency is continuing to collect comprehensive data on spills, and to negotiate spill-reducing agreements with more municipalities. The urban wastewater agencies are a crucial line of defense against epidemic diseases. Without them, urban life would be impossible.



**Large cities must maintain hundreds of miles of sewer pipes to prevent spills from endangering public health.**

## Places

## The Hanalei Watershed, Kauai, Hawaii

**THE STATE OF HAWAII** has always been known for its inviting beaches, but with a growing population of about 1.3 million people — and more than 7 million visitors a year — preventing pollution of coastal waters from sewage and polluted runoff is a bigger job than ever.

Even Kauai, with a far smaller population than the islands of Oahu, Maui, or Hawaii, has had its share of problems. But with the support of an EPA grant, the community near Kauai's Hanalei River and Hanalei Bay has taken a model approach to addressing these problems.

In 2003, the Hanalei Watershed Hui received the first EPA Targeted Watershed Initiative Grant in the Pacific Southwest Region. Funds were used for a wide range of tasks, from coral reef preservation to improved water quality monitoring and assessing the watershed's biological resources. The hui (Hawaiian for "group") also used the grant to control polluted runoff by installing check dams to trap sediments flowing out of taro fields, and constructing fences to exclude cattle from sensitive riparian areas.

The hui has also focused on improving wastewater management, which is relevant to water quality challenges facing the entire state. Across the state of Hawaii, raw, untreated sewage is often discharged directly into the ground via cesspools. This method of waste disposal can contaminate streams, groundwater, and coastal waters with disease-causing pathogens and oxygen-depleting nitrates.

In 2005, a nationwide regulation took effect banning the use of Large Capacity Cesspools,

which are defined as cesspools used by multiple residential dwellings or commercial establishments serving 20 or more persons on any day. Under the federal ban, Large Capacity Cesspool owners are installing safer septic systems or connecting to sewers served by wastewater treatment plants. In Hawaii, the state Department of Health plays an important role by ensuring that wastewater systems used to replace cesspools are properly designed. EPA has negotiated legally-binding agreements with private owners as well as state and local agencies to close and replace large cesspools. In 2006, the Hawaii Department of Education, the Hawaii County Department of Environmental Management, and Costco's Kailua-Kona store signed such commitments with EPA.

In the Hanalei Watershed, the hui has prioritized and coordinated efforts to replace cesspools

along the Hanalei River, Waipa Stream, and close to Hanalei Bay. Large cesspools are believed to be significant contributors to elevated nutrient and bacteria levels in these waterways. Kauai County is addressing several cesspools adjacent to Hanalei Beach. Four of these have been replaced as a result of a legal agreement with EPA. Another four in the Hanalei watershed have been upgraded to septic systems by the hui, using EPA grant money. Plus, the county is making improvements to a septic system at a restroom at the beach.

Beyond these short-term improvements, the hui is looking at a broader, long-term solution by exploring the feasibility of a centralized wastewater collection and treatment system for the town of Hanalei. This could be a model for other communities across the state of Hawaii.

**Watershed protection activities on lands surrounding Hanalei Bay on the island of Kauai help keep the bay's waters clean. (Photo: Jim Jacobi, U.S. Geological Survey)**



Innovation

### Turning Biosolids into Energy

**AS THE WEST COAST'S LARGEST CITY,** Los Angeles does things on a bigger scale than anywhere else in the Pacific Southwest. The city's environmental challenges are bigger too, from the city's smog to its sewage spills and overflows (see story, p. 12). While the city's massive wastewater treatment facilities prevent sanitary wastes from polluting beaches and waterways, these pungent wastes — known as biosolids, or sludge — have to go somewhere.

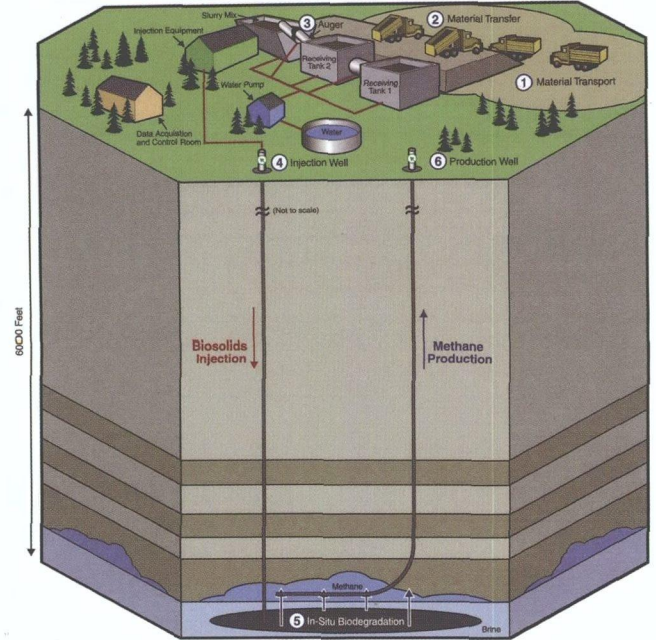
In recent years, the city has been trucking 500 tons of the nutrient-rich biosolids each day to Kern County, where they're applied as fertilizer to farms growing non-food crops. But the trucks add to traffic and air pollution in the Los Angeles area, so the city is researching environmentally-friendly, low-cost alternatives to the practice.

The city's planners came up with an innovative solution that not only gets rid of the waste without harming the environment, it may also gener-

ate a cash crop of clean fuel. The city intends to pump the sludge about a mile deep below the Terminal Island wastewater treatment plant in San Pedro Harbor, into a porous sandstone formation where high temperatures and pressure will break down the organic matter into its primary constituents, methane and carbon dioxide. Since both of these primary gases would have normally been released into the atmosphere, the sandstone provides a containment benefit.

After several years of technical and regulatory review, EPA, with the regional water board's endorsement, authorized the City of Los Angeles to proceed on an experimental basis. One goal of the project is to ensure that the carbon dioxide and other components remain sequestered in the deep formation, while tracking the sub-surface movement and collection of methane gas — natural gas — that can be tapped as a source of clean, renewable energy.

Biosolids Processing Summary



The five-year experimental underground injection permit will allow the city to curb its current practice of trucking the biosolids hundreds of miles daily to Kern County — which generates diesel emissions from the trucks that carry it. When factoring both the trucking and land application, reductions of atmospheric emissions of carbon dioxide, methane, carbon monoxide and nitrous oxide will be realized. Given the many potential benefits of this project, the Los Angeles Times reported that it “could be an environmental trifecta” — good for clean air, clean water, and clean land.

**Above:** Diagram shows how biosolids from Los Angeles' sewage treatment plants will be injected into deep underground formations for conversion into methane and CO<sub>2</sub>, in a process patented by Terralog Technologies under a contract with the City of Los Angeles. The methane (natural gas) will be extracted and used as a clean fuel, while the CO<sub>2</sub> will be permanently sequestered.

**Left:** Terminal Island, in the upper left of this photo, will be the site of an innovative project to dispose of biosolids from wastewater treatment plants by deep underground injection (see diagram, above).



## People

## Marvin Young and Jon Merkle: Keeping Tap Water Safe To Drink

**JON MERKLE WAS A YOUNG** lawyer from Chicago when he came to work at EPA's Pacific Southwest Regional Office in San Francisco in March 1977. Marvin Young joined the agency in June 1980, after growing up in Honolulu, getting degrees from the University of Hawaii, and working for the Indian Health Service on the Navajo Nation.

Merkle spent the early years of his EPA career working on enforcement actions against suspected violators of the Clean Water Act, including industries that dumped toxic polychlorinated biphenyls (PCBs) into evaporation ponds in Henderson, Nevada, and sugar mills that dumped sugar cane waste into the ocean off the Big Island of Hawaii. Young spent several years of his early career cleaning up toxic sites on the Pacific islands of Guam and American Samoa.

Then they discovered their true calling: clean drinking water. This year, both men are retiring after working more than 20 years in EPA's regional Drinking Water Compliance and Enforcement section. At different times, Merkle and Young each served several years as supervisor of this group of about a dozen people, whose job is to ensure that drinking water is safe to drink throughout the Pacific Southwest. To do this, EPA works with the region's state, tribal, and territorial governments to oversee their use of EPA grant money to monitor the compliance of thousands of local water purveyors with the federal Safe Drinking Water Act.

EPA can also take enforcement action directly. In the mid-1990s, water purveyors were required to start testing their water for lead and copper contamination. About two thousand in the Pacific Southwest ignored the new regulation, so Young and his section prepared and sent out more than 2,000 legal Notices of Violation. It was the regional Water Division's biggest enforcement effort in 20 years.

### EPA Action Targeted Unsafe Canal Water

In 1991, EPA learned that in Imperial County, on the U.S.-Mexico Border, a local irrigation district's canals were the source of untreated tap water for about 10,000 people in the county. Tests showed the canal water was contaminated with bacteria.

Merkle drew up an EPA order to the district to comply with the Safe Drinking Water Act. While the district appealed, the county stopped issuing building permits, and some of the local residents blamed EPA. About 800 people showed up at a public meeting with EPA staff, and 49 of them spoke — all but one opposed to EPA's action.

The district appealed EPA's order in court, and won. Four years later, however, Congress changed the law. Once it took effect, the states of California and Arizona issued compliance orders to irrigation districts serving a total of 14,000 people. The districts finally complied by providing bottled water to their canal-tapping customers.

### Getting Past Airport Security To Test Water on Planes

More recently, EPA needed data on whether water on airliners is safe to drink. Merkle and other EPA staff had to drag coolers filled with ice and sample jars through airports, wait at security checkpoints, and rush onto planes during the short time the planes were empty between flights — dozens of times.

Nationwide, samples showed that airplane tap water was often contaminated with bacteria. In 2005, EPA ordered U.S. airlines to comply with federal law by routinely testing their water, and notifying passengers any time contamination is found. Thanks to Merkle and other EPA staff, water on U.S. airliners will be held to the same strict health standards as tap water on the ground.



Marvin Young (left) and Jon Merkle

# Clean Land



**EPA's Pacific Southwest Region is truly a landscape of contrasts, from pristine watersheds in the Sierra Nevada, to irrigated agricultural lands of California's Central Valley, to sprawling urban and industrial areas inhabited by millions from coast to desert.**

Protecting these varied landscapes, and the health of the people who live in them, presents different challenges in each area. In the arid West, mining has brought toxic elements like arsenic and uranium to the surface, and work is needed at some sites to prevent these poisons from polluting the air or water.

In the Pacific Southwest, cleanups usually focus on preventing toxics at old industrial and waste disposal sites from contaminating water supplies and preventing ex-

posure to contaminated soils. In the Pacific Islands, EPA has been cleaning up old munitions, chemicals, and fuel tanks left from when the islands were staging areas for military operations during World War II, the Korean Conflict, and the Vietnam War.

Throughout the Pacific Southwest, EPA works with state, local, and tribal governments to clean up former industrial and tank sites, paving the way for redevelopment that revitalizes communities.

Trends

## Superfund Cleanups Reach Milestone

**IN THE 1970s, AMERICANS** learned that toxic waste dumping had despoiled hundreds of sites across the nation, contaminating land and waters both above and below ground. To deal with the problem, Congress passed laws regulating toxic waste disposal, and in late 1980 a law to clean up the worst toxic waste sites, the Comprehensive Environmental Response, Compensation, and Liability Act. It's known as the Superfund law, since it created a fund to pay for cleanups when no viable responsible parties could be found.

EPA works closely with communities, potentially responsible parties, scientists, researchers, contractors, and state, local, tribal, and federal authorities on site cleanup. Together with these groups, EPA's Superfund program identifies hazardous waste sites, conducts investigations to determine the extent of contamination, develops cleanup plans, and cleans up the sites.

Today, construction of cleanup facilities has been completed at over 1,000 sites across the nation. In late 2006, the Pacific Southwest Region reached an important milestone by achieving "construction complete" status at the Indian

**Today, construction of cleanup facilities has been completed at over 1,000 sites across the nation.**

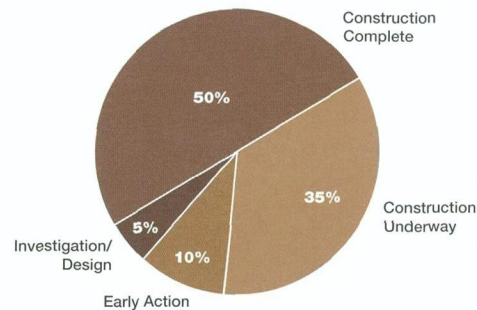
Bend Wash site in Arizona. The agency has now finished work on cleanup facilities at 50% of the 125 Superfund National Priorities List (NPL) sites in the region.

In addition to making progress in cleaning up NPL sites, EPA has a Superfund Emergency Response program, which mitigates immediate risks at sites that pose an imminent threat to public health or the environment, such as oil and chemical spills. Superfund's Brownfields program, added in the late 1990s, helps communities assess, clean up and redevelop sites where potential contamination hinders redevelopment — such as the hundreds of abandoned gas stations along a once-great highway, Route 66 (see p. 20).

For more information about Superfund, visit [www.epa.gov/region9/waste/sfund](http://www.epa.gov/region9/waste/sfund)

**Site Cleanup – Superfund Program in the Pacific Southwest**

Total of 125 NPL Sites



Cleanup workers taking samples at a leaking storage tank site. The first step in cleaning up sites like this is to assess what contaminants are present.





## Primer

## Mine Cleanup: A Priority in the West

**THE GOLD RUSH OF 1848-1849** touched off a mining boom throughout the western states that lasted more than a century, and mining is still a big part of the economy in some areas. But mining also left a legacy of more than 50,000 abandoned mine sites. The vast majority of these pose little or no threat to the environment, but some of them pollute surface waters and groundwater with acid or toxic dissolved metals.

EPA's Pacific Southwest Regional Office is working with the Pacific Northwest and Rocky Mountains offices on a national EPA initiative to address these sites — the Great American West Mining Priority. Cleanups or environmental assessments are already underway at many

of the sites. Cleanup activities at some, such as the Iron Mountain Mine and Sulphur Bank Mine in northern California, have been underway for years. Now these actions are picking up momentum across the West. State and tribal agencies have been working with EPA to investigate and prioritize the abandoned mine sites that pose the greatest environmental risks.

In the Pacific Southwest, EPA has stepped up activities at abandoned mercury mines in California, copper mines in Nevada and Arizona, and uranium and copper mines on tribal lands of the Navajo and Tohono O'odham Nations. While long-term cleanup actions are underway at sites on EPA's Superfund National Priorities List, immediate threats to human health and

the environment have been addressed by EPA's Superfund Emergency Response program.

### Mining and Mercury

Mercury is a highly toxic liquid metal formerly used in gold and silver mining and explosives manufacturing. Mercury itself was mined almost exclusively in the coastal ranges of California, from Lake, Sonoma, and Napa Counties in the north to San Luis Obispo County in the south.

EPA cleanup operations have been underway for more than a decade at Lake County's abandoned Sulphur Bank Mine, on the shore of Clear Lake. In 2006, EPA temporarily relocated 64 residents of the Elem Tribal Community, adjacent to the mine site, to remove arsenic- and mercury-contaminated mine tailings beneath houses, streets, and yards. Five houses had to be demolished, removed, and rebuilt.

On Cache Creek, downstream from Clear Lake, El Paso Natural Gas Corp. began stabilizing slopes to prevent erosion of mercury-contaminated soil and rock at two former mercury mine sites, under an EPA cleanup order. EPA had earlier identified the company as a former owner/operator.

At the Abbot/Turkey Run Mercury Mine site in Lake County, EPA demolished mercury-contaminated smelter structures and cleaned up shining beads and puddles of pure mercury found in and around the buildings. EPA also removed mercury-contaminated materials from the Buena Vista/Klau Mercury Mine site in San Luis Obispo County. Mercury contamination has



**Abandoned open pit mines can pollute downstream waters with toxic dissolved metals unless the waste rock is recontoured to prevent erosion, as shown here at the Buena Vista/Klau Mercury Mine in California.**

been found in fish in a reservoir downstream. This mine site has been added to EPA's Superfund National Priorities List, and further assessment of cleanup needs is underway.

Today, gold mining is still a source of mercury pollution. Naturally occurring mercury in gold-bearing ore in Nevada is vaporized and released into the air in the thermal processes used to extract the gold. Over the last five years, EPA and the Nevada Department of Environmental Protection (NDEP) have been working with gold mining operations to reduce these emissions. In 2005-2006, NDEP developed the nation's first regulations to control air emissions of mercury from mining. Since 2001, Nevada gold mines have reduced mercury emissions by more than 75%.

### Copper Mines

Cleanup is also underway at the sprawling, abandoned Anaconda Mine near Yerington, Nevada. In 2006, EPA removed electric transformers filled with toxic PCBs, and took action to prevent dispersion of arsenic-contaminated dust and water from evaporation ponds on the site. EPA also provided funding to the Yerington Paiute Tribe, whose lands adjoin the mine site, to test air and water samples for contaminants, and assess potential impacts on tribal lands and residents.

At the Cyprus Tohono Mine, operated by Phelps Dodge on Tohono O'odham land south of Tucson, Arizona, EPA issued an administrative order requiring the company to clean up

tailings containing toxic salt and uranium. This site leached uranium into the groundwater and fouled a tribal community's drinking water well. The well was relocated to an area untouched by the contamination. Removal of the salts and tailings is now underway. These wastes are being piled on a plastic pad, which will then be capped so that no water can get in to move the toxics. The work will cost an estimated \$18 million.

At the Ironite/Iron King Mine and smelter near Prescott, Arizona, EPA removed arsenic-laden soils from a residential area. At the ASARCO copper mine near Hayden, Arizona, an EPA assessment showed elevated levels of arsenic in some residential areas. EPA is now using funds from ASARCO, under a national agreement with the company, to conduct a remedial investigation and feasibility study of cleanup options.

### Uranium Mines

EPA and the Navajo Nation have identified more than 500 former uranium mine sites on Navajo lands. High on the priority list for further investigation and cleanup is the North East Churchrock Mine. In 2006, EPA issued an administrative order to a responsible party, General Electric/United Nuclear Corp., requiring the company to test soil from 11 areas on the site that may be contaminated with radiation, heavy metals, and spilled fuel. This work is now underway.

For more information on mine cleanups in the Pacific Southwest, visit [www.epa.gov/re-gion9/waste/sfund/superfundsites.html](http://www.epa.gov/re-gion9/waste/sfund/superfundsites.html)

**EPA's cleanup work at the Sulphur Bank Mercury Mine Superfund site in Lake County, California, aims to protect nearby residents, as well as fish and wildlife, from highly toxic mercury.**





## Places

## The Route 66 Partnership: Revitalizing the Mother Road

**ROUTE 66, STRETCHING FROM CHICAGO** to Santa Monica, was once such a busy highway that it was known as “America’s Main Street.” Between the early 1920s and the late 1960s, millions of Americans migrated to California on it. In the 1960s there was even a television drama series about people traveling on Route 66.

But then a freeway was built that bypassed the old two-lane highway and the many towns it passed through, leaving bankrupt gas stations and slowly deteriorating commercial strips. Unseen beneath the old gas pumps lay rusting fuel storage tanks, many of them leaking toxic hydrocarbons into the soil and groundwater. Today, these sites are known as brownfields, because potential contamination hinders redevelopment, particularly in small rural towns with scant financial resources.

The Arizona Department of Environmental Quality (ADEQ) launched the Route 66 Initiative in 2004 to help these small and economically challenged communities address problems at former gas stations and other sites with underground storage tanks (USTs). Through the initiative, ADEQ has coordinated with UST owners and operators, property owners, and local governments to identify and remove abandoned USTs, and speed up cleanups and investigations. By early 2007, more than two dozen site cleanups had been completed.

In late 2005, EPA staff began working with ADEQ to promote the Route 66 Initiative and take the effort to the next level, helping Route 66 communities explore ways to redevelop sites that had been cleaned up or investigated.

The initial project area included Winslow, Joseph City, and Holbrook, Arizona.

Less than a year after ADEQ and EPA joined forces to look into redevelopment opportunities in this area, the agencies recruited partners from 20 local, state, and federal agencies and organizations, including the National Park Service, Small Business Administration, the state Departments of Transportation and Commerce, the Route 66 Association of Arizona, and others.

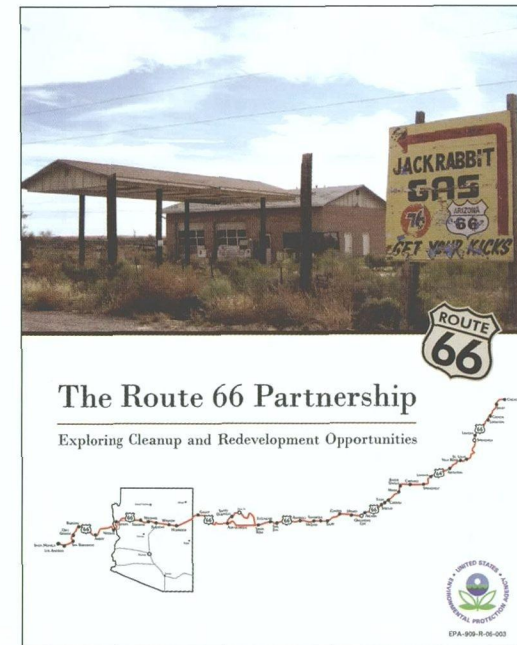
Organizations in the Route 66 Partnership are offering millions of dollars in funding to help communities transform these sites. In January 2006, the partnership held a two-day kickoff meeting to share information and discuss the challenges, options, and possible next steps. Over 60 people attended, creating a network of stakeholders that included government agencies, local news media, businesses, bankers, community members, and UST site owners. EPA followed up by co-sponsoring a Brownfields Grant Workshop in Holbrook in October 2006 and a Community Development Workshop in Flagstaff in March 2007.

Through these efforts by ADEQ and EPA, residents of these communities could see that others, including state and federal agencies, were ready to help them find solutions after decades of struggling with environmental and economic challenges.

Holbrook secured a grant from the Arizona Department of Commerce to conduct a business inventory along the old highway. Winslow received a \$96,000 grant from ADEQ for an en-

vironmental cleanup at a monument dedicated to the well-known line “Standin’ on a corner in Winslow, Arizona,” from a 1970s song by the Eagles. Flagstaff received an EPA brownfields grant to address petroleum-contaminated sites along Route 66 in that city.

Building on these early successes, three other EPA regional offices, covering states from New Mexico to Missouri, have initiated similar projects focused on abandoned gas station sites on other portions of Route 66. Other state governments have also joined these efforts. For more information, including tools and resources for cleanup, redevelopment, and historic preservation, visit [www.epa.gov/region9/waste/brown/66](http://www.epa.gov/region9/waste/brown/66)



**Left: In early 2006, people from EPA, the Arizona Department of Environmental Quality, local governments, businesses and other stakeholders along the path of Route 66 met to kick off their partnership.**

## Advances

**Indian Bend Wash — Construction Complete**

**In December 2006**, EPA and the Arizona Department of Environmental Quality announced that construction of all cleanup facilities at one of the nation's largest groundwater contamination sites has been completed. The 13-square mile Indian Bend Wash (IBW) Superfund site is located in two areas that cover portions of Scottsdale and Tempe.

The two areas, North Indian Bend Wash and South Indian Bend Wash, are separated by the Salt River channel. The two areas have separate, underground plumes of contaminated water. At North Indian Bend Wash, four groundwater pump-and-treat systems have been built to remove the contamination. At South Indian Bend Wash, where the groundwater's contaminant levels are lower, EPA is monitoring 80 groundwater wells. Results show that the contaminants are gradually diminishing naturally, and are expected to reach safe drinking water levels within 15 years.

Across the entire site, contaminated soil close to the surface at four locations has been treated by soil vapor extraction. This process is still underway at two other locations. Construction work on the last of these soil vapor extraction

facilities at South Indian Bend Wash was completed in 2006.

Groundwater pump-and-treat facilities at the north site have already cleaned more than 61 billion gallons of contaminated groundwater, enough to meet the household needs of more than 400,000 average-sized homes for a year.

Keith Takata, EPA's Superfund Division director for the Pacific Southwest Region, hailed the culmination of "cooperative effort between EPA, the state, the cities of Scottsdale and Tempe, and numerous companies to ensure that the drinking water is safe for residents."

Work at the site spanned almost the entire history of EPA's Superfund program, which began in 1981. At the time, no one predicted just how complex, costly, and lengthy the effort to clean up the nation's most toxic sites would be. Indian Bend Wash provides a good example of the challenges involved.

In 1981, the City of Scottsdale discovered that its drinking water wells were contaminated with volatile organic compounds (VOCs) trichloroethylene (TCE) and perchloroethylene (PCE). In 1983, EPA listed the site on its Superfund National Priorities List. The area includes developed land with residential, commercial and industrial uses.

To define the extent of VOC contamination for all of IBW, more than 240 groundwater monitoring wells were drilled, ranging from 140 to 1400 feet below ground surface. Results showed that the area is underlain by three aquifer units layered on top of each other with varying groundwater flow and direction, each with varying degrees of

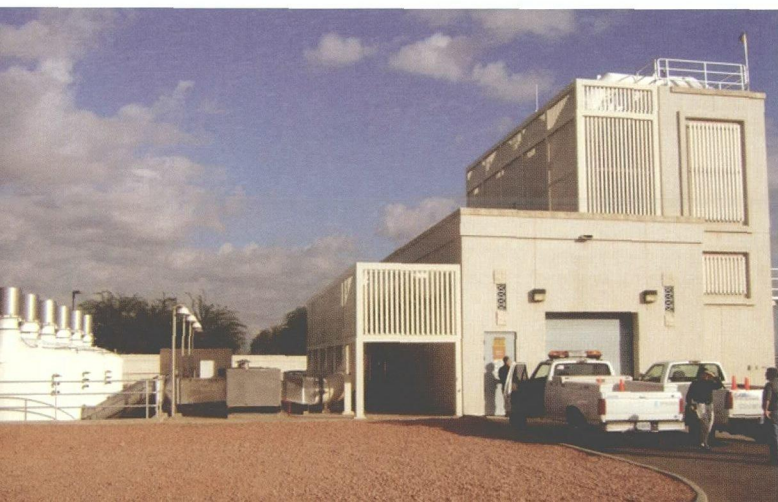
VOC contamination. The contamination resulted from numerous industries in the Scottsdale and Tempe areas disposing of VOCs directly into the ground or dry wells (which drain into the soil) in the 1970s and earlier.

Scottsdale and Tempe rely on groundwater as one of their sources of drinking water.

The treatment facilities remove VOCs from the groundwater. The clean, treated groundwater is then blended into drinking water supply systems, discharged to irrigation canals, or re-injected back into the underground aquifer. By 2006, the North IBW system was continuously treating enough water to supply over 50,000 average-sized homes.

The groundwater treatment plants will operate for many years into the future. In most cases, the work has been paid for by the industrial facilities that caused the contamination. However, additional activities have been paid for by federal Superfund money when other funding sources were not available. EPA enforcement staff and attorneys spent years tracking down responsible parties, and securing legally binding commitments from them to pay their fair share for the cleanup, as required by the federal Superfund law. In some cases, litigation was necessary. But the decades-long effort has paid off by restoring clean, safe drinking water sources to Scottsdale and Tempe.

For more information, visit [www.epa.gov/region9/waste/sfund/indianbend](http://www.epa.gov/region9/waste/sfund/indianbend)



**New groundwater treatment facility at the Indian Bend Wash Superfund site is the fourth and final one to be completed.**

## People

## Steve Calanog: Strengthening Emergency Response

**STEVE CALANOG MAY NOT WEAR A UNIFORM,** but he carries a commanding title. He is one of four EPA Pacific Southwest staff trained to become EPA's incident commander when a disaster strikes.

After Hurricanes Katrina and Rita hit the Gulf Coast, Calanog served four 21-day tours of duty as EPA's Deputy Incident Commander in Louisiana. There, he coordinated the work of 200 to 300 EPA employees from all over the U.S. as they took on a variety of tasks, from rescuing stranded residents to testing drinking water systems in an area as large as West Virginia. Post-disaster reports cited EPA for a job well done.

Calanog came to EPA in 1992 after a stint with the Peace Corps in rural Paraguay, where he worked on improving basic sanitation, learning the local Indian language, and educating the people on how to prevent sewage-borne diseases. Like the locals, he swam in piranha-infested rivers, and emerged unscathed. "They rarely bite," he says, dismissing their fierce reputation as a Hollywood myth.

For the past eight years, Calanog has been one of 17 On-Scene Coordinators in EPA's regional office who respond to oil and chemical spills, as well as floods, earthquakes, and terrorism incidents that could release oil, toxics, radiation, or biological warfare agents. Three years ago, Calanog trained for his incident commander role at the U.S. Forest Service's National Wildland Fire Coordinating Group and the Coast Guard's maritime emergency training center at Yorktown, Virginia. Since then, he has headed

an Incident Management Team of ten EPA staff who can be ready to go on a moment's notice when disasters occur anywhere in the U.S. The regional office has three of these teams.

These teams are part of the National Incident Management System (NIMS), which coordinates federal agencies responding to terrorism and other emergencies. Calanog participates on an EPA national workgroup that is developing the agency's incident management procedures for major emergencies as well as more routine work. Under NIMS, EPA's Pacific Southwest Regional Office and the U.S. Coast Guard co-lead two geographic response teams that include 15 federal agencies, the states of California, Nevada, Arizona, and Hawaii; and U.S. Pacific Island territories.

Last year, the U.S. State Department called EPA for help in responding to a mercury spill in the Philippine Islands. Some students at a school near Manila had found a vial of mercury in their chemistry lab, played with it, and spread it around the school, poisoning themselves. Three were hospitalized. Calanog headed a four-person EPA team sent in to clean up the school. While there, he briefed top Philippine officials on disaster preparedness, and recommended that mercury be removed from all schools. By the time he left, a bill to do this had been introduced in the national legislature.

"We were treated like celebrities by officials and the news media," says Calanog, whose father came to the U.S. from the Philippines. "But we were just doing our job."



# Communities and Ecosystems



**EPA's Pacific Southwest Region stretches across a vast area of roughly 400,000 square miles on the U.S. mainland, plus the lands and waters of Hawaii and Pacific islands more than 6,000 miles from California.**

Its habitats range from Sonoran deserts to lush rain forests and coral reefs, providing habitat for thousands of unique species of wildlife, fish, and plants. Its residents reflect the world's diversity, from indigenous peoples to immigrants from around the globe.

Not surprisingly, the environmental players vary from place to place. On the U.S.-Mexico Border, EPA collaborates with U.S. states, the Mexican environmental agency SEMARNAT, Mexican state governments, and border tribes.

In the Pacific, EPA cooperates with the State of Hawaii, the Territories of American Samoa and Guam, and the Commonwealth of the Northern Mariana Islands. On the mainland, EPA works with each of the region's states — California, Arizona, Nevada and Hawaii — 146 federally-recognized tribes, and in some cases partners directly with local community groups.

These partnerships and commitment to healthy habitats and communities form the foundation of EPA's work across the region, the nation, and the planet.

## Trends

## Pacific Islands: Public Health Improves

**WHEN IMAGINING LIFE ON A FARAWAY** Pacific island, many of us envision an idyllic existence under swaying palms. But it's not quite that simple.

People in the U.S. Pacific island territories of Guam and American Samoa and the Commonwealth of the Northern Mariana Islands (CNMI) — where average incomes are low and water and sanitary conditions are below U.S. mainland standards — have struggled for decades to improve conditions. In 2006, the ongoing collaborative efforts of EPA and these islands' environmental agencies paid off with improvements benefiting more than 100,000 residents.

### Guam: Sewage Spills Down, Drinking Water Safety Up

Bacterial contamination of drinking water has been a long-standing problem on Guam due to sewage overflows that infiltrated drinking water wells. Before 2003, residents were notified several times a year that they should boil their water before drinking it — in one instance, the boil-water warning lasted 70 days. But as a result of recent improvements, Guam has had safer drinking water without boil-water notices for the past two years.



Infrastructure investments, such as installing emergency back-up generators at sewage pump stations and upgrading its drinking water chlorination system, have made a big difference. The Guam Waterworks Authority has improved operations and infrastructure, in compliance with a 2003 EPA order, and has raised \$100 million in capital from a bond issued in 2006.

Sewage overflows have decreased by an amazing 99.9%, from 500 million gallons between 1999 and 2002 to 100,000 gallons in 2006.

### WWII-Era Fuel Tanks Removed in Saipan

Tanapag Village in Saipan, CNMI, faced a lingering hazard from World War II: massive fuel tanks abandoned by the U.S. military. Over the last 50 years, the tanks leaked and corroded, putting Tanapag residents at risk from petroleum contamination and physical collapse of the tanks.

In 2006, EPA removed six collapsed tanks and cleaned up the remaining oil sludge and underlying contaminated soil and groundwater. The removals — many in people's backyards or next to their outdoor kitchens — changed people's lives for the better.

The project was also a capacity-building opportunity for the local CNMI Division of Environmental Quality (DEQ). After undergoing a 40-hour health and safety training, DEQ staff worked with the EPA on-scene coordinator and various contractors in all aspects of assessing and cleaning up the sites.

**In 2004, pig waste contaminated waters in 31 of American Samoa's 41 watersheds.**



### Health Risks Reduced in American Samoa

Pigs in American Samoa were polluting fresh water streams, exposing residents to leptospirosis, a disease carried in pigs' guts. Nearly 1,000 small-scale piggeries house a total of 8,244 pigs on the main island, Tutuila. These are commonly makeshift operations, with open-sided buildings on concrete or packed earth. Wastes were typically discharged into unlined cesspools or directly into streams or wetlands. In 2004, pig waste contaminated waters in 31 of American Samoa's 41 watersheds.

In 2005, American Samoa's government initiated prevention efforts with water monitoring, education, inspections, and enforcement on Afuelo Stream, and island-wide. The first priorities were to educate the public about basic sanitation, to locate and map pig facilities and their discharge points, and begin water quality monitoring. Enforcement followed. The Afuelo Stream actions included moving 100 pigs away from the stream and installing waste treatment systems.

These measures have reduced E. coli bacteria in the stream by 90%, and cut nitrogen and phosphorus pollution by 58% (2,649 pounds) and 43% (2,088 pounds) annually. Similar benefits are expected island-wide.

**At Tanapag Village in Saipan, EPA removed six corroding military fuel tanks left from the 1940s, and cleaned up underlying soil.**



## Primer

## The U.S.-Mexico Environment — Challenges and Opportunities

**THE U.S.-MEXICO BORDER**, stretching 2,000 miles from the Gulf of Mexico to the Pacific Ocean, is a diverse area, encompassing deserts, mountain ranges, wetlands, estuaries and aquifers. The border region is currently home to more than 12 million people — by 2020, the binational population along the border is expected to double to more than 24 million people.

The environmental challenges of this rapid population growth include unplanned development; greater demand for land and energy; increased traffic congestion, air pollution and waste generation; overburdened or unavailable wastewater treatment; and increased frequency of chemical emergencies.

Kicked off in 2002, the U.S.-Mexico Border Environmental Program (Border 2012) is a powerful partnership between EPA, the Mexican environmental agency SEMARNAT, 10 border

states, 26 U.S. tribes, and numerous binational institutions and communities. It is a 10-year, binational, results-oriented environmental program for the U.S.-Mexico border area that aims to sustainably protect the environment and public health.

Border 2012 emphasizes measurable results, public participation, transparency, and timely access to environmental information. The partners work together to set priorities through Regional Workgroups, and the associated Task Forces provide a public forum and implement the on-the-ground border projects.

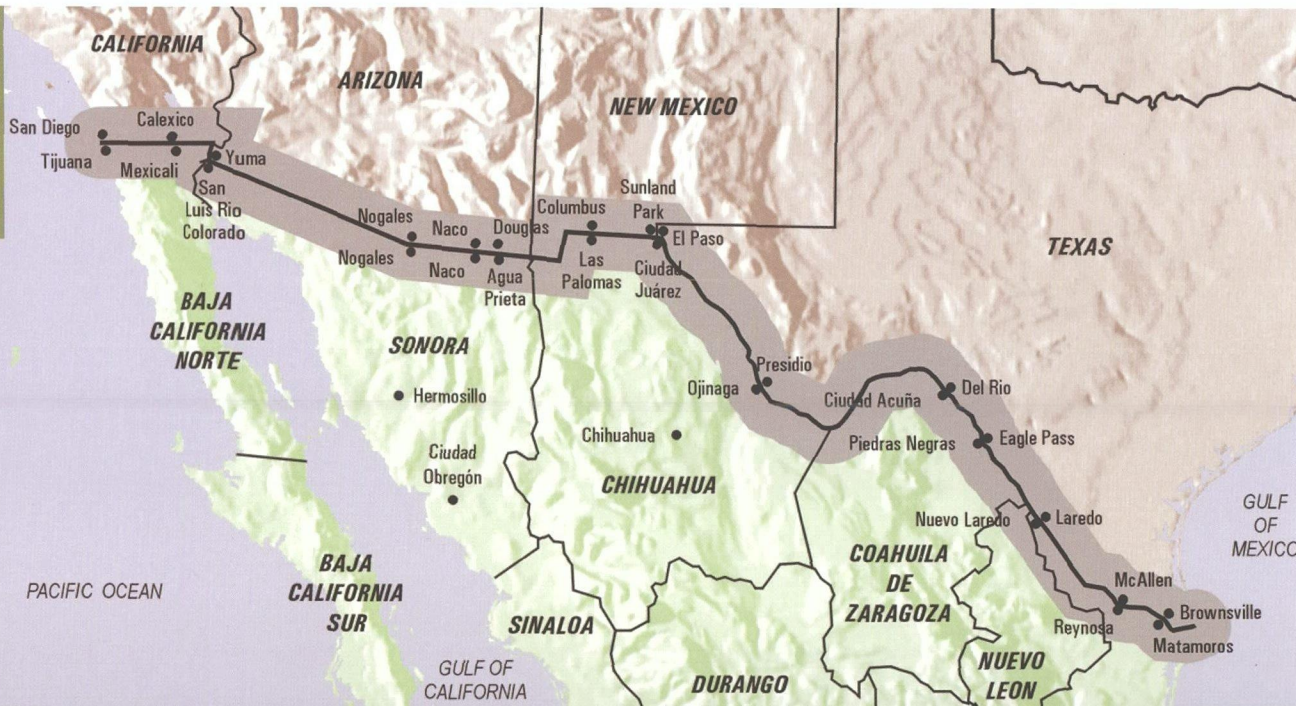
Accomplishments include major improvements to drinking water and wastewater infrastructure that benefit more than 7.8 million people, establishment of emission inventories and a binational air monitoring network to assist in identifying effective emission reduction strategies, road



paving projects to significantly reduce particulate pollution, and the conduct of sister city drills to improve binational emergency preparedness coordination and readiness. In fact, many of the emergency responders who participated in the joint drills were trained at the Border 2012-supported Baja California Emergency Management Institute, an unprecedented public/private partnership that offers a full range of certified training for emergency responders.

### Indigenous Communities and Tribal Nations Collaborate for Results

Indigenous communities in Sonora and Baja California are among the poorest and most isolated populations of this arid region, with little to no water or wastewater infrastructure. Until recently, the only source of drinking water for children and residents of the Quitovac O'odham community in Sonora, Mexico, were shallow, hand-dug wells contaminated with coliform bacteria and high levels of lead, arsenic, uranium, and chromium were. The usual source of drinking water for most indigenous communities in Baja California has been untreated surface water from springs, shallow wells or creeks. Many of those sources are contaminated by livestock, wildlife, or dead animals.





In 2006, the communities of Quitovac (Sonora, Mexico) and San Antonio de Necua (Baja California, Mexico) completed construction of their water systems. The new system at Quitovac serves a boarding school for 100 O'odham children. The Mexican government is now extending electricity to the community and has committed to upgrade homes to provide indoor plumbing, and the Pan American Health Organization is providing a health clinic.

In partnership with a nonprofit organization, the Pala Band of Mission Indians is helping to provide training on the maintenance of water infrastructure systems to the indigenous communi-

ties of San Jose de la Zorra and San Antonio de Necua in Baja California, Mexico.

Among the program's biggest successes last year was the permanent removal and safe disposal of 1.8 million abandoned scrap tires in Baja California that posed significant public health risks (most of the tires were sent to cement kilns and used as tire-derived fuel).

In addition, the border and pesticides programs sponsored the cleanup of obsolete, but still highly toxic, agricultural pesticides along the Arizona-Sonora border. Many of these pesticides, which included toxaphene and DDT (illegal to use in the U.S.), methyl parathion, and azinphos methyl, were improperly stored in corroding — in some cases leaking — containers. In at least one instance, children were found playing on a pile of sacks of dry pesticide. The cleanup will protect children from further exposure. The waste collection events gathered 72,000 pounds of dry pesticides and 500 gallons of liquid pesticides from the San Luis, Sonora, and Yuma, Arizona, areas.

Each year, diesel trucks make nearly 5 million crossings from Mexico into the U.S. Emissions from diesel engines, especially the microscopic soot known as "particulate matter" (PM), create serious health problems for adults and have extremely harmful effects on children and the elderly. Health issues from diesel emissions in-



clude (but are not limited to) chronic bronchitis, asthma, premature death, and cancer.

In order to better understand the costs and effectiveness of diesel retrofit technologies on Mexican heavy-duty diesel vehicles operating in the San Diego-Tijuana border region, EPA worked with the San Diego Air Pollution Control District to fund the retrofitting of 60 heavy-duty diesel trucks from Baja California. This project reduced the particulate matter (PM<sub>10</sub>) emitted by these vehicles by 25-40%; additional retrofits are planned for the Arizona/Sonora and California/Baja California border regions.

For more information on Border 2012, visit [www.epa.gov/border2012](http://www.epa.gov/border2012)

**Above: These sacks of methyl parathion represent just a portion of the 36 tons of waste pesticides collected by EPA and the Mexican government for proper disposal.**



**Top left: San Antonio de Necua — a new water well constructed with funding from the Border 2012 programs.**

**Left: Cleanup of the INNOR tire pile in Mexicali, Mexico.**

## Places

## Gila River Indian Community's Environmental Program Excels

**A FEW YEARS AGO**, the Gila River Indian Community, located south of Phoenix, Arizona, had a host of environmental problems on their land, from a tire fire involving more than 3 million used tires, to unauthorized trash dumping. Today, the tribe has not only cleaned up these sites, it has an ongoing program to protect air, land, and water that is a model for other tribes.

The tribe regulates approximately 50 privately-owned businesses and industries on their land by adopting specific ordinances to regulate waste and emissions. These businesses encompass a variety of industries including an explosives manufacturer, several sand and gravel mining operations, agricultural chemical supply companies, and cotton gins. The tribe's Department of Environmental Quality (DEQ) has also adopted general regulations covering visible emissions, storage and handling of volatile

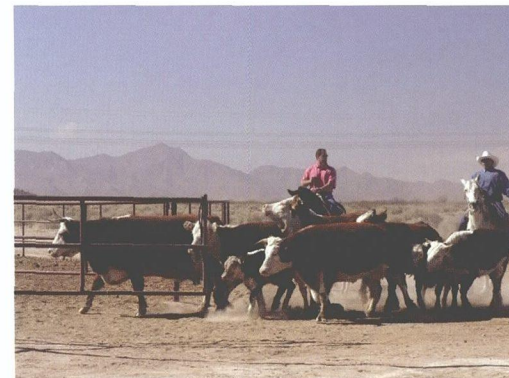
organic compounds, degreasing and metal cleaning, and fugitive dust.

In 2006, Gila River DEQ became the first tribal agency in the U.S. to develop a comprehensive Air Quality Management Plan to protect air quality. This includes an air monitoring program that's already up and running, an inventory of total air emissions on the tribe's land, and air quality standards that are the same as EPA's national standards. Also part of the plan is an air permitting program which allows DEQ to set and enforce emissions limits for industries operating on tribal land. And the tribe has hired a team of environmental professionals, most of them Native Americans, to administer the plan.

Each year, DEQ sponsors Earth Day volunteer trash cleanups, and a household hazardous waste collection event which has brought in more than 6,000 pounds of used batteries, oil, paint, antifreeze, and other hazardous materials. In addition, the DEQ supports other district, community and school clean-ups throughout the year. The DEQ also collaborates with surrounding jurisdictions to combat illegal dumping and other environmental issues that impact the Community.

The DEQ Pesticide Control Program has worked with farmers on tribal land to greatly reduce both the amounts and toxicity of pesticides sprayed, as well as training farm workers and pesticide handlers on safety. The DEQ Water Quality Program routinely monitors and analyzes water from many sources on tribal land, including

**Gila River DEQ Director Margaret Cook (front center), ADEQ Director Steve Owens (rear, middle) and EPA regional Air Division Director Deborah Jordan (front, holding document) celebrate the Gila River Indian Community's completion of a comprehensive plan for improving air quality on more than 600 square miles of tribal land within central Arizona.**



rivers, canals, stormwater, groundwater, and wells. The data collected gives the Gila River Indian Community the ability to detect changes in water quality and contamination and provide guidance for cleanup and remediation.

The Gila River Indian Community is one of two tribes in the U.S. to be chosen as a Brownfields Showcase Community. With more than \$700,000 in EPA brownfields grant money, the tribe has been able to leverage \$8.3 million more from other sources to clean up and reuse abandoned industrial sites. A new facility, the Diabetes Education and Research Center, has been constructed on one of the sites.

Gila River Indian Community DEQ and its director, Margaret Cook, have been recognized by both the State of Arizona and EPA for their outstanding accomplishments and leadership. In 2004, EPA awarded DEQ staff the Conner Byestewa Jr. Award for environmental excellence, which is given annually to three of the more than 146 tribes in the Pacific Southwest Region.



## Collaboration

## Building the Willits Bypass — and Saving Wetlands

**THE TOWN OF WILLITS** in Northern California's Mendocino County sits on the edge of the Little Lake Valley, so named because winter rains flood the valley each year, creating a unique seasonal pond that can grow to hundreds of acres, depending on the rainfall. Coho and Chinook salmon, as well as steelhead trout, migrate through the valley's creeks each winter to reach their spawning grounds.

Because of this seasonal wetland, the land has remained open space up to now, with patches of riparian forest, and deer and cattle grazing its grasses in the dry season. However, the state transportation agency, Caltrans, planned to reroute a portion of Highway 101 through the valley, which could have affected 130 acres of wetlands. EPA worked with Caltrans, natural resource agencies like the state Department of Fish and Game and the U.S. Fish and Wildlife Service, and other stakeholders to develop a plan to build the bypass with no net loss of wetlands.

This collaborative approach has been standard for EPA since the agency adopted a "Memorandum of Understanding for Surface Transportation Projects" in 1994 that lays out a framework for cooperation in resolving wetlands issues under the Clean Water Act's Section 404 and the National Environmental Policy Act (NEPA). Section 404 protects wetlands, while NEPA requires EPA to review and comment on Environmental Impact Statements drafted by federal agencies regarding their proposed actions. "One of EPA's primary goals is to avoid and minimize environmental impacts through early engagement with

our partners," says Nancy Levin of the regional Environmental Review Office.

Due to the potential impacts on wetlands, the originally proposed alignment of the roadway could not have been permitted under Section 404, according to Mike Monroe of EPA's regional Wetlands Regulatory Office. Monroe and Levin worked with Caltrans and more than a dozen other stakeholders to map, measure, and analyze the wetlands impacts of several alternative routes.

Other stakeholders included Willits and Mendocino County elected officials, the nonprofit Willits Environmental Center, the North Coast Regional Water Quality Control Board, the U.S. Army Corps of Engineers, the National Oceanographic and Atmospheric Administration's (NOAA) Fisheries Office, and the Federal Highway Administration.

After a series of negotiations, the stakeholders agreed on a route that will save 75 acres of wetlands and creeks that would have been destroyed by the original proposal. Under Section 404, a proposed project can be permitted if unavoidable wetlands impacts are mitigated — offset by the creation, enhancement, preservation, or restoration of wetlands elsewhere. For the Willits Bypass, Caltrans has agreed to create or otherwise preserve at least 1.5 acres of wetlands in the Little Lake Valley for every one acre lost.

All parties worked together to understand each others' interests — for example, the local interest in preserving a business park and playing fields. EPA contributed leadership in negotiating the final agreement. Construction of the bypass is tentatively scheduled to begin in 2010.



**EPA worked with Caltrans to preserve most of the seasonal wetlands in the Little Lake Valley near Willits, while allowing construction of the Willits Bypass on Highway 101. (Photo courtesy of Caltrans)**

## Partnership

## The West Oakland Toxic Reduction Collaborative

**WEST OAKLAND, A PART** of Oakland, California, is surrounded by freeways and next to the nation's fourth-busiest container cargo port. The port alone generates up to 10,000 trips per day through the community by heavy diesel trucks. In this mostly African-American and Hispanic community, asthma levels are among the state's highest, and income levels are low.

Residents knew there was something wrong with this picture, so in 2000 they formed the Environmental Indicators Project (EIP), which tracked 17 indicators of local environmental health. The project's 2002 report, "Neighborhood Knowledge for Change," set the community's agenda for environmental improvements.

The report caught the attention of EPA's regional Air Division. EPA's Mike Bandrowski, Richard Grow, Karen Henry, and John Brock met with EIP members to discuss how the agency could support the group's efforts to reduce diesel pollution in the community. They got to know EIP leaders, and formed a partnership to organize the West Oakland Toxic Reduction Collaborative, a multi-stakeholder effort to mobilize community residents and groups, government agencies, non-profits, and businesses to improve air quality and community health.

EPA and EIP are the co-leads of the collaborative. EPA also provides some of EIP's and the collaborative's funding, through grants. The participants are divided into eight work groups, each working on voluntary efforts to reduce residents' exposure to diesel and toxic pollutants.

**The community of West Oakland is subject to a disproportionate amount of air pollution because it is adjacent to the Port of Oakland, which generates up to 10,000 heavy diesel truck trips through the community each day.**

**EPA's ENVIRONMENTAL JUSTICE PROGRAM** is working to reduce disproportionate environmental impacts to low-income areas and communities of color. In 2006, this included projects in:

North Richmond, CA	Bayview-Hunters Point, CA
Pacoima (NW Los Angeles)	San Francisco, CA
West Oakland and downtown Oakland, CA	Tucson, AZ
Canal District, San Rafael, CA	South Phoenix, AZ
	Anahola, Kauai, HI

The Alternative Fuels group, which includes utility giant Pacific Gas and Electric Co., is working with several companies to replace dirty diesel truck engines with clean-burning liquefied natural gas engines. The Healthy Homes Work Group has trained 10 local residents to go door-to-door with an indoor air pollution checklist to identify asthma triggers.

A Land Use Work Group is consulting with city planners to find ways to relocate trucking businesses out of residential areas and into the former Oakland Army Base, now owned by the Port of Oakland and the City of Oakland. A Brownfields Group is working with the state Department of Toxic Substances Control to address cleanup and redevelopment of abandoned industrial sites on an area-wide basis.

Another group's focus is to ensure that as the port expands to handle an anticipated tripling of container traffic by 2020, there is a substantial decrease in air pollution and risk to residents. This group will be working with the Bay Area Air Quality Management District to meet the state's even more ambitious goal: To lower residents' health risks from diesel emissions by 85%.

"It's been gratifying to work with community leaders like EIP's Margaret Gordon and Brian Beveridge," says Richard Grow, EPA project lead. "Everyone is focused on common goals."



## People

## EPA's Agriculture Team: Making a Difference in the Central Valley

**FOR MORE THAN 10 YEARS**, the Agriculture Team in EPA's regional Communities and Ecosystems Division has coordinated with colleagues in an array of environmental programs to address issues related to agriculture in the Pacific Southwest.

Cindy Wire, James Liebman, Don Hodge, and Karen Heisler make up the staff team that works with Kathy Taylor, Agriculture Advisor to the Regional Administrator, to promote voluntary partnerships with the agricultural community and its allies. Both the Air and Water Divisions have designated associate directors dedicated to agricultural issues — Kerry Drake and Jovita Pajarillo — who work closely with the team to optimize cross-program coordination.

The majority of the team's work is focused on California's Central Valley, due to the disproportionate environmental and health impacts associated with agriculture in this vast area. The team strives to engage agricultural producers across the valley to employ strategies that make their operations more sustainable. Together, they're finding ways to improve environmental performance while supporting the economic bottom line and the well-being of valley communities.

It's not easy, considering that Central Valley agriculture must compete in an increasingly global marketplace, with great variations in environmental and labor practices. But this is all the more reason to champion frameworks for environmental performance that leverage the marketplace to support producers who do the right thing.

EPA's Ag Team has long supported agricultural innovation and partnerships, including third-party certification of practices that yield environmental improvement such as reductions in pesticide loading. The team recognizes that a direct return in the marketplace is critical to engaging the industry's commitment around environmental protection.

Success requires producer participation, several years of demonstration projects and data development, and ultimately market recognition. Over time, EPA's regional Ag Team has developed important relationships with other agencies and organizations that have proven to be key partners in achieving these steps.

For example, Jamie Liebman's leadership with the Dairy Manure Collaborative leveraged \$16 million in grants and in-kind resources to advance manure management through demonstration projects and technology assessment, taking into account air emissions, nitrogen, salts, and clean energy production. Jamie's technical fluency and leadership skills have helped a diverse group of stakeholders work together on finding ways to address the impacts of dairies.

Cindy Wire's hands-on management of Food Quality Protection Act grants has yielded proven reductions in pesticide impacts in the Central Valley. Much of Cindy's time is spent in the field with growers and their allies — university researchers, nonprofits, and commodity organizations — encouraging their commitments to developing and demonstrating more sustainable cropping systems.

Don Hodge is championing EPA's perspective on Environmental Management Systems in agriculture, specifically the necessity for data-driven programs and third-party certification. Don is the most recent addition to the team, and has brought an extensive knowledge of environmental measures and indicators of improvement, as well as personal dedication to sustainability.

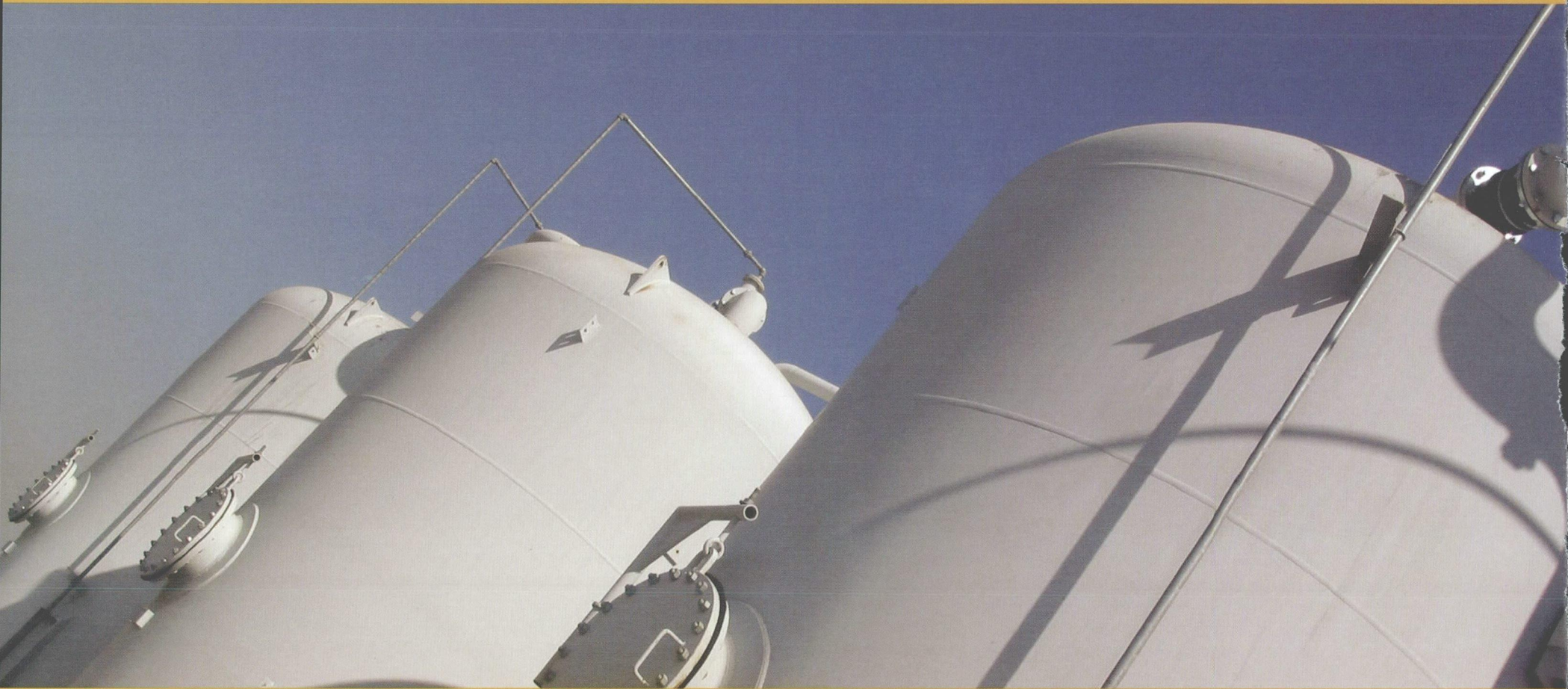
Karen Heisler has for many years been a guiding force on the team. Her networking in the agriculture community enables EPA to anticipate events that demand the agency's attention, such as concerns about E. coli contamination, or adoption of emerging technologies that could affect agricultural sustainability.

In short, the Ag Team focuses on environmental results through innovation, coordination across programs, and well-articulated goals. Their successes, in partnership with Central Valley producers, are benefiting the agricultural community, consumers, valley residents, and the environment.

**Don Hodge, Jamie Liebman, Kerry Drake, Jovita Pajarillo, Karen Heisler, Cindy Wire, and Kathy Taylor (not pictured) work with the agricultural community in the Pacific Southwest.**



# Compliance and Stewardship



**Compliance is about playing by the rules — laws and regulations governing activities that affect human health and the environment. One of EPA's overriding priorities is to ensure environmental compliance by assisting regulated facilities, supporting state and local monitoring and enforcement activities, and taking direct federal action.**

Stewardship is a responsibility we all share to care for our environment — at home, at work, and on the go. Everyone can recycle paper, use energy-efficient appliances, and make marketplace decisions that support a clean environment. Industries and institutions can contribute by conserving energy and resources on a larger scale. EPA has a number of voluntary partnerships that encourage government, industrial, and other facilities to achieve environmental results that go far beyond compliance with regulations.

For example, six facilities in the Pacific Southwest, including Motorola in Chandler, Arizona, and the NASA Ames Research Center in California, completed three-year commitments under EPA's Performance Track program in 2006. Collectively, they made substantial reductions in their generation of hazardous waste (140 tons), solid waste (64 tons), energy use (7 trillion BTUs), and water use (52 million gallons). They also increased their use of recycled materials by 187 tons. Performance Track now has 55 member facilities in the region.

## Trends

## Expanding Enforcement Tools To Increase Environmental Results

**ENFORCING THE NATION'S ENVIRONMENTAL LAWS** is central to EPA's mission, and the agency has a number of tools at its disposal to ensure compliance.

In cases of serious environmental violations which might involve egregious negligence or conduct involving intentional, willful or knowing disregard for the law, EPA's Criminal Investigation Division pursues criminal penalties and remediation from violators.

**Effectively communicating enforcement activities to the public and the regulated community sends a clear message that failure to comply has consequences.**

The agency uses civil enforcement tools to return violators to compliance and deter misconduct in others, eliminate or prevent environmental harm, and preserve a level playing field for responsible companies that abide by the laws. In judicial cases, EPA brings suit in federal court to have a judge order a remedy. In administrative cases, the agency issues orders directly to the violator.

In fiscal 2006, EPA's Pacific Southwest Region concluded 295 enforcement cases, garnering over \$468 million in funding to clean up and prevent pollution caused by violations. Collection of \$7.8 million in penalties helped ensure that polluters gained no advantage over those who invest in compliance.

### Using Expedited Settlements to Speed Environmental Outcomes

One of the most efficient ways to address minor violations and obtain environmental benefits is through the use of expedited administrative penalty orders. These tools offer relatively "real time" enforcement where violations are corrected and a penalty is obtained in a short amount of time, generally a few months from EPA's discovery of the violation.

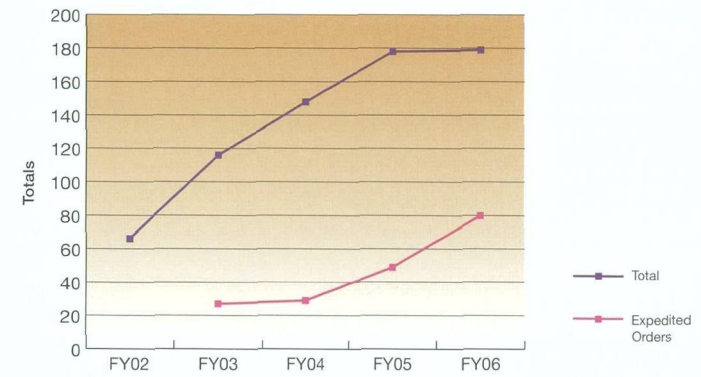
As Figure 1 shows, EPA has steadily increased its use of these enforcement tools in the Pacific Southwest, increasing the percentage of expedited orders out of all administrative penalty orders from 24% in fiscal 2003 to 45% in fiscal 2006.

### Reducing Air Pollution Through the National Refinery Initiative

The Pacific Southwest Region played an active role in a national initiative to address the most significant Clean Air Act compliance concerns affecting the petroleum refining industry. Through this initiative, EPA has reached more than a dozen comprehensive agreements with petroleum refiners to significantly reduce harmful air emissions of nitrogen oxide, sulfur dioxide, carbon monoxide, benzene, volatile organic compounds, and particulates.

In fiscal 2006, three more settlements became effective, with a combined projected reduction in sulfur dioxide and nitrogen oxide emissions of more than 5,300 and 300 tons per year, respectively, from seven California refineries: ExxonMobil's Torrance refinery; Tesoro's Martinez refinery; Valero's Benicia and Wilmington refineries; and ConocoPhillips' Carson/Wilmington, Rodeo, and Santa Maria refineries.

Fig. 1. Pacific Southwest Region Final Administrative Penalty Orders



In addition to these reductions, the Pacific Southwest portion of these settlements include nearly \$2 million in penalties and \$650,000 in supplemental environmental projects.

### Publicizing Enforcement to Improve Compliance

Effectively communicating enforcement activities to the public and the regulated community both improves awareness of compliance requirements and sends a clear message that failure to comply has consequences.

One recent example of the impact of targeted enforcement and outreach involved asbestos violations at charter schools in Arizona. After receiving a tip, EPA determined that five of the larger charter schools in Phoenix had failed to conduct inspections for asbestos-containing building materials and develop asbestos management plans. EPA issued enforcement actions and later publicized settlement of the cases. As a result, EPA was contacted for compliance assistance by other charter schools, consultants hired to do inspections and develop plans for more than 40 schools, and the Arizona State Board for Charter Schools, which posted compliance information on their Web site.



## Primer

## Conserving Resources, Minimizing Waste

**THERE'S A SIMPLE WORD** for the unwise or inefficient use of resources: Waste.

To have a healthy planet and a sustainable economy, we must reduce wasted energy and materials.

### Reducing the Waste Stream to a Trickle

As the pie chart on this page shows, our waste stream is made up of a wide range of materials, from coal combustion ash to toxic wastes to everyday trash. While some sectors, such as municipal solid waste, have become more and more efficiently managed, others have seen less progress.

EPA is partnering with citizens, environmental groups, academia, industry and all levels of government to speed progress in every sector. A number of new initiatives are part of the Resource Conservation Challenge, a national effort to conserve natural resources and energy

### Today's Waste Stream

Millions of Tons of Waste Generated per Year in U.S.



by managing materials more efficiently. They are helping reach EPA's near-term goal of a 35% recycling rate nationwide, while conserving energy and greenhouse gas emissions associated with processing raw materials, reducing the need for new landfills and incinerators, and stimulating development of green technologies.

Increasing the nation's recycling rate just 1% will cut greenhouse gas emissions by the equivalent of taking more than 1.3 million cars off the road — that's more than all the cars registered in the state of Utah.

**Recycle  
on the  
GO**

### Recycle on the Go/Green Venues

Household recycling has been a success story, but in our fast-moving society, that's not nearly enough. These programs encourage recycling at concerts, sporting events, shopping centers, parks, hotels, airports, and other locations, by working with partners to encourage people to recycle wherever they go by making it easy and convenient.

An example of an early success is professional football's Pro Bowl. In January 2007, for the second year in a row, EPA, the National Football League, Boys and Girls Clubs of Hawaii, Honolulu Recovery Systems and Aloha Stadium participated in collecting and recycling thousands of bottles and cans in the parking lot during the event. In addition, Community Energy, a green energy marketer and developer, donated renewable energy credits to offset greenhouse gas emissions from the Pro Bowl

and the NFL Pro Bowl Tailgate Party. The NFL also sponsored tree-planting projects at several local schools.

In the hospitality industry, one large Hilton Hotel in San Francisco hosted a four-day EPA conference in 2006 where the agency worked together with attendees toward a goal of Zero Waste. No disposable food service ware was used, recycling and composting bins were placed throughout the event, and the food waste and even the paper towels were collected for composting. In 2007, the hotel put its Zero Waste program into effect all the time, and EPA's regional office will adopt a new Green Meetings Policy.

For more information, visit [www.epa.gov/recycleonthego](http://www.epa.gov/recycleonthego)

### Industrial Materials Recycling

Each year, the U.S. generates 123 million tons of coal combustion products, the byproducts from coal-burning power plants. When this coal fly ash is added to concrete as a cement replacement, the naturally cementitious byproduct makes concrete stronger and more durable. This practice reduces greenhouse gas emissions as well; for every ton of fly ash that goes into concrete, one ton of carbon dioxide emissions is avoided.

In November 2006, EPA's Pacific Southwest Regional Office hosted the Byproducts Beneficial Use Summit, attended by 200 people from 35 states, the District of Columbia and Guam. At the event, EPA honored three organizations

for their pioneering use of fly ash: The Los Angeles Community College District incorporated high-volume fly ash concrete into designs of 44 new buildings; Caltrans developed high-performance concrete mixes using coal ash and other recycled materials, which are being used in building the eastern span of the San Francisco-Oakland Bay Bridge (see photo, opposite); and Dutra Farms is using 45,000 tons of ash annually in floors for cow sheds on dairy farms.

For more on recycling industrial materials, go to [www.epa.gov/epaoswer/osw/conservation/priorities/bene-use.htm](http://www.epa.gov/epaoswer/osw/conservation/priorities/bene-use.htm)

### Lifecycle Building Challenge

Another big piece of the waste stream is construction and demolition debris. In 2007, EPA, the American Institute of Architects, the Building Materials Reuse Association and West Coast Green are sponsoring a nationwide competition for students and professionals to spur innovative building and building components designs as well as management practices that anticipate future use — facilitating a building's eventual disassembly or adaptation (instead of demolition) to minimize waste and maximize materials recovery. For details, visit [www.lifecyclebuilding.org](http://www.lifecyclebuilding.org)

### Scaling Back on Energy Use

Reducing our use of energy has become a higher priority than ever as we take steps to address climate change. EPA's energy conservation programs partner with industry, government and individuals to make reducing energy

use a simple proposition. These and other major efforts in the Pacific Southwest have been paying off: Nevada ranks 23rd, Arizona 33rd, Hawaii 47th, and California 50th — best in the nation — in per-capita electricity use.

### Change a Light, Change the World

On October 4, 2006, EPA's Pacific Southwest Regional Office teamed with the Arizona Public Service Co. (APS), the Housing Authority of Maricopa County, and the state Energy Office to kick off the agency's newest energy-saving initiative, the Change a Light, Change the World campaign. Electric utility APS sent workers to swap out incandescent bulbs for compact fluorescent lights at Paradise Homes in Sunrise, Arizona, a complex that provides subsidized housing for the elderly and disabled.

Compact fluorescents use up to 75% less energy than standard light bulbs, generate 70% less heat, and last up to 10 times as long. So a single light change can save up to \$25 in energy costs, reduce air conditioning costs (because they emit less heat), and require nine fewer trips up a ladder to change a light bulb. The fuel burned to generate the electricity used by a single compact fluorescent will emit 450 pounds less carbon dioxide than a regular bulb.

"If every American household changed a single light bulb to a high efficiency light, it would provide enough power to light more than 2.5 million homes — or every home in Arizona," said EPA Regional Administrator Wayne Nastro at the Arizona event.



### EPA's Energy Star: Conserving Energy Since 1992

The Change a Light campaign is the newest facet of EPA's Energy Star program, launched by the agency in 1992 as a voluntary, market-based partnership to reduce air pollution through increased energy efficiency. With assistance from the U.S. Department of Energy, Energy Star offers businesses and consumers energy-efficient solutions to save energy and money while protecting the environment for future generations. More than 7,000 organizations have become Energy Star partners.

Hundreds of electrical appliances now on the market, from washing machines to light fixtures, now carry the Energy Star label, which tells buyers that they're getting a product that will save them energy and money compared with other models.

Commercial buildings carefully designed to minimize energy use can also be certified with an Energy Star. California now leads the nation with 779 Energy Star buildings, saving their owners and occupants \$149 million and preventing emissions of more than 1.5 billion pounds of carbon dioxide emissions annually.

For information on Energy Star programs and partners, go to [www.energystar.gov](http://www.energystar.gov)

Caltrans will use over 30 different concrete mix designs in the new SF/Oakland Bay Bridge, including mixes containing over 50% fly ash cement replacement. (Photo: John Huseby, courtesy of Caltrans)

## Places

## Removing Arsenic from Drinking Water in Fallon, Nevada

**FALLON IS A DESERT COMMUNITY** east of Reno, Nevada, best known for its Naval Air Station, home base of top guns like the “Fighting Saints” and the “Desert Outlaws.” But until recently, the small city faced an insidious enemy these warriors were powerless to defeat: toxic dissolved arsenic in its drinking water.

Like many cities in the arid Southwest, Fallon gets its drinking water by pumping groundwater from deep wells. Deep underground, the basalt rock formations that hold Fallon’s water also contain the naturally-occurring, but toxic metal arsenic. In the 1980s, Fallon’s drinking water was found to contain up to 100 parts per billion (ppb) arsenic, twice the federal drinking water standard at the time and the highest level in the nation for a city its size or larger.

Arsenic is a proven carcinogen. Though it has not been proven to cause the form of cancer known as leukemia, many Fallon residents suspected arsenic was at least partially responsible for the geographic cluster of 17 Fallon children stricken by leukemia in 1997-2004. Three died of the disease.

In 2000, EPA ordered Fallon and the Naval Air Station to meet the 50 ppb standard. But that drinking water standard was already being challenged as too lax to protect public health. After years of reviewing scientific studies on the health effects of arsenic, EPA lowered the standard to 10 ppb, effective starting in 2006.

City officials faced a daunting challenge. They had to build a treatment plant that would meet the new standard, but the \$17.5 million cost was unaffordable to the city’s 2,500 house-

holds. Fortunately, the city received a \$6 million grant from Congress that was administered by EPA. The Navy also contributed \$6 million, the State of Nevada \$4.5 million, and Fallon \$1 million. Fallon water customers would also pay the \$1.6 million annual cost of operating the plant.

The treatment plant, designed by consultant Shepherd Miller Inc., was designed to treat 4.5 million gallons per day, with a potential for expansion to treat double that amount. The system works by continuously adding dissolved iron to the water, which reacts with the arsenic to form particles that are then filtered out. The resulting iron-arsenic sludge is not hazardous, and is trucked to the city’s trash landfill.

The plant started operating in April 2004, and quickly met the then-standard of 50 ppb arsenic. After that, plant operators carefully adjusted the water’s acidity and iron content to make it even more effective. The plant met the new 10 ppb standard before it took effect in 2006.

Fallon water ratepayers each pay a surcharge of \$20.44 per month on their water bills to keep the treatment plant operating. But it’s far cheaper than buying bottled water. And it’s safe, since tap water must be routinely tested for dozens of contaminants and meet strict standards. Fallon’s treatment plant is the largest ever built to remove arsenic. Now, it’s a model for other communities across the nation which fail to meet the new arsenic standard.



**This drinking water treatment plant removes naturally-occurring but toxic arsenic from the water supply in Fallon, Nevada. The city’s water, pumped from wells and treated here, now meets the new national safe drinking water standard for arsenic.**

## People

## Kaoru Morimoto: Inspecting Hazwaste Facilities

**WHEN EPA'S SUPERFUND PROGRAM** began in 1981, abandoned hazardous waste dumps were being discovered on a daily basis, and it has taken decades to clean them up. But you rarely hear about such discoveries today, thanks to strict state and federal laws regulating hazardous waste storage, treatment and disposal, and the efforts of state, tribal, and EPA inspectors like Kaoru Morimoto, who ensure compliance.

Morimoto is a UC Davis-trained mechanical engineer who came to EPA from the U.S. Navy Public Works Center in Oakland in 1995. Then, he was part of a team responsible for hazardous waste compliance at the Oakland Naval Supply Center and the Alameda Naval Air Station. As part of the regulated community, he never knew when EPA inspectors would show up to inspect his facilities. Now, he's the regulator, but he understands what it's like to be one of the regulated.

Morimoto and his ten colleagues in EPA's Pacific Southwest Waste Management Division enforcement office are responsible for inspecting facilities that generate, store, transport, or dispose of hazardous waste. Dozens more inspectors work for the region's states, tribes, territorial and local governments. It's their job to make surprise inspection visits to hazardous waste facilities all across the region.

Inspections of small facilities like plating shops can be fairly simple, Morimoto says. "Just follow the chemical process from beginning to end, see where the waste is going, and check to see that the records match the process."

But inspecting large facilities is more challenging. At one large solvent recycling operation Morimoto inspected in Arizona, there were 2,500 valves, flanges, and pumps that the facility was required by law to identify and monitor for leaks and emissions. The required record-keeping can run to thousands of pages. But Morimoto takes the same approach as with small facilities: Follow the chemicals, see where they end up, and check whether the records match the reality.

At the Arizona facility, workers showed him how the solvent distillation process worked, and how the emission control system soaked up toxic solvent vapors. Morimoto scrutinized the schematic diagrams in the device's operations manual, compared them to the actual piping, and found that the vapors were actually venting into the atmosphere — a serious violation. Not only that, they had made "improvements" to the emissions control system that had rendered it

ineffective. And the required records were not being kept — more violations.

It wasn't easy, but the facility tracked down the flaws in its system, and brought it into compliance. Under the terms of a legal settlement with EPA, the company also paid a \$67,000 penalty and spent \$100,000 to buy emergency equipment to help the local fire department deal with chemical fires and spills.

"The violations I've found as an inspector aren't always intentional," Morimoto notes. "They're usually just a result of ignorance." Thanks to inspectors like Morimoto, hazardous waste is carefully tracked so it no longer ends up in someone's drinking water supply or the air we breathe.



EPA inspectors make surprise visits to facilities like this one to track down leaks and other emissions.



## Advances

**Greening Computers with EPEAT**

**FROM E-MAIL TO E-WASTE,** computer equipment is everywhere now, and it's having major impacts on the environment.

All those computers use huge amounts of energy, and they become obsolete quickly, creating mountains of trash containing toxic metals such as lead, mercury, and cadmium, as well as valuable materials that could be reused. For three years, a team of three EPA employees worked on a solution to these problems, and in 2006 they rolled out an unparalleled success: The Electronic Product Environmental Assessment Tool (EPEAT).

The EPEAT Team included John Katz of EPA's Pacific Southwest Regional Office in San Francisco, Vicky Salazar of the Pacific Northwest Office in Seattle, and Holly Elwood of EPA Headquarters in Washington, D.C. Building on national and regional dialogues on electronics and the environment, the team set a clear goal: harnessing the power of purchasers to drive greener electronics design.

The team knew purchasers wanted to buy greener electronic products but were unsure how to accurately compare their environmental impacts. They knew manufacturers were willing to provide greener products but needed to ensure they would sell. They knew public advocacy organizations wanted strict measures that could be verified and trusted.

So they assembled a diverse group of stakeholders from all camps, and came up with a solution: EPEAT, a registry of electronic products that meet stringent environmental performance standards. EPEAT makes it easy for purchasers to select desktop computers, laptops, and monitors based on environmental performance.

Launched in July 2006, EPEAT now lists more than 300 products from thirteen manufacturers. These products save energy and reduce hazardous waste when they're junked. Meanwhile, government and private purchasers have committed \$40 billion to purchasing these greener electronics.

The environmental results are huge: EPEAT-registered products are expected, over the next five years, to prevent the use of 13 million pounds of hazardous materials and 3 million pounds of non-hazardous materials, and save nearly 600,000 megawatt-hours of electricity — enough to supply about 60,000 homes for a year.

Ultimately, the benefits could be many times larger, since EPEAT drives environmental improvements in the design of electronics.

But developing the EPEAT program and making it a success was no simple task. It involved working with the stakeholders to achieve con-

sensus about both the environmental standards for computer equipment, and the process for verifying that the standards are met. The criteria covered eight performance categories:

- Reduction/Elimination of Environmentally Sensitive Materials
- Material Selection
- Design for End of Life
- Product Longevity/Life Cycle Extension
- Energy Conservation
- End of Life Management
- Corporate Performance
- Packaging

The team then shepherded these ratings through a standard setting process accredited by the American National Standards Institute (ANSI). The next step was to select an organization to run the nascent system. After an innovative competitive process, EPA awarded seed funding to the Green Electronics Council to launch the system. The team worked with them on every aspect of the launch, culminating in July 2006, when the EPEAT Web site went live at [www.epeat.net](http://www.epeat.net)

Even before the launch, the team successfully recruited eight federal agencies, two states, several cities, and two large health care organizations to use EPEAT in their purchasing decisions.

EPEAT has made pollution prevention a simple and easy choice for purchasers of laptops, monitors and desktop computers.

**What Makes an EPEAT Computer Better for the Environment?**

**Gets the Lead Out**  
EPEAT-registered computers eliminate nearly all lead, in addition to six other toxics typically found in electronic equipment.

**Packs Lightly**  
Packaging is free of toxic chemicals and recyclable.

**Closes the Loop**  
Uses recycled materials, and designed to be easily recycled.

**Lives Long and Prospers**  
Designed to be easily upgraded with available parts.

**Saves Your Energy**  
Meets the strictest standards for energy efficiency, saving money and the environment.

**Comes Around, Goes Around**  
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As part of its mission to protect public health and the environment, EPA provides a wide range of services and programs that strengthen the ability of both the agency and the American people to take environmental action.

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Another way to play a role in EPA's work is to report environmental violations or emergencies when they are witnessed or suspected.

Look for the icons on EPA's Pacific Southwest Web site at [www.epa.gov/region9](http://www.epa.gov/region9), or call (800) 424-8802 if an environmental emergency is in progress.

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While most EPA staff in the Pacific Southwest work out of the regional office in San Francisco, key personnel are based throughout the region. Some work in EPA field and outreach offices in Los Angeles, San Diego and Honolulu. Others live and work in high-priority areas such as Arizona, California's north coast, and the Sierra Nevada, where they can be closer to the issues and the people they work with.

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**Water specialist Everett Pringle helps middle school students test water quality at a local water treatment plant.**



**Environmental  
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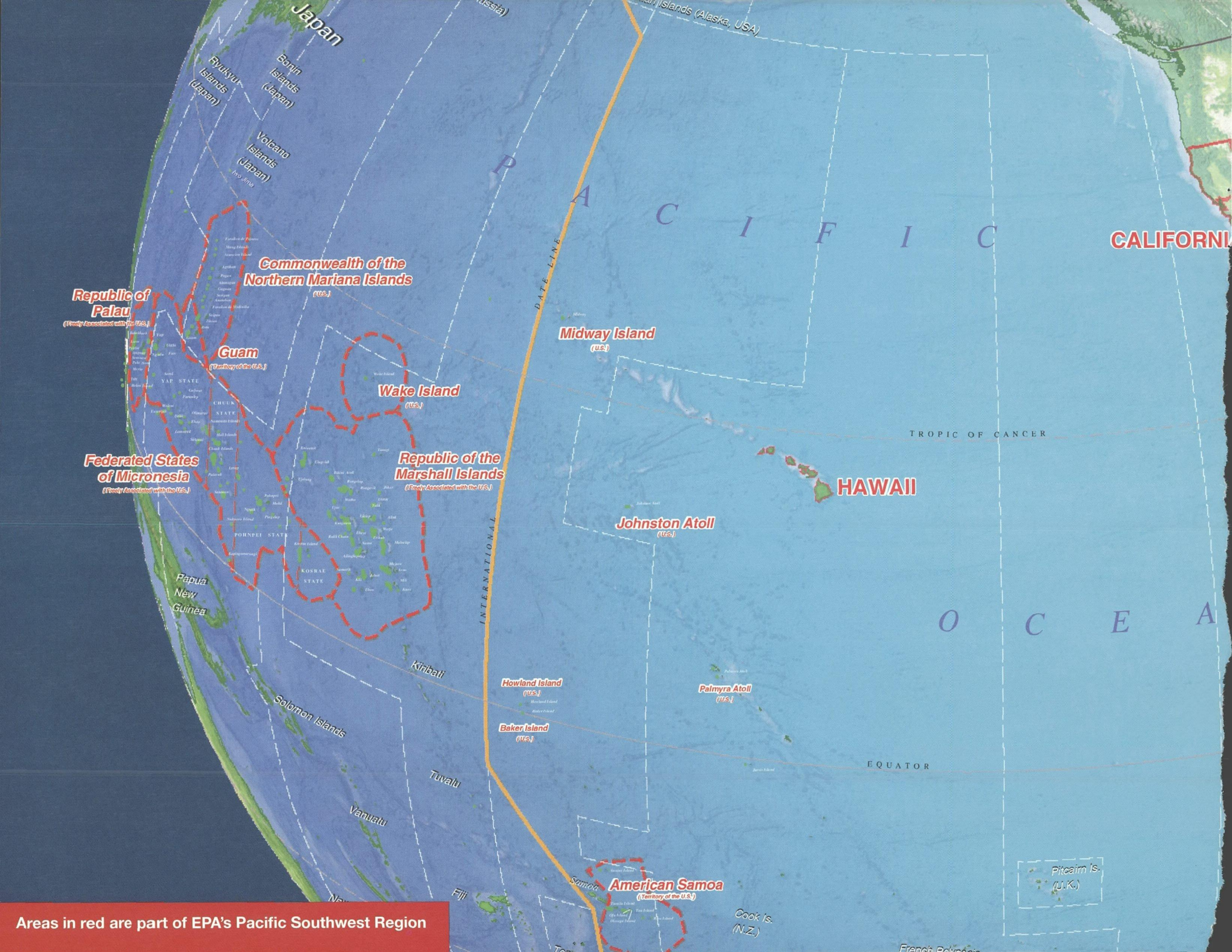
**The Best and Brightest**

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**EPA's Environmental Information Center/Library in San Francisco serves both EPA staff and the public.**





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In June 2006, EPA's Pacific Southwest Regional Office achieved ISO 14001 recertification, a strict international management standard that establishes requirements for environmental responsibility through an Environmental Management System (EMS). Through its EMS, the regional office is continuing to decrease its environmental impacts from air emissions, energy use, material use and waste.





# EPA Pacific Southwest/Region 9

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DEPARTMENT OF HEALTH

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HAWAII STATE EMERGENCY RESPONSE COMMISSION  
MEETING #68

Thursday, September 20, 2007 from 9:13 a.m. to 10:55 a.m.

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

Draft Meeting Summary  
Attendees

Voting

Ken Lesperance, Department of Defense, Civil Defense Division  
Gary Moniz, Department of Land and Natural Resources  
Phillip Arbitrario, Department of Labor and Industrial Relations  
(John Peard) John Ross, Hawaii County LEPC  
Robert A. Boesch, Pesticides Branch, Department of Agriculture  
Thomas J. Smyth, Department of Business, Economic Dev. & Tourism  
Leland Nakai, Honolulu LEPC  
Scott Kekukewa, Maui County LEPC

Non-Voting

Sharon Leonida, Department of Health, Hazard Evaluation and Emergency Response Office  
Paul Chong, Department of Health, Hazard Evaluation and Emergency Response Office  
Michael Cripps, Department of Health, Hazard Evaluation and Emergency Response Office  
Keith Kawaoka, Department of Health, Hazard Evaluation and Emergency Response Office  
Kathy Ho, Attorney Generals Office

1) Tom Smyth called the meeting to order at approximately 9:13 am. Larry not here, asked Tom to chair meeting.

1.1 Opening remarks by Tom Smyth

Remarks on being healthy, use the stairs, healthy snacks that were available. Larry had no comments to pass on. Introduction of attendees.

## 1.2 Review of minutes from meeting 67.

Ken: Corrections to the minutes, under Other Business, page 6 referring to money put aside for travel, it should be 2 people not 20.

Tom: Asked for show of hands to accept minutes. Minutes were accepted.

## 2) Local Emergency Planning Committee (LEPC) Updates

### 2.1 Hawaii

John Peard in for John Ross:

1) Last meeting held August 29, 2007. It was changed from August 22. November 14 will be the next meeting.

2) Main Agenda item was using LEPC resources to send people to training events, conferences. Discussing the merits of different trainings. Getting feedback from Hazmat personnel on priority to have people on Hazmat units to get training. In the past, some people were not from Hazmat units.

3) Beginning to review and update the Hawaii Planning Emergency Response Plan. Original patterned after Oahu's plan. Needed to be tailored to Hawaii County, on hold at the moment, waiting for Hawaii County Civil Defense to update their plan. Would like the LEPC plan to be compatible. Tom asked about Hurricane Flossie.

John: Lots of preparation, hurricane backed off at the last minute. People took it seriously, made preparations.

Downtown boarded up, people stocked up. Shortage of food and gas before hurricane due to arrive. Boats removed from the water. Mentioned the earthquake, not much damage.

Tom: This was the best hurricane exercise that could happen. Communication improved, beneficial effects, no damage from the hurricane. Could have used the rain.

John: HELCO activated their Emergency Response Plan, got training from this incident.

Tom: Asked about release of State, City and County employees. Did they get the message out?

John: Everyone was notified.

Tom: There was a problem about who would be reporting. First time he heard the term, "Disaster Response People". Notification of personnel was not practiced much. Glad they worked this problem out.

Ken: Advised John Peard that planning money is available from HMEP. When they are ready this money can be used to help them to hire someone to help with planning.

### 2.2 Kauai:

Clifford Ikeda:

Not able to attend.

### 2.3 Maui

Scott Kekuewa:

1) Meeting held September 19, 2007. MECO had a oil spill.

2) On Site Coordinator from EPA, Janet Yocum, gave informative talk on what resources she can provide. Both Technical and Response help from EPA in a disaster.

3) Maui has a full time Hazmat company. Captain and driver right now, should be fully staffed by November.

Tom: How does this compare to previous Hazmat structure?

Scott: Hazmat was designated to Rescue Company they were doing both. Having a Hazmat unit takes the burden off of rescue and allows more responses a day. Blessed the truck the week before. Received the truck, cost was \$670,000.

4) Next meeting December 12.

## 2.4 Oahu

Leland in for Carter Davis:

- 1) Meeting held September 12, 2007, 33 people attended.
- 2) Reporting on old business. Clarification on EPA guidance.

Last HSERC meeting reported back from NASTTPO Conference. Reporting requirements for Parking Lots and Farms. Clarification came from EPA stating the reporting requirement was for initial notification to SERC and LEPC that these places fall under EPCRA. Does not apply to the annual Tier II reports. This falls under section 302 of EPCRA. If parking lot or farms have sufficient amount of Extremely Hazardous Substance that exceed the Threshold Planning Quantity, then they are required to report that initially to SERC and LEPCs. Stating that they fall under EPCRA. If they have changes later, they are required to report these changes. No annual Tier II report to respective agencies. Discussion between Tom and Leland.

Tom: Does this include existing places as well as new places? Is there an initial phase for places to log in?

Leland: Yes, for existing places, if they are not aware. When EPCRA and HEPCRA were instituted, initial letters were sent out to businesses outlining requirements. Don't know what the distribution of the letters was. Many people don't know the reporting requirements under the law. On the mainland many business people don't believe parking lot notification is enforceable or good. Any parking lot with "X" number of cars with batteries would qualify.

Tom: If there were a size standard, would church that only have cars on Sunday need to report?

Leland: He did some calculations; it would be under 100 cars. Technically speaking, Churches, Condominiums, Hotels, Shopping Malls, Used cars lots, State, City and County buildings, all have to report. But, this is not being enforced.

Tom: Wondered about penalty for not filing all these years. Who's responsible for publicizing, to notify the public to do the filing, so there would be a record of filing? Is it LEPC responsibly?

Leland: It maybe a State and local county issue.

Bob Boesch: There may be a provision in EPCRA about citizen's suits. If not in compliance, citizen may file an action suit.

Tom: Sounds like a harassment suit. Is there a certain amount of cars, total spaces? Recognizes Kathy Ho.

Kathy: Has EPA sent guidance documents or other things?

Leland: EPA just said there would be no exceptions to Section 302 reporting requirements and left it at that. Everyone in business said basically it's not enforceable.

Keith: What about farms?

Leland: Gave examples of chemicals used in farming, what is reportable.

Tom: Suggested putting this on agenda for next meeting. What prompted this now and is CFR going to coming out?

Leland: This is a standing requirement for EPA; there are always questions about interpretations on that, like questions on parking lots and farms. Report on this at last NASTTPO meeting. Questions on this same issue for several years, EPA trying to provide interpretation that there is no exception.

Tom: Questions about how different places would be able to figure out if they need to report. Where would they go to look up requirements? Some type of letter to the public to provide information is needed.

Leland: Should this be an issue that HSERC and LEPC should address and enforce? We know about parking lots and batteries. For responses, this is not a big deal.

Kathy: Both HSERC and LEPC created from 128-E. Our enforcement comes from 128-E. See if this issue extends to LEPC, HSERC or just a federal issue.

Tom: Talked about citizen lawsuits, concerned about notification of public. If someone didn't know about requirement because we had not managed to get the requirements out to everyone, does it increase liability of the person who did not know? This is our responsibility to raise awareness, so they should know.

Kathy: Referred back to where do we draw our authority from. They're drawn from 128-E and rules that we are about to embark on. Responsible is to 128-E, anything outside of that, EPA authority. Can't advise everyone about every law. We can advise people as to what our authority is. Suggest we go to 128-E to see if this issue falls within 128-E, or is this a federal issue.

Tom: This is simple compared to Tier II where changes are made about amounts and chemicals. It will be easy to get information out to public.

Kathy: We should just check to see if this issue is within 128-E.

Tom: Put this on for next agenda. Now that we are aware of this, see what we want to do about it.

Mike Cripps: TPQ is over a 24-hour period?

Tom: That is why he used church as an example, difference between places.

Mike: Based on 24 hour period would make a difference between used car lots, Wal-Mart, church.

Bob: Gas or battery triggers it?

Leland: Sulfuric acid triggers it.

3) Hazmat's Captain McGuire did presentation at 2007 Continuing Challenge in September. LEPC sponsored six Firefighters, CLEAN sponsored 5 more, total of 11 people. There were 1,000 participants this year. Carter Davis received Responder of the Year award.

Tom: Did the city do a press release? Information should be sent to Bill Brennan.

Leland: Honolulu Fire has the information, Leland will put in on the website. Mike Ardito from EPA has included it in his newsletter.

4) Invited business partners in to give presentations on their business operations. Tesoro did a presentation on Pipelines, Pipeline Operations, Terminals, Trucking and Barge Operations.

5) CLEAN Update: Campbell Local Emergency Action Network now has 18 member companies. Main concern is about preparedness of the Campbell Industrial area. Fire Pal CD was purchased in partnership with LEPC. Distribution of 4,000 copies will made to Leeward area schools. Captain McGuire was on the planning committee and Master of Ceremonies at this years Continuing Challenge. CLEAN supported his travel to go up for planning meetings.

6) Kailua-Kaneohe Project, under HMEP Planning Grant, should be finished shortly. Next year's project will focus on Waipahu area. It is now under review by State Civil Defense. Once signed, we will find a contractor.

7) Andy Keith from Hawaiian Electric conducted tours of their facilities for members of the LEPC. Seventeen people attended, Leland would recommend this tour. Offered once a year.

8) LEPC sponsoring Beginning Cameo Course, from LSU. This is in the third week of November.

### 3) EPA Update

Mike Ardito was not able to be here. Handouts are on the table, along with calendars.

### 4) HMEP Update

Ken Lesperance:

1) Only proposal for planning side for next year is in for review. He has a call into USDOT for questions. Latest question is, can we get all previous questions in on one page. He has been going back and forth with questions from USDOT and his Administrative Officer. He started process three weeks before. Does not know where the hang-up is. He has not been able to get hold of USDOT. Left his cell number and message to call him back.

Leland: In spring of this year, MOA was signed. Attached to this was a draft type of MOA that any HMEP project could use. This was the MOA he used for the project that is up for review at State Civil Defense. This does not require a receipt when you invoice for payment.

Ken: When he heard about this MOA, he thought it went against the fiscal practice. He talked to Ed Teixeira, Ed told him to check with USDOT. He did and Charles Rogoff said, "It looks OK to me". Ken considered this acceptable after Leland turned it in. His Administrative Officer said it was not acceptable. She asked for more, he sent it back to USDOT. They said it was good. This is the third time it has gone to USDOT. He is 100% in agreement this is being done right. The fiscal people have to be satisfied. If not able to fine resolution with him, Leland is more then welcome to speak with Ed Teixeira.

Leland: Understands the issues, concern is for the timeline. Need that to be able to go forward with contracting process with the city. That takes time. When we start the project, if we get too far behind on the timeline, project would be in jeopardy.

Ken: Agrees with Leland. Tomorrow would be good as a deadline. Try again today to reach USDOT, after meeting. If unable to reach them today, will try again tomorrow. If this does not work, he recommend going elsewhere. MOA exists; Honolulu LEPC signed it, sent it through. Continue doing what was previous advised.

2) Current year, only project outstanding is Honolulu LEPC current project. Encourage LEPCs to get paper work, invoice, in to him by September 03. That is when its due.

Leland: Do you want the invoice?

Ken: Yes, will work be completed?

Leland: Yes, draft copy of report will be ready.

Ken: Draft report not needed, just invoice. As long as work is completed and you have certification it is completed. That is what is needed. By December 30, proof needed, draft report is fine to close out.

3) This current year of the grant, all training money was spent. It was \$45,914 plus \$5,000 of operating funds to make up the difference. Hazmat Technicians Course, the one that we want in Hawaii, is expensive, \$50,000. This is for 80 hours of Chemistry, 80 hours of Technical. Unless more HMEP funding is coming or other funds found, only one Hazmat Technicians Course a year. Next year is the Big Island.

Leland: Next years Tech Course grant, will it be able the same level?

Ken: Same dollar amount as last time. He has heard, from other people, that the amount of the grant would be raised. And, that there would be no dividing line between planning and training.

Leland: The new raised amount would have the dividing line removed, not the current grant. But, no indication yet that the new amount will be released. Last he heard it was held-up in appropriations.

Ken: Amounts were, \$45,914 for training, \$43,006 for planning. Federal is 80%, State match; he can do a soft match. That is what is done almost every year.

#### 5) HSERC Financial Report: Tier II Reallocation of Funds.

Sharon Leonida:

1) Bad news is, I couldn't get any information. Curtis asked our fiscal office, ERO, and got a small slip of paper. The yellow marked portion is ours. Figures do not match; I have no idea where some of the figures came from. They are working on the supplementary budget that is due tomorrow. I don't want to put pressure on the clerk that can help us. I will check with her on Monday and ask her to check on the year-to-year amount and where it is located. Right now this is the only information I have.

Tom: Is it a big difference?

Sharon: Yes, every year it seems to come down to zero.

Bob: Gave information on Data Mart, explained how it works.

Sharon: We don't have that Curtis got information yesterday afternoon.

Tom: You can get information from Femis system, also labor, cost.

Bob: Data Mart checks on summary using the appropriation.

Sharon: Every year funds not used for 20% should be left in the account.

Tom: It should be in a special or revolving fund.

Keith: Explained about what type of fund it is. Discrepancies between what we put in and finding what we have left.

Tom: Is it primarily being carried over from previous years, is it not being carried over? Discuss it next time, important issue.

Leland: Whatever money leftover from Tier II all these years can be used now. It would be nice if we could identify the amount.

Tom: This is an important issue. Asked Leland if his money is in a special fund so he doesn't need to use it all in one year. Should be double checked to see that none is lost, see how it is accounted for.

6) Break.

7) and 8) HEPCRA 128E Statutory Changes Update and 128-E Administrative Rules Update

Leland Nakai:

1) Members of working group, Permitted Interactive Group or PIG, met soon after last meeting. Looked at letter that LEPC Chairs signed and looked at it point by point. Tom Smyth, Keith Kawaoka, Leland Nakai from LEPC, HEER staff, Sharon and Beryl, Kathy Ho were present. Clifford Ikeda was on with conference call, John Bowen offered information during the meeting. Went through the list discussing points in the letter. Talked about issues involved with law and the process, also idea of coming up with administrative rules. Consensus is that Administrative Rules are required as noted in the Hawaii Emergency Planning And Community Right-To-Know Act. The document requires it in at least two instances. We need rules to further the program, for example, enforcement. Talked about issues involved, process of writing those rules, lots of details and procedures that need to be followed. After discussing basic strategies, we looked at 128-E and decided what to present to HSERC. We first looked at minor changes to 128-E law. Examples are in the handout, we are trying to clarify 128-E-6(a)(2). This is a long sentence that has been misinterpreted many times and caused HEER Office to try and clarify it to a number of people. We will do a simple house keeping change to clarify a point in the law. Example on handout, it shows what the change would be. Intent is to amend the law next Legislative session. Putting packet together to present to up coming Legislature. Once this is done, we can begin rule-making process in with 2009 Legislative session. There is no exact tie to Legislative time schedule. During session people tied up, we hope to have a draft set of rules available for review, once the new changes have been signed into law. This will be about July of 2008. By starting rulemaking process this year, drafting rules, it will be available for people to discuss and review. We don't know how long it will take to get rules into place. We are not required to get rules in place by a certain time line. We will take as long as we have to in order to get rules in place. Issues of parking lots, farms, could be addressed in rules. See if state wants to address these issues. We have already met initially to look at time line to prepare rules. Planning to begin process to put pen to paper. Hope to provide our ideas to contractor or consultant to help with process of getting draft set of rules prepared by next summer.

Tom: Is Legislation part of DOH Administrative package?

Leland: Yes

Tom: So it will go in as part of Governor's List of Bills that the Speaker and President will introduce? I assume it will go to Health Committees, no moneys involved?

Keith: No fiscal budget involved.

Tom: Language change is word for word, just semicolons and breakouts. Doesn't change anything.

Administrative rules will have budget issues; create different reporting things in gap areas that don't have administrative rules. This is straightforward, shouldn't have any problems.

Gary: Do you need Statutory Amendment to write the rules? You could write the rules tomorrow morning.

Leland: We could, basically the law is the same content, just trying to clarify one issue, so people won't misinterpret. Begin the process and have it in place. We want a solid law in place to present the rules package.

John Peard: Leland are you the chair for the 2009 package of changes? John Ross sent Sharon Arizona's State Rules, with some suggestions. He wanted to address the problem he has on the Big Island. Can't get support from county even for storage space. There is a provision in Arizona's rules, John quoted the section. John Ross wanted us to be aware of how we could include something to help Big Island in the rules.

Tom: This is rules not Statutes, correct? Rules are at your own pace. He explains how long it can take to have rules done. Public hearing interest could cost about \$3,000. Notice in papers, hearings on different islands, mentions people who may attend.

Keith: HEER Office staff will basically be involved along with support from the HSERC and LEPCs. There is a lot of outreach to be done. Not just public hearings, there is a need to contact various outlets and organizations that may be affected by this. We need to present what these rules are. This is probably the main part of HEPCRA; hopefully by the time we get to public hearings, everything's been said.

Tom: New rules like these, law are old, but using law for rules. Have informational meetings, have draft ready, but leave room for flexibly. Have people give comments. Tom gave example of informational and rules meetings.

People rely too much on public hearings, hard to make changes at that point. Suggestion to allow written comments on the rule to be sent in, up to fifteen days after hearing.

Keith: Commented on contractors and money needed. Used Act 170, Met lab, as an example of how to do it and what people we used for that project. We need to see what kind of budget will be needed for technical and legal contractors.

Tom: Using contractors are good idea, fairly complex rules, especially in environmental area.

Leland: Initial we wanted to break away from 128-D. We sorted through the definition of what a hazardous substance is. Too many linkages to 128-D, this would bring down the process to get a clean HEPCRA package ready for next Legislative session. Rules for 128-D are stuck in time. People question what years list the OSC's use for releases. Because of these links with 128-D, we just went with clarification of that one long paragraph sentence that has been misinterpreted many times in the past.

Tom: Important and complex issues, important if it helps the LEPCs relationship with the counties, make coordination better.

## 9) Super Ferry.

Jeff Conner did not come to the meeting.

## 10) Other Business

Phillip Arbitrario for Tin Shing Chao:

1) Explained about Preparedness Conference put on by Federal OSHA that they attended. Federal OSHA is requesting information from Emergency Responders. This could be for modifying rules and regulations for the Federal. Asking for day-to-day emergency response training for responders. Series of questions in back of DUL register. Those are the questions that they want answered. In front is the address where you can send it to and phone numbers. Several things coming out this month from DHS. Framework, which is a good guideline for responsibilities for state government, National Guard, shows where they would fit in for emergency responses. National Preparedness Guidelines has to do with grants, money. It shows what goals have to be met before we can receive money.



Tom: He saw it in June, disappointed not much substance, lessons learned from past incidents. Trying to pattern State Response Plan. Ask Ken if they talked about this.

Ken: He and Clem Jung have been working on pieces of it. ESF 9 has been rewritten, not with the existing NRP Clem doing it possibly fulltime.

Tom: There is a thirty-day response period on National Response Framework document. Is State Civil Defense going to coordinate the responses from State agencies? He was going to call Clem and ask him.

Ken: It would be better to call Clem. Ken does not have anything to do with it.

Tom: Different from CFR on OSHA portion and different time line also. It does relate to emergency response.

Ken: Put into NRP initially in 2005.

Phillip: Initial Response left a lot of questions. That's why this Framework came out to fill in the blanks.

Ken: Phillip is talking about Homeland Security guidance for grants. That is different.

Tom: It's a Blue document; I have three sitting on my desk. Deciding whether to comment or not. It's not about money, but what we are supposed to do to carry out state responsible. That document states what the Federal Government does, and what agencies are in charge.

Ken: If anyone has comments on NRP, the state responses will be coming through SCD. Clem or Dick will do it.

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Display of Glove Bag, Mike gave report of white powder incidents that happened in 2002. He gave an example of a person mailing white powder to the Governor's Office and Police Department; how the incident was handled,

and the long procedures that were followed. He consulted with the FBI and was referred to Paul Keller at Quantico. Paul was tasked to develop the Glove Bag. Mike gave the background on the idea that the bag was developed from. This product comes with a power point training program. The cost is \$364 dollars for each unit, this is for single use only. Total of 12 units were purchased, one for each Hazmat unit and one for the 193<sup>rd</sup> CST.

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### 3) Emergency Response Guidebook

Ken:

ERG have been ordered, we should have plenty. They should arrive sometime next year, last time they arrived in November of 2004. Second shipment arrived in March 2005. If anyone wants some of the 2004 for training, Ken has some available.

### 11) Schedule next meeting

Sharon: Larry is not available on December 6. Jan said December 13 is open.

Tom: OK, December 13 is the next meeting. Thanks for the snacks.

The meeting was adjourned at 10:55 a.m.



LINDA LINGLE  
GOVERNOR OF HAWAII

CHIYOME L. FUKINO, M.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 #68

Thursday, September 20, 2007 from 9:13 a.m. to 10:55 a.m.

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

*I have  
a few  
comments,  
in 5/07  
JLF  
12/3*

Draft Meeting Summary  
Attendees

Voting

- Ken Lesperance, Department of Defense, Civil Defense Division
- Gary Moniz, Department of Land and Natural Resources
- Phillip Arbitrario, Department of Labor and Industrial Relations
- (John Peard)John Ross, Hawaii County LEPC
- Robert A. Boesch, Pesticides Branch, Department of Agriculture
- Thomas J. Smyth, Department of Business, Economic Dev. & Tourism
- Leland Nakai, Honolulu LEPC
- Scott Kekukewa, Maui County LEPC

Non-Voting

- Sharon Leonida, Department of Health, Hazard Evaluation and Emergency Response Office
- Paul Chong, Department of Health, Hazard Evaluation and Emergency Response Office
- Michael Cripps, Department of Health, Hazard Evaluation and Emergency Response Office
- Keith Kawaoka, Department of Health, Hazard Evaluation and Emergency Response Office
- Kathy Ho, Attorney Generals Office

1) Tom Smyth called the meeting to order at approximately 9:13 am. Larry not here, asked Tom to chair meeting.

1.1 Opening remarks by Tom Smyth

Remarks on being healthy, use the stairs, healthy snacks that were available. Larry had no comments to pass on. Introduction of attendees.

*Larry connection*

Ken: When he heard about this MOA, he thought it went against the fiscal practice. He talked to Ed Teixeira, Ed told him to check with USDOT. He did and Charles Rogoff said, "It looks OK to me". Ken considered this acceptable after Leland turned it in. His Administrative Officer said it was not acceptable. She asked for more, he sent it back to USDOT. They said it was good. This is the third time it has gone to USDOT. He is 100% in agreement this is being done right. The fiscal people have to be satisfied. If not able to fine resolution with him, Leland is more than welcome to speak with Ed Teixeira.

Leland: Understands the issues, concern is for the timeline. Need that to be able to go forward with contracting process with the city. That takes time. When we start the project, if we get too far behind on the timeline, project would be in jeopardy.

Ken: Agrees with Leland. Tomorrow would be good as a deadline. Try again today to reach USDOT, after meeting. If unable to reach them today, will try again tomorrow. If this does not work, he recommend going elsewhere. MOA exists; Honolulu LEPC signed it, sent it through. Continue doing what was previous advised.

2) Current year, only project outstanding is Honolulu LEPC current project. Encourage LEPCs to get paper work, invoice, in to him by September 03. That is when its due.

Leland: Do you want the invoice?

Ken: Yes, will work be completed?

Leland: Yes, draft copy of report will be ready.

Ken: Draft report not needed, just invoice. As long as work is completed and you have certification it is completed. That is what is needed. By December 30, proof needed, draft report is fine to close out.

3) This current year of the grant, all training money was spent. It was \$45,914 plus \$5,000 of operating funds to make up the difference. Hazmat Technicians Course, the one that we want in Hawaii, is expensive, \$50,000. This is for 80 hours of Chemistry, 80 hours of Technical. Unless more HMEP funding is coming or other funds found, only one Hazmat Technicians Course a year. Next year is the Big Island.

Leland: Next years Tech Course grant, will it be able the same level?

Ken: Same dollar amount as last time. He has heard, from other people, that the amount of the grant would be raised. And, that there would be no dividing line between planning and training.

Leland: The new raised amount would have the dividing line removed, not the current grant. But, no indication yet that the new amount will be released. Last he heard it was held-up in appropriations.

Ken: Amounts were, \$45,914 for training, \$43,006 for planning. Federal is 80%, State match; he can do a soft match. That is what is done almost every year.

#### 5) HSERC Financial Report: Tier II Reallocation of Funds.

Sharon Leonida:

1) Bad news is, I couldn't get any information. Curtis asked our fiscal office, ERO, and got a small slip of paper. The yellow marked portion is ours. Figures do not match; I have no idea where some of the figures came from. They are working on the supplementary budget that is due tomorrow. I don't want to put pressure on the clerk that can help us. I will check with her on Monday and ask her to check on the year-to-year amount and where it is located. Right now this is the only information I have.

Tom: Is it a big difference?

Sharon: Yes, every year it seems to come down to zero.

Bob: Gave information on Data ~~Mark~~, explained how it works.

Sharon: We don't have that Curtis got information yesterday afternoon.

Tom: You can get information from Femis system, also labor, cost.

Bob: Data ~~Mark~~ checks on summary using the appropriation.

Sharon: Every year funds not used for 20% should be left in the account.

Tom: It should be in a special or revolving fund.

*Data Mark or Mart?*

Keith: Explained about what type of fund it is. Discrepancies between what we put in and finding what we have left.

Tom: Is it primarily being carried over from previous years, is it not being carried over? Discuss it next time, important issue.

Leland: Whatever money leftover from Tier II all these years can be used now. It would be nice if we could identify the amount.

Tom: This is an important issue. Asked Leland if his money is in a special fund so he doesn't need to use it all in one year. Should be double checked to see that none is lost, see how it is accounted for.

6) Break.

7) and 8) HEPCRA 128E Statutory Changes Update and 128-E Administrative Rules Update

Leland Nakai:

1) Members of working group, PIG, met soon after last meeting. Looked at letter that LEPC Chairs signed and looked at it point by point. Tom Smyth, Keith Kawaoka, Leland Nakai from LEPC, HEER staff, Sharon and Beryl, Kathy Ho were present. Clifford Ikeda was on with conference call, John Bowen offered information during the meeting. Went through the list discussing points in the letter. Talked about issues involved with law and the process, also idea of coming up with administrative rules. Consensus is that administrative rules are required because HEPCRA requires it in at least two instances. We need rules to further the program, for example, enforcement. Talked about issues involved, process of writing those rules, lots of details and procedures that need to be followed. After discussing basic strategies, we looked at 128-E and decided what to present to HSERC. We first looked at minor housekeeping, changes to 128-E law. Examples in handout, try to clarify 128-E-6-a2. Long sentence that has been misinterpret many times and caused HEER Office to try and clarify it to a number of people. We will do a simple house keeping change to clarify a point in the law. Example on handout, it shows what the change would be. Intent is to amend the law next Legislative session. Putting packet together to present to up coming Legislature. Once this is done, we can begin rule-making process in with 2009 Legislative session. There is no exact tie to Legislative time schedule. During session people tied up, we hope to have a draft set of rules available for review, once the new changes have been signed into law. This will be about July of 2008. By starting rulemaking process this year, drafting rules, it will be available for people to discuss and review. We don't know how long it will take to get rules into place. We are not required to get rules in place by a certain time line. We will take as long as we have to in order to get rules in place. Issues of parking lots, farms, could be addressed in rules. See if state wants to address these issues. We have already met initially to look at time line to prepare rules. Planning to begin process to put pen to paper. Hope to provide our ideas to contractor or consultant to help with process of getting draft set of rules prepared by next summer.

128-E-6.(a)(2)

Tom: Is Legislation part of DOH Administrative package?

Leland: Yes

Tom: So it will go in as part of Governor's List of Bills that the Speaker and President will introduce? I assume it will go to Health Committees, no moneys involved?

Keith: No fiscal budget involved.

Tom: Language change is word for word, just semicolons and breakouts. Doesn't change anything.

Administrative rules will have budget issues; create different reporting things in gap areas that don't have administrative rules. This is straightforward, shouldn't have any problems.

Gary: Do you need Statutory Amendment to write the rules? You could write the rules tomorrow morning.

Leland: We could, basically the law is the same content, just trying to clarify one issue, so people won't misinterpret. Begin the process and have it in place. We want a solid law in place to present the rules package.

John Peard: Leland are you the chair for the 2009 package of changes? John Ross sent Sharon Arizona's State Rules, with some suggestions. He wanted to address the problem he has on the Big Island. Can't get support from county even for storage space. There is a provision in Arizona's rules, John quoted the section. John Ross wanted us to be aware of how we could include something to help Big Island in the rules.

Tom: This is rules not Statutes, correct? Rules are at your own pace. He explains how long it can take to have rules done. Public hearing interest could cost about \$3,000. Notice in papers, hearings on different islands, mentions people who may attend.

Keith: HEER Office staff will basically be involved along with support from the HSERC and LEPCs. There is a lot of outreach to be done. Not just public hearings, there is a need to contact various outlets and organizations that may be affected by this. We need to present what these rules are. This is probably the main part of HEPCRA; hopefully by the time we get to public hearings, everything's been said.

Tom: New rules like these, law are old, but using law for rules. Have informational meetings, have draft ready, but leave room for flexibly. Have people give comments. Tom gave example of informational and rules meetings.

People rely too much on public hearings, hard to make changes at that point. Suggestion to allow written comments on the rule to be sent in, up to fifteen days after hearing.

Keith: Commented on contractors and money needed. Used Act 170, Met lab, as an example of how to do it and what people we used for that project. We need to see what kind of budget will be needed for technical and legal contractors.

Tom: Using contractors are good idea, <sup>from</sup> fairly complex rules, especially in environmental area.

Leland: Initial we wanted to break away from 128-D. We sorted through the definition of what a hazardous substance is. Too many linkages to 128-D, this would bring down the process to get a clean HEPCRA package ready for next Legislative session. Rules for 128-D are stuck in time. People question what years list the OSC's use for releases. Because of these links with 128-D, we just went with clarification of that one long paragraph sentence that has been misinterpreted many times in the past.

Tom: Important and complex issues, important if it helps the LEPCs relationship with the counties, make coordination better.

## 9) Super Ferry.

Jeff Conner did not come to the meeting.

## 10) Other Business

Phillip Arbitrario for Tin Shing Chao:

1) Explained about Preparedness Conference put on by Federal OSHA that they attended. Federal OSHA is requesting information from Emergency Responders. This could be for modifying rules and regulations for the Federal. Asking for day-to-day emergency response training for responders. Series of questions in back of DUL register. Those are the questions that they want answered. In front is the address where you can send it to and phone numbers. Several things coming out this month from DHS. Framework, which is a good guideline for responsibilities for state government, National Guard, shows where they would fit in for emergency responses. National Preparedness Guidelines has to do with grants, money. It shows what goals have to be met before we can receive money.

Tom: He saw <sup>Response</sup> it in June, disappointed not much substance, lessons learned from past incidents. Trying to pattern State responded Plan. Ask Ken if they talked about this.

Ken: He and Clem Jung have been working on pieces of it. ESF 9 has been rewritten, not with the existing NRP

Clem doing it possibly fulltime.

Tom: There is a thirty-day response period on National Response Framework document. Is State Civil Defense going to coordinate the responses from State agencies? He was going to call Clem and ask him.

Ken: It would be better to call Clem. Ken does not have anything to do with it.

Tom: Different from CFR on OSHA portion and different time line also. It does relate to emergency response.

Ken: Put into NRP initially in 2005.

Phillip: Initial Response left a lot of questions. That's why this Framework came out to fill in the blanks.

Ken: Phillip is talking about Homeland Security guidance for grants. That is different.

Tom: It's a Blue document; I have three sitting on my desk. Deciding whether to comment or not. It's not about money, but what we are supposed to do to carry out state responsible. That document states what the Federal Government does, and what agencies are in charge.

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Tom: OK, December 13 is the next meeting. Thanks for the snacks.

The meeting was adjourned at 10:55 a.m.



#68

9:13 - 10:55

Larry - not here - Tom Smyth to chair meeting  
Introduced himself

1. Tom welcomed everyone - encouraged everyone to use the stairs and mentioned the healthy snacks available, Larry had no remarks to pass on. Everyone was asked to review minutes. Ken - had a correct<sup>ion</sup> to the minutes under other Business pg. 6, it should be 2 people not 20. Tom ask for show of hands to accep minutes, accepted

## 2. LEPC updates

### 2.1 John Beard for John Ross

Aug. 29 - last meeting, changed from <sup>Aug</sup> 22, now 14 next meeting. Main Agenda item <sup>Using Resources</sup> LEPC to sent people to training events, conferences. Merits of different training. Getting feedback from Hazmat personal on priority to have people on Hazmat units to get training.

In the past some people were not from hazmat units. <sup>Beginning</sup> to review + update the Hawaii <sup>plan</sup> Emergency - Response plan. Original pattered after Oahu plan. Needed to be tailored to Hawaii county. On hold at the moment, waiting for Hawaii county Civil Defense to update their plan. Would like the LEPC plans to be compatible. Tom asked about Hurricane Flossie.

John - lots of preparation, Hurricane backed off at last min. People took it seriously, made preparations, downtown boarded up. Shortage of gas, food before Hurricane due to arrive.

Boats removed from water. mentioned earth quake, not much damages.

Tom added this was the best Hurricane exercise, <sup>that could happen</sup> communication improved, beneficial effect. no damage from Hurricane. Could have used the rain

John <sup>said</sup> HECO actified their emergency <sup>response</sup> plan, got training from (this)

Tom asked about release of state & cc employees - did they get the message out.

John verified that everyone was notified.

Tom recalled that there was a problem about who would report. 'First time he heard term "Disaster Response People".'

<sup>area of notification</sup> this was not <sup>before</sup> practiced much. Glad they worked out this problem.

Ken advised John Peard that planning money is available from HMEP. When they are ready this money can be used to help them to hire someone <sup>to help</sup> with planning.

2.2. Clifford not here - Kauai

2.3. Scott - Maui

meeting held <sup>Sept</sup> 19 MECO had a spill, <sup>out</sup> 9/11.

OSC - EPA - Janice Yokam - gave informative talk on what <sup>resources</sup> she can provide <sup>both</sup> technical + response from EPA in a disaster. <sup>now has</sup> Full time Hazmat company. Captain and driver right now, should be fully staged by Nov.

Tom asked how this compared to previous Hazmat structure. Scott replied that Hazmat was designated to the Rescue company they were doing rescues and Hazmat. By having a Hazmat unit takes burden off of rescues + allows more responses a day.

Blessed the time the week before <sup>received</sup> the Truck from S&I - cost of \$670,000 dollars. Dec. 12 next meeting

③ 2.4 Oahu  
Deland in for Carter

Sept. 12 meeting 33 people.

reported on All Business

from NHTSD meeting  
on EPA

Clarification on EPA guidance. Last HSERC meeting, reports  
back  
Reporting requirements for parking lots + farms.  
Clarification came from EPA stating the reporting require-  
ment was for initial notification to HSERC + LEPC that  
they fall under EPCRA. Does not apply to the annual  
Tier II reports. Falls under section 302 of EPCRA.

If parking lot or farms have sufficient amount of extremely  
hazardous substances under the "Threshold Planning Quantity",  
then they are required to report that initially, to HSERC +  
LEPC stating that they fall under EPCRA. If they  
have changes later, they are required to report those  
changes. No annual Tier II report to respective agencies.

Discussion  
w/ Deland Tom

Does this include existing places as well as new places?  
Initial phase for places to begin?  
Yes for existing places, if they are not aware. When EPCRA + HSEPCRA  
were instituted, initial letters were sent out to business  
outlining requirements. Don't know what the distribution of  
the letters were. Many people don't know the reporting  
requirements under the law. On the mainland many  
business people don't believe parking lot notification is  
or good. Any parking lot with a number of cars <sup>impossible</sup> <sup>w/ patterns</sup> would  
qualify.

Tom asked if there is a size standard? Church that only has  
cars on Sunday has to report? it would be  
under 100 cars. Technically speaking

Deland had done some calculations, under 100 cars. State,  
the church, condominiums, hotels, shopping malls, used car lots,  
& C bldg all have to report. But not being enforced.

Tom worried about penalty for not filing, whose responsible for  
publicizing to notify public to do the filing, so that would be  
a record of filing. Is it LEPC responsibility?  
local

Deland thinks it maybe a state or county issue.  
Bob Bosech - thinks a provision in EPCRA has something about  
citizen suit. If not in compliance, citizen may  
file an action.

④

Tom said it sounded like a harnament suit. asked about amount of cars, total spaces recognize Kathy

Kathy asked if EPA had <sup>sent</sup> guidance documents or other things. Deland said EPA just said there would be no exceptions to section 302 reporting requirements + left it at that. Everyone in business said, basically not enforceable.

Kathy asked about farms.

Deland give example of chemical used in farming, what is reportable. Tom suggested putting this on Agenda for meet meeting.

\* Tom asked "what prompted this now" + is CFR going to be coming out?

Deland repeat "this is a standing requirement for EPA, there is always questions about interpretation on that as to parking lots + farms. Report on this at last NASTPO meeting. Questions on this some issue for several years; EPA trying to provide interpretation that there is no exception.

Tom has questions about how <sup>different</sup> <sup>pieces</sup> would be able to figure out how they need to report. Where would they go to look up "requirements". Some type of letter to public to provide information is needed.

Deland questions <sup>should</sup> this be an issue that HSERC, LEPC shall address + enforce. We know about the parking lots and <sup>Batterys</sup> other things.

Kathy - Both HSERC + LEPC created <sup>over</sup> from 128-E, <sup>comes</sup> enforcement from 128E - see if this issue extend to LEPC, HSERC a just a federal issue.

Tom talked about citizen law suit. Concern about notification of public. If someone didn't know about requirement because we had not managed to get other requirements out to everyone. Does it increase liability of the person who did not know. This is our responsibility to raise awareness, so they should know.

Kathy referred back so where do we draw our authority from 128E and rules that we are about to embark on. Responsibility is to 128E. Anything outside of that, EPA Authority. Can't advise anyone about every law. We can advise people to what our authority is. Suggest we go to 128E to see if this issue falls within 128E or is this a federal issue.

Tom - commented that this is simple compared to Tier II where changes are made about amounts and chemicals. Easy to get information out to public.

③  
2:4  
Kathy mentioned we should just check to see if this issue is within LSE.

Tom - Put this on for next Agenda. Now that we are aware of this. See what we want to do about it.

Mike - T & Q over 24hr periods?

Tom - That's why he used Church as example. Difference between places.

Mike - Based on 24hr period, would make a difference, between used car lot, Walmart, Church.

Bob Boesh - Gas or Battery triggers it?  
Leland - Sulfuric Acid triggers it.

11/2/07 Capt McGuire presentation at 2007 Cont Challenge in Sept  
LEPC sponsor 6; Clean Spun 5 = 11 hours  
1,000 participants this year.

Carter Davis recipient responder of the year award.

Tom asked if City did press release. Should send information over to B. II  
Leland: Honolulu Fire has information, he will put in on website. Branden.

Mike Arditto, EPA has included it in his newsletters.

- Invite business partners in to give presentations on their operations. Teoro did presentation, pipeline, pipeline operations, terminal, Trucking and Barge operations.

Clean update - R members companies: Main concern about preparedness of the area. Fire Pal CD, purchaser in partnership

with LEPC. 4,000 copies to distribute to Leeward area schools.  
Capt McGuire was on planning committee and master of ceremonies at this year's Continuous Challenge. Clean supported

his travel to go up for planning meeting. Kailua - Hanalei project, under HMEPA planning, would be finished shortly.

next years project will focus on Waipahu area. Under review by state civil defense. Once signed, will find a contractor.

Andy Kei Yu from Hawaiian Electric conducted tour of their facilities for members of LEPC. Seventeen (17) people attended, he would recommend this tour. Offered once a year.

Sponsoring LSU beginning Cameo Cruise, 3<sup>rd</sup> week of Nov.

# 3 EPA - Mike Arditto - nother. Handout, & Calmedoes.

#4 HMEP

Ken: Only proposal for planning side is in for review. He has a call into USDOT for questions (latest question is, can we get all previous questions in on one page. He has been going back and forth with questions from USDOT and his administrative officer. He started process 3 week before. Does not know what the hangup is. He has not been able to get hold of the USDOT. Let cell number and message to call him back.

Selant- In spring of this year, MOA was signed. Attached to this was a draft <sup>kind of</sup> MOA that any HMEP project could use. This was the MOA he used for projects that is up for review at State Civil Defense. This does not require a receipt when you invoice for payment.

Ken: When he heard about this MOA, he thought it went against the fiscal practice. He talked to Ed Texeira. Ed told him to check with USDOT. He did and Charles Rogoff said "It looks ok to me." ~~He considered this acceptable.~~ After Selant turned it in,

His administrative officer said it was not acceptable. She asked for more, he sent it back to USDOT. They said it was good. This is the third time it has gone to USDOT. He is 100% in agreement this is being done right. The fiscal people have to be satisfied. If not able to find resolution with him, more than welcome to speak with Ed Texeira for assistance.

Selant - A concern is for the timeline. Need that to be able to go forward with contracting process with the city that takes time. When we start the project, if we get too far behind on timeline, project would be in jeopardy.

Ken - Agrees with Leland, Tomorrow would be good as a deadline. Try again today to reach US DOT, after meeting. If unable to reach them today, will try again tomorrow. If this does not work, he recommends going elsewhere.

MOA exists, Honolulu LEPC signed it, sent it through. Continue doing what was previous advised.

Currently, <sup>year</sup> only project outstanding is Honolulu LEPC current project. Encourage LEPC to get paper work <sup>in</sup> <sup>to</sup> him by Sept 30, that's when its due.

Leland - Do you want the invoice?

Ken - <sup>yes</sup> work will be completed?

Leland - yes, draft <sup>costs</sup> report will be ready

Ken - draft report not needed, just invoice. As long as work is completed + you have certificated it is completed. That's what is needed. By Dec 30, proof needed, draft report is fine to close out.

This current year of the grant, all training money was spent. \$45,914 + \$5,000 of operating funds to make up difference. Hazmat technicians course, the one that we want in Hawaii, is expensive, \$50,000. This is for <sup>HMEP</sup> 80 hours of Chemistry, 80 hours of technicals. Unless more funding is coming or other funds found, only 1 Hazmat tech course a year, next year Big Island.

Discussion Leland - asked about next year tech course grant, about the same level? Ken - Same dollar amount as last times, He has heard <sup>from several people</sup> that the amount of the grant would be raised, and that there would be no dividing line between planning + training.

Leland - The new raised amount would have the dividing line removed not the current grant. But no indication yet that the new amount will be released. Last he heard, it was held up in appropriations Ken - 45,914 training, \$43,006 plan. 80% federal, state match condo soft match.

11-3 #4

HMEP

That's 80% federal, <sup>part still have to do</sup> 1 state match, can do 30 ft match. That is what is done almost every year.

#1 Tom, @ H SFRC Financial Report  
5 Tier II Reallocation of Funds

Sharon - Bad news is couldn't get any information Curtis asked on Fiscal ERO office. Data small slip of paper. Yellow marked portion is plus. Figures do not match. no idea where some of the figures came from. They are working on the supplementary budget that is due tomorrow. I don't want to put pressure on the clerk that can help us. I will check with her on Monday + ask her to check <sup>on the year</sup> so year amount + where its located. Right now only information I have.

Tom - is it a big difference

Sharon - Yes, every year it seems to come down to zero.

Bob Boesch - Give information on Data mark. Explained how it works.

Sharon - does not have that, Curtis got information yesterday afternoon.

Tom - you can get information from Finance, labor, cost.

Bob - Data mark check on summary using the appropriation

Sharon - Can't give amount. Every year funds not used for 20% match should be left.

Tom - It should be in a special or revolving fund.

Kevin - Explained about what type of fund it is. Decrease between what we put in + finding what we have left.

Tom - <sup>Is it primarily</sup> Carry over from previous years. <sup>being</sup> not carried over? Discuss it next time. Important issue.

Leland - <sup>LFR</sup> Whatever money left over from <sup>Tier II</sup> all these years can be used now. <sup>It would be</sup> If we could identify the amount.



# 2

# 5

Tom - This is important issue, as the deland if his money is in a special fund so he doesn't need to use it all in one year. Should be double checked to see that none is lost, see how it is accounted.

# 6 Break

# 7 # 8

HEPCRA

128-E statutory change

(PIG) soon

Leland - members working group met, after last meeting's look at letter LEPC signed + looked at it point by point, Tom Smyth, Keith <sup>Lawson</sup>, LEPC-Leland, Heer Stoff

<sup>Clifford</sup> <sup>Wanda</sup> <sup>on conference</sup> <sup>John Bowen</sup> <sup>process</sup> Kathy Ho. went through last points, talk about issue involved w/ law + process. + idea of coming up with administration rules. Consensus is that administrative rules are required.

Because HEPCRA requires it in at least two instances. We need rules to further the program for example enforcement. We agree that <sup>administrative</sup> rules are required. Talked about issues involved, process of writing <sup>those</sup> rules. Lot of details + procedures that need to be followed

Looked at 128-E, after discussing, basic strategies we adopted + want to present to HSECR. 1st look at minor horse keeping change to 128E-law. Examples in handout. Try to clarify 128E-6.22

long sentence that <sup>has been</sup> misinterpreted many times + caused HEER office to try + clarify it to a number of people.

Do a simple horse keeping change to clarify a point in the law. Example on handout, show what the change would be. Intent is to amend law next leg session. Putting packet together to present to Leg. Once <sup>this is</sup> done, begin rule making process

in <sup>the</sup> with 2009 leg session. There is exact tie to leg time schedule. During session people tied up, we hope to have a draft set of rules available for review, once this is sign into law about July of 2008. Starting rule making process this year, draft rules <sup>discuss</sup> in public meetings, review. Sometime next summer.

around for people to

However long this process takes to get rules in place. We are not required to get rules in place by a certain time

We will take as long as we have to, in order to get rules in place. Issues of parking lots, fumes, could be addressed in rules. See if state wants to address these issues. We have already met initially to look at time line to prepare rules. <sup>Will</sup> Begin process to put pen to paper. Hope to provide our ideas to contractor or consultant to help with process of getting draft set of rules prepared by next summer.

Tom Is legislation part of DOH admin<sup>in</sup> package

Alan yes

Tom - so it will go in as part of gov list of bills. <sup>that</sup> The speaker + president introduction. Assumes it will go to health committee. No money involved.

Keith no fiscal budget involved.

Tom - Large change is word for word, just colons, <sup>semi colons</sup> + punctuation. Doesn't change anything. Admin rules will have budget issues. Will create different reporting things in gap areas that don't have administrative rules. <sup>this</sup> Should be straight forward. Shouldn't have any problems.

Gary - Asked if we needed the statutory <sup>Amendment</sup> to write the rules. Commented that we could write the rules tomorrow morning

Deland - Explained that we could <sup>the law</sup> Basically, the law is the same content, just trying to clarify one issue, so people won't misinterpret. Begin the process and have it in place. We want a solid law in place to present the rule package.

John Peard - Asked if Deland <sup>is the</sup> Chair for the <sup>2009 detail</sup> package of changes. John Peard sent Sharon Arizona's State rules, with some suggestions. He wanted to address the problem he has on the Big Island. Can't get support from county even for storage space. There is a provision in Arizona rules, <sup>quoted</sup> from Arizona rules.

John Pearl - Wanted to have us be aware of how we could include something to help Big Island in the rules.

Tom - This <sup>is</sup> rules not <sup>are</sup> statutes? Rules at your own pace. Explains how long it can take to have rules done. Public hearing, <sup>interest</sup> cost \$3,000. notice in paper, hearings on different islands. <sup>about</sup> mention people who may attend.

Keith - H E E R office staff will <sup>be</sup> basically be involved along with support from the H, S, E, R, C + L E P C's. There is a lot of outreach to be done. not just public hearing, need to contact various outlets and organizations that may be affected by this. present what these rules are. Probably the main part of H E P C R A. <sup>hope</sup> By the time we get to public hearings everything been said.

Discuss with Tom

If new rules like these, law is old, but <sup>is</sup> ~~not~~ law for rules; Have information meeting. Have draft, but leave room for flexibility. Have people give comments. Give example of informational meeting + rules meeting. People rely too much on public hearings. Hard to make changes at that point. Suggestion to allow written comments on the rule to be given up to fifteen day after hearing to be sent in.

Keith Commented on contractor and money needed. Used E. Act 170-methlab as an example of how to do it and people used for that project, technical + legal contracts. Needs to see what kind of budget needed.

Tom - Using contractor's good idea, fairly complex rules especial in environment area.

sorted thru with definition of what A Hazadous substance is

Deland - Initial we wanted to break away from 128-D too many linkages <sup>many</sup> and would bunge down the process to get a <sup>clean</sup> package ready for next leg session. 128 D <sup>rules</sup> written about same time. Some lists are stuck in time. Sometimes people question what list is being used.

Leland - TOO many links with 128-D. We just went with clarification of that one long paragraph sentence that has been misinterpreted many times in the past.

Tom - important + complex issue. Important if it helps the LERCs with <sup>ship</sup> relations with the counties coordinated better.

# 9

Super Ferry - stuck at Peir

# 10 Other Business

Tin Shing <sup>stand</sup> - Phillip - Explained about Preparedness Conference <sup>put on by Federal OSHA</sup>, that they attended.

Federal OSHA is requesting information from Emergency Responders. <sup>this could be</sup> for modifying rules + regulations for Fed. Asking for day to day emergency response training <sup>for response</sup>. Series of questions in back of DUL register. Those are the questions that they want answered.

In front is address where you can send it too + phone numbers. Several things coming out, this month - Sept <sup>from</sup> DHS - "Framework" - <sup>good</sup> guidelines, responsible for <sup>even</sup> State, gov. national guard, where they would be <sup>in</sup> for emergency response.

"National Preparedness" guidelines <sup>to do with</sup> grants, money.

It Show what goals <sup>have</sup> to be met before we can receive money. Tom saw it in June, disappointed <sup>not</sup> much substance, lessons learned from past incidents. Trying to pattern state response plan. Ask Ken if they talked about this.

Ken -

side 2

pg 5 Ken - He + Clem Jung have been working on pieces of it, ESF 9 has been rewritten. Not with the existing NRP. Clem doing it possibly fulltime.

Tom - <sup>there is</sup> a thirty day response period on National Response Framework document. <sup>Is</sup> state Civil Defense going to coordinate the responses from state agencies?

He was going to call Clem + ask him.

Ken - It would be better to call <sup>Clem</sup> ~~him~~. He does not have anything to do with it.

Tom - Different from CFR on OSHA portion + different <sup>also</sup> timeline. It does relate to emergency response.

Ken - <sup>initial</sup> ~~part of~~ NRP, 2005

Phillip - Initial Response left a lot of questions. That's why this framework came out to fill in the blanks.

Ken - Phillip is talking about Homeland Security <sup>guidance for</sup> grant.

That is different.

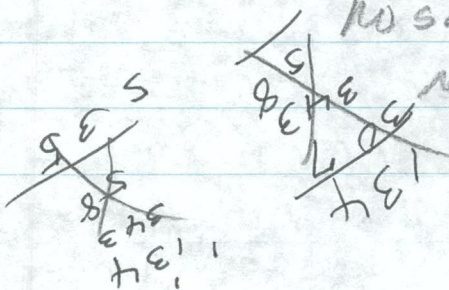
Blue dam <sup>not</sup> He had 3 copies sitting on his desk. Deciding whether to comment or not. Tom - It's not about money, what we are suppose to do to carry out state responsible. That document states what the Federal Govt <sup>do</sup>

What agencies is in charge.

Ken - <sup>if anyone has</sup> Comment on NRP, the state responses will be coming through SCD. Clem or sick will do it.

Phillip - Comment about Dept of Labor, OSHA disappointed that structure did not address the safety of the responder, Safety officer was part of administration section.

No safety person to look out for the responder. Drove examples of 9/11 + how fireman got respiratory problems



# 10 Other Business

Phillip - <sup>from</sup> not wearing <sup>proper</sup> equipment.

Keith - Question about safety in ESF

Ken - Explains about safety officer position in ICS  
Gave examples of going out in the field & who they report to. This was done at World Trade Center & Pentagon. Rescuers were told to put on masks & they refused. They made the choices

Phillip - Questioning we should pay for their healthcare?

Tom - problems with the unexpected. Do the right thing or follow the process. Most people do the right thing.

Ken - Function of ESF is to coordinate state assistance to people on the scene. Nothing to do with response. Just help them get what they need.

Tom - Is HIOSHA going to submit comments on this. <sup>we should</sup> ask LEPC for comments.

Phillip - This is just for emergency responders. <sup>T</sup> Firms would call them if they want us to respond. Most of the time who wants OSHA to show up & tell them what to do. We are usually after the fact thing. We have a safety person in fire dept. That is the person who would show up. We usually give recommendations, consultations. Mostly for compliance.

Tom - refers to questions on handout.

Phillip - Give example of what to do & what would happen.

Tom - Concerns about first responders and impact it would have on them. Not sure how they relate to first responders.

side 4

# 10 return

Phillip - We DO everything that OSHA does, basically. They are asking before they put out regulation. Asking for information so they can modify or be open to responses. This is what it is about.

Tom - Biggest difficulty is what the situation will be for 1st responders. Training can be done, but unexpected things can happen.

Phillip - Request is for the day to day type of response. Also asking utilities, police dept. more like traffic response, day to day response.

Tom - Thanks Phillip for bringing this to our attention. Doesn't know if LEPC knew about this. They can get back to you or Tom. <sup>this is a</sup> national issue, applies to us. Give example of Flossie + how federal personnel were here.

Glove Bag - Mike Cupp

Display of glove bag. In 2002, white powder incidents. Give example of a person mailing white powder to gov office + police. How it was handled, procedures followed. Explained it is a long procedure. Consulted with FBI, referred to Paul Keller at Quantico. He was tasked to develop glove bag. Give background on idea it was taken from. Comes with power point for training.

Demonstration on how it works.  
\$ 364 each, single use only. Have 12 units, 1 to each Hozmat Teams. Asking FBI if they want to help with training.

Tom - asked about training. Should civilian have access to it? Mike - Other cheaper things available to them. This is meant for sampling. This is expensive, can't afford to waste. This example is going to be used for training + passed around for that purpose.

#5

e-mail dc@penco.org

Tom - What don't we see the white powder incident now? Just stopped, like a fat.

Mike - Don't have an answer.

Tom - gave sample of something that came to his office.

Mike - Post office still has produces in place for white powder. Try to track where it came from.

It was a pre-~~paid~~ <sup>sample of</sup> ~~sample~~ <sup>shack</sup> sample of packing material.   
 gave a ~~sample~~ <sup>sample</sup> a clerk was ~~of~~ <sup>of</sup> ~~board~~ <sup>board</sup>.   
 Dentist receiving "margin" <sup>margin</sup>

Ken - ERG ordered, should have plenty.   
 Sometime next year. Arrived last time in Nov. 2004   
 Second shipment arrived March 2005. Still   
 have some. 2004; <sup>cause</sup> for training.

Tom - next meeting -

~~Shawn~~ Dec 6 - Larry no + here with EPA. Jan said   
 Dec 13 is open.

Tom - OK, Dec. 13, thank for snacks.   
 to finish 10:55



9.13

9/20/07

1. call to order by Tom Smyth

no comment  
Tom moved + ask for strong Hand  
Municipal approved.

2. 2.1 John Peard for John Ross

John Ross - sent fire personnel to training

Flossie - preparation went well. taken seriously  
by people.

Tom - this was beneficial for letting people get ready  
for emergency

John P - HECO + other companies did well

Tom - clear on who would report + what to do  
for pay - planning was low

Ken - Planning money available for this

2.2. Clifford - not here

2.3 Scott - meeting Sept. 19, 2007

Janice Yokam - give

Hazmat - full time - should be fully  
stopped by NOV.

670,000 for Truck

Dec 12 next meeting

2.4. Leland Sept. 18 - meeting

EPA. guidance

parking lot -

302 of HEPRA if qualify per  
then have to report initial. not annual. TPO

2

2.4 Tom- Is this for everyone old + new  
Leland- yes if old they <sup>may</sup> not know, initial notify  
need to be done.

Tom- How many car- exempt "church on sunday"  
Leland- yes- but not being enforced.

Tom- questions on who would be doing the  
notification to people.

Leland- Thinks it should be state

Tom- questions - spaces, or cars

Kathy asked if EPA had guidance or rules

Leland - they just said its under 302

Keith ask about farming.

Leland - give example about fuel +  
fertilizer.

Tom - should put on Agenda

EPA Guidance  
for parking lots  
& farms

Leland - explained

Tom - still how <sup>to</sup> do this <sup>(forms)</sup> reporting

Leland - who said who should do possible to it.

Kathy <sup>look at</sup> 128E - see if it expands to LEPC  
or <sup>just</sup> federal.

Tom - lawsuit - if people do it because  
they feel like it

Kathy - explained - give example

look at 128-E.

Tom - Tier II - <sup>amounts, chemicals</sup> something's change. But, this  
reporting is

2.4 Tom- Larry <sup>has</sup> put into Agenda

Mike - questions (24th period)

Bob <sup>Bodell</sup> - gas or battery?

Leland - sulfuric acid trigger it

Capt McGuire - <sup>presentation</sup> at Cont challenge <sup>LEPC</sup> Clean 6 + 5 = 11 went  
1000 participants.

Carter - responder the year award.

Tom - has someone done press release, big deal

Leland - has some exposure, will do it on website

Teressa - did presentation, invite Business <sup>to do presentation</sup> partners

Clean - 18 members. Campbell,

Fire pal C.D. 4,000 copies brought  
to distribute to Leeward schools.

McGuire <sup>or planning committee</sup> Clean support his travel.

Karla - Kanehou. project finish shortly.

next year - Waipahu Area. under review

by SCD. Andy Keith - <sup>HCEO</sup> did tours 17 people  
recommend this tour.

LSU - <sup>beginning</sup> Banio ) Nov. 3 week (19, 2021)

3 Mike - ~~to~~ not here  
handout + calendar

4. Ken - only one is

USDOT - questions on MOA

Leland  
MOA - draft for HMEP project. up for review  
at SCD.

USDOT - said ok.

Fiscal SCD is the one that is not agreeing

## HMEP

4. Leland - need this to go forward to start project. Time constricts, c  
Ken - will try as soon as meeting ends - before 11:00 call USDOT. + will try again tomorrow.  
For current project - get invoice in as long as work is finished.  
Grant training - spend  
80hr - technician + Chemistry -

next year big island gets course  
main has it now

HMEP Grant - ~~the~~ same \$ amount  
heard - the raise amount should be higher  
+ fence between Training + Planning.  
amounts

5

Sharon - tier II

Bob - ask if data mark - program?

Sharon

Keith - revolving - account

Tom - question if funds <sup>carried</sup> ~~carried~~ over  
Agenda - accounted for unused <sup>2090</sup> match money.

6 Break

7- 128-E Admin Btatatum <sup>Change update</sup>

Explain meeting - FIG - 1st meeting  
Admin rules needed -  
process - of writing rules

Leland.

7- after Discussion - looking at housekeeping 1st example clarification the statutes

handout of 128E-6

Amend Law at next session. Putting together packet.

2009 Desig for rule making.

Draft - for review

Will start this year to draft rules

rules don't have a time limit

have contractor to help with rules.

Tom - comment on how it should be ok

Gary - don't need statutes to write rule

Leland - no

John Pearl - John Ross sent Ariz Admin <sup>statutes</sup> ~~rules~~ + rules. John has a problem.

Tom - lengthy time it takes + public hearings about \$3,000 for rule change <sup>put</sup> in newspaper, + travel to islands.

Keith - HEER staff, w/HSERC, LEPC help.

Tom - explain about <sup>how</sup> rule are made.

meeting - example of how it may go.

Suggest on how it could be.

Keith - contractor + what we did for 170 methods amount of money.

Tom - comments - on content

8 Leland - Amt - changes in wording 128D-128E - done at the same time + many links between them.

8 - Leland - went with the brackets the of the sentence

9 - Super ferry - none

10 Other Business

Tin Shing - Phillip - handout "1910" OSHA

"Framework" - guide line

"National prepare guide line"

showed examples -

Discussion  
Tom - late June saw it. comments on this

Ken - talk about Clem Jung.

Tom - talked about ESF

Phillip - left out questions + that's why they <sup>(1910 handout)</sup>  
handout have this.

example - of 9/11 firemen - problems - not wearing proper equipment.

Keith - question about is it under ESF.

Ken - they refused to wear equipment

Phill. - should we paid for healthcare.

Tom -

Ken - ESF has nothing to do with response.

Tom - is OSHA going to submit questions

Phillip - no - no one wants them there. <sup>usually</sup> after the fact.

Tom - refer to questions on handout

How do they relate to

Phillip -

#10

Phillip.  
Tom - discussion

Phillip - day today type of response.

Tom - thank Phillip for bring this to our attention

Glove Bag - Mike

example of display -  
what it was used for.

\$364. each - 1 use only.

have 12 units - 1 to each 6 Hazmat units

asking FBE if they will come in to help train.

Tom - should civilian be using this.

~~But~~ Mike - there are other things available.

too expense for civilian.

example will be used for training.

Tom - why - no white powder incident now?

Coipp -

Tom - hot to open things that fit example

Mike - radio shack - example.

Dentist -

Ken ERG - ordered - should have plenty

Sometime - next year.

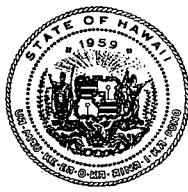
still have 2004 - lots - can just for  
training.

~~Thurs~~ Tom - to do meeting

2nd Dec 13 - next meeting

advised 10:55

LINDA LINGLE  
GOVERNOR OF HAWAII



CHIYOME L. FUKINO, M.D.  
DIRECTOR OF HEALTH

LIEUTENANT GOVERNOR'S  
OFFICE

STATE OF HAWAII  
DEPARTMENT OF HEALTH

In reply, please refer to:  
HEER OFFICE

'07 DEC -4 P2:27

P.O. BOX 3378  
HONOLULU, HAWAII 96801

HAWAII STATE EMERGENCY RESPONSE COMMISSION  
MEETING #69

Thursday, December 13, 2007 from 9:00 a.m. to 12:00 p.m.

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

AGENDA

- 1) 9:00 Call to Order  
Opening Remarks  
Approval of Minutes from Mtg #68  
Laurence K. Lau, Deputy Director for Environmental Health
- 2) 9:15 LEPC Updates  
John Ross, Hawaii LEPC Representative  
Clifford Ikeda, Kauai LEPC Representative  
Scott Kekuewa, Maui LEPC Representative  
Carter Davis, Oahu LEPC Representative
- 3) 9:45 EPA Update  
Mike Ardito, USEPA Region 9
- 4) 10:00 HMEP Update  
Ken Lesperance, SCD
- 5) 10:15 SCD MOA Proposed  
Ken Lesperance, SCD
- 6) 10:30 Break
- 7) 10:45 HSERC Financial Report  
Tier II Reallocation of Funds  
HEER
- 8) 11:00 HEP CRA  
128-E Statutory Changes Update  
LEPC Chairs, HEER
- 9) 11:15 HEP CRA  
128-E Administrative Rules Update  
LEPC Chairs, HEER
- 10) 11:30 Other Business  
Elizabeth Galvez  
Table Top Exercise
- 11) 11:45 Schedule next HSERC meeting



① Larry call to order

keep Annual Hawaii environmental

remarks- talk to Military - this week forum  
Talk to Hawaii State Pollution Prevention Partnership  
also "State military" partnership - meet yesterday

2 comments because of implication on this

condition in <sup>also</sup> . energy independent

officially Jun yr. 2020-2020 renewal

Gov held meeting <sup>was</sup> & challenge yet to

"Leed" bldg design + new build + remodel  
target 2000 target levels back to 19 levels  
dept of Health given permit priority for

increasing energy independent State agencies looking at this  
put docket where State wants to generate on state property + then use Hawai elec  
lines to get power to another State facility.

Tom Smyth give example of <sup>now</sup> Bart is tracked.

example  
Larry recalled A-power is city owned generates large amount of power.  
concerned about problems that may occur from on site generation  
like chips given example of back yard Bio diesel, hazardous substance.

Leland - Concern about Bio diesel plant in Kalaheo  
Larry - <sup>see</sup> major state policy - favors Leland generation power, bio fuel, renewables. Saw natural Energy lab on website - algae as

also punig <sup>news</sup> <sup>bio fuel</sup> <sup>also</sup> as a alternative fuel in paper, waste to energy & tank to power on big island.

Larry - price keep going up on oil. Max premium to generate energy on site, whether ingredients or by products that are hazardous, we have to pay attention to this.

Tom - refer to Sugar mill making elec. w baggass, <sup>by</sup> <sup>product</sup>

Larry to Tom - announce retirement Dec. 31

offer to continue help with rules.  
& will keep around "Fixed guideway"

①  
→ 1. Officially a high priority ~~on~~ increasing states energy independence. In 2006 legislature passed law <sup>with</sup> 20% renewable or alternative energy as target for year 2020 for electrical power generation. In 2006 government held biofuel summit to promote Ethanol + bio diesel, the issued administrative directive, ~~statistical~~ <sup>stat</sup> to challenge <sup>state</sup> depts to increase use of alternative energy + following other green practices.

other people using "LEED" <sup>in new</sup> bldg design + major bldg renovations.

this year legislature got Act 234, Green House Gas Emission's Reduction. Sets target yr 2020 to get state <sup>green House Gas Emission</sup> back to 1990 levels. Based on Calif law.

Energy + GHG E <sup>reduction</sup> Energy Efficiency of HGER have lots of overlap although not identical. Some things that may give us energy independent may not be green house Gas friendly.

Health dept is giving priority <sup>in</sup> permit processing to alternative energy projects, affordable housing, homeless shelter projects.

2  
←  
3  
→ 3. <sup>9th</sup> <sup>tranche</sup> <sup>now</sup> start in 1-2 yrs, will have 3 1-million <sup>tranche</sup> <sup>now</sup> method. Concern for FF, from <sup>now</sup> they have, will not work w/ method. Thinking about what to do in emergency situation. Plant is next to <sup>now</sup> <sup>are</sup> concerned. Add another dimension to

4 ← what we may have to face.

Thank Tom for his work.

Larry - he assumes & hopes to have replacement <sup>duty</sup> will be assigned to

② 1.

Tom - several people are leaving & others coming in. by next meeting - someone should be appointment. He has talked to director about this. Hopes someone from energy division, more relation to committee. Hopefully by next meeting.

\* correction #67 done. Approved. no objections - Gary 1st

Approval for #68 -

Larry minutes adopted

Tom 1st

John 2nd

# 2! John Nov. 14 - meeting - waiting for mot to get money that Tracy pd for NASTTPO last year. CD try to get funds state

Tracy - paid from LE PC. →  
2) held Hazmat Tech course for new recruits  
Tactical Tech & Chemical, Hawaii County - will be hosting for this coming year for Haz tech course

Held it this year becausey 50% loss to various reasons - need to rebuilt, 4 sent to Cont.

Challenge, very successful. But wants funding for this year. It won't be cancelled. promised

Clarice - Ken said talked to March Chief Ka'ama Chemical

Training - Tactical April date to be determined.

1 to Hazmat Expo - HMEP - no increase in funding stay at 14.1 million.

if congress sign off with on budget it goes to state still without representation at NASTTPO on HMEP Funds

SCD needs to have someone there. If not then HMEP controls HMEP funds they need a representative there. SCD should go to DOT for administrative. SCD should have

continues on with 1st hand information from NASTTPO next meeting - Feb. talk to Terry.

HECO leak is fixed, contained in contentment, Explained situations

③

R Kromate  
spill at pond - leaks into Hibo bay across from <sup>Ken's</sup>  
not cleaned up. LEPC is asked to look into  
it. <sup>It was</sup> reported to HEER. cleanup was not done.

2.2 Kauai  
sent Hazmat Expo - last meeting passed  
rain on Kauai, <sup>few</sup> transformer problems  
drying out.

John - still raining.

2.3 Scott - return

2.4 Leland  
meet  
Chudi rogan  
Doss Tim Wilky - 2 to Hazmat Expo  
need to justify every cent  
or goes in chopping block. need to push  
to use funds.

CFATS Chemical list - released in Nov.

top screen facilities has 60 days clock to report  
back + then tiers assigned.

those on top of list has to done <sup>this</sup>  
state county left out. secret need to  
know. — do representation if

available. if in town by next meeting  
try to get them to do presentation.

John. by want he understood the appilustrm can  
be done in 30 days.

people <sup>on</sup> DHS doing present. - has no idea how big  
this is.

people at conference

④ 2.4

we could do a look at our facilities

Leland 50,000 top screen

Leland goes out from Homeland Security  
John - they already started working with them - agencies,  
Leland - ~~needed~~ local police - may not know

John - DHS doesn't care about Tier II, looking at  
it as an independent agency. Charles Rogoos  
tried to get them to give list for Tier I, Tier II  
etc.

Tom - how they doing it

John - examples - 8

no guidelines yet.

Larry - example of agency in state had to report  
to federal - not us.

Leland - program need development

Annie Law - CLEAN 18 member companies  
update resume guide - training event,  
web site, (they were on <sup>Leland</sup> city website) have  
their own.

Dixon - completed 23,000 survey - 1300 replies  
facility, 67 chemicals.

Walsh on track - MOA signed - Vanda  
signed, State Jan 1 - Sept middle.

cameo course - completed in Nov.

Nancy - state  
advance next Nov. Transcription + a beginning of course  
also

John - Tom Smyth left for CD meeting  
Troy Kerick not with Hawaii CD

(5)

#3 EPA - Mike -

Handout on table

2008 calendar

Hard copies - SW Annual report - on line. <sup>also</sup>

Hezmat - <sup>regional</sup> Award to NASTTPO

Tim Gablehouse - program has improved  
EPA award program - send to NASTTPO for  
National award  
meet NASTTPO - April 6

Tuscany HAZ mng EXPO nov.

DHS - Chemical safety

meeting w/EPA - risk mgn program

power point 25 presentations - av claim to NASTTPO  
will be on line.

#4 HMEP - Claim - on march or April

→  
Hazmat Tech Training

Will bring back to vice president about going  
to HAZ mng EXPO

#5 Mod - proposal

John - time constraint - unsat (unsatisfying)

Kewill will provide feedback  
back after Jan time constraint on HMEP - NOT SCD

Quoted from template "

time constraint 2nd pg before oversight  
80% - make time appropriate - put times <sup>on</sup> all

claim put changes before <sup>end</sup> Dec

John - can't be this mt

⑥

Leland - ?

Clair - concern -

Leland - worried about counties setting out  
to intent before paying?  
questions on other things.

John - <sup>Hawaii</sup> County - changes ongoing, not finish

Larry - <sup>talk about monies</sup> Concern about - not sure if she is the  
person

Leland - explained

Larry - Honolulu - concern about

John - time constraint

Clair - go back + ask

John - talk to rachael - Jan 3 or 4 week  
before we can do anything

Larry - Agenda for next time - not ready  
for vote

John - Template Cliff - Template? Clair yr

#7

Hein Financial report

Larry - Keep him informed.

Deputy Health - Billion dollars

not enough staff. Spend to help fund.

need to improve Dept financial

Leland - wants budget report quarterly -  
to see how much

John - roll over

Larry - EPA gave assumption on funds

⑦

Larry -  
 #7 John - Charles Rogers - Can change  
 80-20 shift HMEP from one side to other  
 W/out going back to DOT  
 Mintamne at 20% on one side.  
 Larry - need to get it in writing. <sup>claim</sup> USDOT  
 what is ~~over~~ obligation. SCD - ask  
 someone resigned. <sup>message from</sup> Federal - use it or lose it  
 Agenda item on Budget get it straight out.

#8

HEPCRA - 128-E statutory - changes.  
 Larry - Still alive -  
 Keith - <sup>gone to</sup> ~~gone to~~ <sup>gordon</sup> firm - came back - Tetrattech  
 to go ahead.

#9

Rules -  
 Larry - LEPC - status of lepc. part of  
 package?

John - Arizona's rules "outlet" -

John <sup>told</sup> county a distinct support.

Clair's - Hawaii LEPC - no support from County.  
 state entity -

scrambles of support that LEPC get. <sup>other</sup>

Larry - but not <sup>now</sup> out that

biannual for 2009 - need for resources need  
 to get it in.

John - Do

Larry - still need legis to approval -

some rely on fees for operation funds - smaller LEPC  
 not asking - this generate funds to start programs.  
 suggest - that legis give money.



#9 ~~John~~  
built up fees to have enough for project.

#10 - other business  
Aug 1 2008 - Liz tabletop  
exercise - list agencies + what they will  
do. examples of what to expect.

John - update on

Liz - still debating Tabletop.

John - is this annual test?

Keith - yes <sup>workshop</sup>

John - rewrite procedure on tabletop

Keith - explain who involves Kath

Larry - Will hear her name more often  
worked with <sup>state</sup> her before

Tim - State Emergen Response plan - new  
one? Still has seen only old one.

Cliff - in folder - it said to update every  
year.

Tim - express that only when something  
happens we look at this

Larry - tell your boss - in AB quiz <sup>together</sup>  
Keep network strong.  
goal

meeting  
# 11

Thursday 6 or 20th  
percent March - B

meeting ended 10:34

— Hsueh Wang —

12/13/07

Call to order @ 9:10 A.

Note - presence of quorum

Lang's  
Spokes  
w/  $\left\{ \begin{array}{l} \text{opening remarks -} \\ \text{Hsu Env. Forum - Military} \\ \text{Hsu: Pollution Prevention Partnership.} \end{array} \right.$

O'Rourke - high priority + energy efficiency.

Bio fuel submit - Gov.  
promote Bi-diesel.

Increase use of Alternative  
Fuels.

Act 234 - Green House Gas-  
emissions reductions

Lang's  
ofc.  
gives Priority to Alternative Energy Projects -  
for permitting.

Not meeting - sell + Hawaii Electric.  
(excess power)

H-power - City Power

3 - 1 mil gallon Tanks of Methanol -  
Bi-diesel plant  
Firefighters can't handle

⊕ Favors Island generated power

Tom - Retiring for DBelt at end of Month.

- Will cont'd an File making  
Engineer may replace Tom for membership -

Approval of Minutes -

#67 - correction - (Gary/John)

#68 - action to approve (Tom/John)  
minutes adopted

## Updates

John

Big Island

Lepe Mtg. -

Nov. 14

- Waiting for verification of MOA.
- Tracy's reimbursement via Lepe.

Harriet Tech Center - held for New recruits

Rethink schedule of training - don't want to lose space

Lost old F.F. - due to illness, promotion, etc.

Reps. - at Harriet Explo

Unreg grant - same

State CD - need rep. for NA steps <sup>attendance +</sup>

Δ is on State level not on Fed. level.

Next <sup>level</sup> meeting - Feb.

Also leak fixed - ~~task~~ → leak integrity compromised.

Chronicle of 11 -

Arthur - Reps from Hazmat Explo attended.

Not much going on in Kansas.

Transformer problems - not too major.

~~the~~ postponed meeting - Lege.

No ~~Rep.~~ <sup>Rep.</sup> from Maine attending

Int. - Leland Lege party on Nov. 29th.  
(26) vegs at  
Handout?

~~Don~~  
C FATS prog. - HLS.

Released in Nov - list - Top screen  
in 60 days. - assign facility to different  
tiers.

CVI -

talk about CPACS  
issue.

Scott Mitten - invite HLS files to  
give pres. at ~~next~~ Lege meeting.

expect 8,000 facilities that might  
fall into CPACS.

clinical facilities will have to deal  
w/ DHS issue -  
not sharing information w/ rest of  
compliance agencies.

- clear updates - 1<sup>st</sup> number  
components.

- update reference guide.

- host training  
develop their own website.

Paul Dixon - Lege Projects.

Caro's Course - Beginning Class

Next Nov. - Advanced Caro's.

Also another Beg. Caro's class

Mike  
Audit

- Investments
- Calendar cards

Regional Award went to NASTPO.

Wed. of April 6<sup>th</sup> - NASTPO - Savannah, Geo.

DHS - meeting w/ EPA Head qtrs. -  
Key Lawrence at in Washington.

January - PP. presentation - to  
Hazard Expt.

Imag - SCD -  
So has timing - on Big Island  
can  
March/April

Will bring concerns about attendance.  
to NASTPO etc.

SCD MOA. - for projects.

John - do not satisfactory - tie line on  
evenly but yourself!

- End of January can give comments  
to Ken.

Discussion - per John -

3 mos. for SCD to release funds.

intent for constraints? - Fiscal

Belmont - fiscal folks <sup>still</sup> reviewing MoA  
~~will~~ have more issues but will put  
it in correspondence form.

- Place on Agenda for next mtg.

SCD MoA Proposal

Can't be voted on yet!

#70

Sharon - Eric ~~desk~~ -  
amount unknown.

new person in place - need  
to get up to speed.

long  
Need more  
resources on  
fight side.

Lepe - like to see a

budget report. - What's happening  
since the last meeting -  
what is the balance in fund.

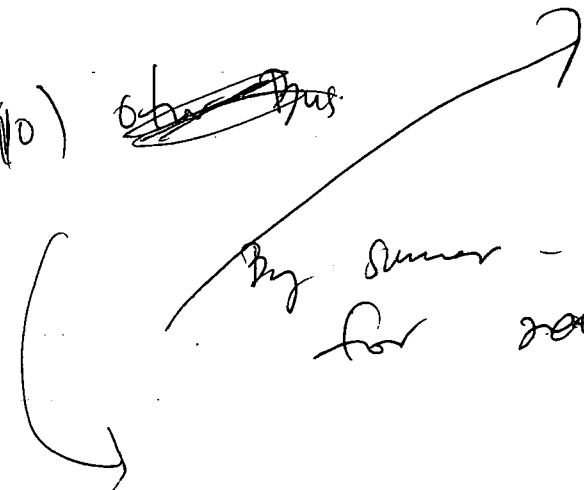
Studying  
agenda  
plan

John -

need to get "writing" about  
Hurry grant - to have a  
choice of getting more to  
on the training side +  
less on planning. ideas

9) ~~Bill~~ Bill - revised w/ minor adjustments -  
no substantive X.

9) Admin Rules - working w/ Tetra Tech.  
Task Order formed.  
Organizing meeting for rulemaking process  
- ~~portion~~ portion of Legal section - will  
need to visit when act. writing  
out rule -  
John needs to input re: tier.

10) ~~Other Bus~~   
By summer - Premiums Budget determined.  
for 2009. Budget.

Other Bus  
Liz -  
Workshop on Table Top.  
tentatively scheduled for  
Aug 1st 2008  
to Refine technical ~~procedures~~ <sup>procedures</sup> -  
Statewide  
worthy for 1st  
responses.  
Verify steps & revised if need  
be.



~~Tim~~ Are there any updates to it?  
Emergency Response Plan - 1993  
ongoing -

Next meeting date -

~~March 13, 2008 ?  
(Thu)~~

March 6, 2008

Adjourned -

10:34 A.

Dec. 13, 07

9:10

Larry.

Call to order

opening remarks - <sup>quorum present</sup> Hawaii Annual environmental  
 pollution prevention partnership. A state / military partnership  
 meet on Dec. 12, 2007. Share two major comments that has  
 implications for what this commission does. First, there is a  
 difficulty a high priority on increasing the states energy independent  
 In 2006, legislature passed a law, 20 percent ~~renewable~~ renewable or  
 alternative energy, as a target for <sup>year</sup> 2020, electrically power generation  
<sup>Gov. in Aug 2006</sup> held bio-fuel summit to promote <sup>ethanol + bio diesel.</sup> ~~strong~~ change begin  
 she has issued administrative directive — to ~~strong~~ change begin  
 state depts to increase the use of alternative energy + ~~other~~  
 follow other green practices; <sup>used for new bldg design +</sup>  
 bldg. renovations. This year leg adopted 234- "Green house gas  
~~the~~ in mission reduction. Set the target for ~~the~~ year 2020  
 for the state to get green house gas emission <sup>effort</sup> down to 1990  
 levels. Law based on a California law. Energy <sup>effort</sup> green house  
 gas emission reduction has a lot of overlap although not  
 identical. Things that <sup>may</sup> give us more energy independent  
 may not ~~give us~~ green house gas friendly. We have to deal  
 with it. ~~example of permit~~ Example of ~~permit~~ giving permit  
 processing ~~priority~~ to ~~alternative energy projects~~ affordable housing  
 projects, or homeless housing project. If <sup>also</sup> it falls into  
 these ~~category~~ category it ~~gets~~ gets processed first.  
 If state follows through as a whole increasing energy  
 independents, expects more on site generation.

Some state agencies looking at DEC <sup>decree</sup> ~~document~~, to generate  
 power on state land + using electrical lines to transport to  
 another state facility. Ask Tom Smyth to confirm.  
 Tom gave example of how to track ~~that~~ this type of use.  
 Larry recalled Mike Cripps <sup>talk</sup> on <sup>hazard</sup> back yard  
 bio diesel. ~~could be a push~~ people make take more risk to <sup>both</sup>.  
 Leland. Biodiesel ~~plant~~ plant at Kalaheo 3-18- Miller goal  
 tanks of methanol. Concern for FFo foam that they have  
 right now won't ~~work~~ work. Thinking now about what to do  
 to handle an emergency. <sup>Joanna</sup> Plant next to Chevron -  
 Chevron concern, adds a dimension to what 1st responders  
 may have to face.

Major state policies favor more isle generation of power. Bio ~~fuels~~ renewables. Example of Algae as a Biofuel.

John Ross: ~~Example~~ <sup>Article</sup> in paper on Algal + ~~fungicide~~ <sup>examples of other</sup> possible source of alternate fuel, fungicide, trash.  
Larry - Fuel <sup>prices</sup> will stay high, more pressure for us to generate our ~~own~~ <sup>own</sup> energy <sup>we need</sup> ~~spent~~ with the ingredients or by products that are hazardous.

Tom Smyth - ~~Sugar mills used baggass to create electricity,~~ <sup>fairly save</sup> ~~that~~ <sup>not much</sup> ~~alternatives would need to be~~ <sup>horray</sup> like that.

Darryl - Tom Smyth for announce - Retiring at end of Dec. Still be available to help. Thanked everyone.  
Assured Larry that he has reminded director about a replacement. ~~has~~ His dept has lost some people. By next meeting ~~has~~ <sup>hope</sup> someone should be in place.

minutes - Approval of minutes -  
approval of corrections - for #67 - Gary motion - passed  
approval of minutes for #68 Tom motion <sup>seconded</sup>  
adopted

LEPC 1. John - 11/14/07 - meeting, waiting for MOA. Paid Tracy for last year NASTTPO. Completed HAZMAT TECH Courses for new recruits Born Chemical + ~~Technical~~ HAZmet side. Scheduled to hold HAZMET TECH course this coming year due to rotation need to meet with state Civil Defense to schedule + coordinate with Fire dept. Hawaii county had courses this year due to 50% lost <sup>HAZMAT</sup> personnel. Trying to rebuild, send 4 FF to Continuing Challenge, very successful. Does not want to lose their chance to get course this year in Hawaii County.

Claims ~~Chemistry~~ Ken has spoken to Big Island - Chief Kaloma Chemical - in March, Tactics in April. Dates to be determined.

John - ~~with~~ NASTTPO - HAZMAT <sup>had</sup> representatives - HMEP funds Don't expect increase in funding, will stay at \$14.1 million + 28+ million, <sup>Congress</sup> didn't sign off on budget. When they do will go up.  
At NASTTPO - no ~~rep~~ <sup>state</sup> for HMEP - CD needs to have someone there.  
~~is state~~ ED In courage state CD to have represent sent. Suggested that DOH take over from state CD on HMEP funds next meeting - Feb. 08, will talk to Terry. HEKO funds are freed  
Gave explanation on incident. Cromat spill - "~~red bay~~" not cleaned up. <sup>coming</sup> LEPC asked to look into that

Hilo Bay

3

Larry asked Clance about responding to John Representative to go to NKTTPO, Talk about it later in Agenda.  
HMEP updates

clifford some  
Kauai - Sent people to HAZMAT EXPO, not there himself.  
not much happening except rain. Transformer problems  
Drying out from rain, should have been last week (Nov.)  
Recent meeting - postponed because of other issues  
last meeting postponed.

Scott - not here

regards  
Beland - Carter not here, sent regards. meeting Nov 1, 07  
at meeting 26 rep sent 2 person to Hazmat EXPO HMEP - highlights.

Charley Rogoff boss - Tim Wilkes - ~~besides~~ besides containing resolution, every  
" federal program on chopping block. need to justify  
every dollar that is spent. How we are using the money  
or not use using money, we are in jeopardy if we don't fully  
use the funds. Need to use all the funds for the intended  
purposes:

1. Chemical Facility Anti Terrorism Standard - CFATS  
program - Homeland Security Dept. Chemical list  
recently released in November. Facilities that  
have chemicals that are on the list have a  
60 days to prepare a "Top screen" back to Homeland Security.  
DHS will review + assign facilities to different  
"Tiers". Depending on what Tier ~~is~~ <sup>they are given</sup> given, facilities  
~~some~~ <sup>some</sup> facilities may have a lot of standards + ~~empty~~  
implement plans + programs to meet DHS guidelines.  
State + local governments won't be included given information  
It will be treated as Secret need to know. CVI. Chemical

CVI - Terrorism Vulnerability Information. If we have a need  
to know we have to make a case to get information.  
Scott from DHS at HEPIC meeting offered to invite  
repres from DHS to make presentation at next meeting.  
Beland will take him upon it + let us know.

If close to HSEPC meeting, it may be  
possible for that person to make a presentation.

(4)

Iceland LEAC assured us

John - DHS, they have procedures in place to review all applications in a timely manner, able to review all applications within 30 days and have information on what Tier they would be placed in. DHS did not give out any information on what procedure or how this would be processed.

It was noticeable by many attendees because of the way the information was given, that DHS representatives did not understand the magnitude of this undertaking. However, the applicants are responsible to get information in by the deadline date. Otherwise there will be penalties.

Larry - try idea on how many facilities covered by this requirement national?

They expect up to 6,000 facilities national to be regulated under program. They expect 50,000 for top screening. Apparently the letters have gone out to individual facilities from DHS. We don't know who received these letters.

John - DHS has already taken steps to visit facilities that they know will fall into these categories: Refineries, facilities that had problems, they have started to work with them to get them on track. Iceland Chemical facilities will have these issues facing them. We may not know what is going on. Police side who doesn't deal with planning.

Larry - local police even they may not know who is doing what to increase their security.

Discussion ->

Tom Smith - This is in the Tier II report, right. How does DHS know this? How they know if reporting or here? or planning community?

John - DHS don't care about Tier II, looking at it as an independent agency, they are not going to willing give information to planning community. Charly Rogo met to have them agree as the name of companies on Tiers ranking.

5

John explained how DHS may look at reporting <sup>chemicals</sup> different from HERRA. Nevada tanks as an example. DHS ~~has no~~ <sup>has</sup> no guidelines that they can give to us to explain <sup>their</sup> reporting requirements. Larry - took ICS300, he sees the importance of multi agency coordinative issues. Wonders how this will work. Example of Drinking Water systems, plans given to EPA, not available to state.

Deland - Developing program, lots questions + issues. Will invite Homeland Security to come and give more details. Report back to HSER.

Annie Lam - Clean <sup>have</sup> 18 member companies. Projects for updating resources guide, posting training event for emergency preparedness developing website for clean, they were on city website.

Dixon - completed Kailua-Kaneohe project, 2,300 business. Survey ~~of~~ <sup>of</sup> 1300 replies, looked at 63 for chemicals. On field.

zip code Waipahu on track, MOA signed, vendor selected, hope to start Jan 1, 2008 - Sept middle.

Begun - Cameo course completed in Nov. 2007 from HSA People from Honolulu Fire, Federal Fire, Health Dept, Navy. 1 scheduled by Advance Cameo for Nov 2008 + another Begun course.

ETI Tom Smyth left for Civil Defense meeting with Hawaii Civil defense.

#3 EPA - update Mike Andito Handcopy EPA - Southwest Region Annual report, on line at website. Handout on Table, 2008 Calendar, contact numbers for EPA.

HAZMAT EXPO at LAS Vegas leadership? NASTTPO Regional Award to NASTTPO. Under Tim Gabe houses has improved communication between agencies. EPA has national program. Regional award nominees will be sent to EPA national award. This will be in April.

NASTTPO - annual meeting in Sacramento on April 6, 2008 midyear with HAZMAT + NASTTPO 1st week Nov. 2008 at Tuscony Hotel in Las Vegas

#3

⑥ EPA Mike Ardito

DHS Chemical forfiles, DHS has met with EPA Head quarters a number of times. National meeting going on presenting DHS + US Chemical Safety Board. He has 5 power point presentation from HAZMAT EXPRO. He will mail to NASTTPO website manager to upload on line. Should be ready in January.

#4 HMEP - Claire - Civil Defense

Training for 80 hour Chemical + Tactical Courses will be conducted on Big Island in March and April respectively. She will bring back concerns raised by Hawaii LEPC to Vice Director.

John  
Leland  
Leland

SCD MOA proposed changes branding on table. This proposes changes to the project attachment. John concerned about time constraints for LEPC. SCD should have constraints also. He can do feedback at end of Jan 2008. told Claire

He went over the agreement and gave sample of time constraints. It took 1-1/2 yr for MOA agreement, just task for MOA has (Rhone) problems. Put time line for whole thing. He is leaving today can't

Larry - State agencies have to pay w/in 30 days or get assessed interest from vendor. Give feedback until Jan.

Leland asked Claire about intent on time constraints. Vice Director concerns about the counties setting on money having it earn interest. Leland has ask fiscal office to review changes. They would need to see how their system can handle it. He has other questions and will put them in a consequence.

Hawaii County is in process of changing some procedures in accounting. County Fire is not fully aware of what changes are.

Larry confused about where money is. State agencies pay on invoice not in advance, different from this. Leland explained this not does not require payment before invoicing state. Hang up before in doing projects, didn't have up front cash. This not goes beyond that, just need to check what fiscal system can handle this.

Honolulu still reviewing, Hawaii County expressed deadlines for everyone. Claire to mention concerns to Ken. John to e-mail Ken. He is trying to get coop monies. Will talk to his fiscal office. This MOA not ready to vote

\* put on agenda for a certain questions about MOA from Clifford

Template based on what Handout has been using.

#

HSEIRC - Sharon - Handout on table.

Explained about the information received from ERD accounts clerk. Figures are not correct, none of the questions were answered about the account from ASD. New person has come in as head account. If no response will have to do a formal accounting request.

Explained about new person in ASD Larry concerned, dept needs more resources in fiscal side, problems in stopping. He has offered to use money from revolving fund to stop position.

Offset turned down, dept has pulled the work as much as possible into revolving fund administrative staff. We have own accounts, not ideal. Because of federal money, status reports need to be done on time. Improve dept mental fiscal & accounting system.

LEPC, Delank - would like a budget report at each meeting what balance is, what occurred during last quarter in transactions, what is left. Wants money given to LEPC instead of being in account.

Larry will take it to top level. John had a suggestion on rolling over funds, EPA meeting with water air. Last week, they were given an accounting on unliquidated grant obligations. Maybe ask federal agencies what their views are on what's left. Older years with larger amount has concerned.

1:02:22

John talked about shifting grants request from HMEP funds from 50/50 to 80% - 20% as long as it has 20% on one side its ok. Don't need to go to

Larry W. Kim a 20-80 range the Commission has discretion to allocate?

Larry wants to get confirmation in writing. Federal sources are US DOT. Ask SC D to contact Federal for their view of our unliquidated grant obligations. He could show this to Dept of Health accounting people, that this is what Federal government has told us.



8

#7

He bring it to ASO. Federal has said to use or lose funding. delant request should havea standing agenda item on budget. Keep track of it <sup>simple</sup>. Try to get it straighten out for next meeting.

#8

HEPCRA - Statuyn update.  
Sharon - Several meeting, talk to Kathy. We will go with format changes. We have submitted it Larry - He has seen it. It is alive and will be put of governor Administrative package. It was going smoothly, then some issues comes up + now its back on track.

Keith - It has gone up to governor office and come back. Task our Contract, Tetra Tech to provide support. Signed off on this, so far so good.

#9

HEPERA - Admin Rules -  
Larry - Same meeting covered rules?  
Sharon - Tetra Tech is going ahead, given us outlines scheduled meeting + dates. Tentative on these items. We are reviewing what some of the other states have sent us on what they have. Try to determine what we would want in our rules start to print we would receive. What groups or individuals would come forward to express questions and concerns referring to past meetings, concerned about statutes of LEPC. Supposily a state entite, should have state support. Assumes it will be part of <sup>revised</sup> state's <sup>statutes</sup> <sup>control</sup> <sup>law</sup> package.

When /

SERC <sup>can't</sup> <sup>out</sup>

How their LEPC would receive support. Example of Arizona Hawaii County LEPC gets no support from county. By state + federal law all LEPC are a state committee. The other counties have a county employee as a chair or co chair for their LEPC. They can get support from their counties through this. Hawaii County legal dept won't support him. It is the State Attorney Generals responsibility to support to the LEPC's they are state not county entity.

9

#9  
Larry -  
their won't be a  
bill on that  
issue this  
session

Encourage work to move forward. never  
to early to start work. <sup>in the next 24</sup> Summer - State  
Executive government <sup>will be</sup> working on Biannual  
Budget for 2009 legislature. If a need  
for resources it should be proposed as part  
of the enduring structure of the budget.  
Supplemental years are not a good time to  
come in for resources.

John - DOH has ability by 128E to obtain LEPC  
& HSERC operating funds through the budget  
process. Something to consider instead  
of relying only on fees for funding.

Larry - Even if we have a part of money, still need the  
legislature to okay our taking money out of it.  
Example - receive federal grants, come in off cycle  
ask for ceiling increase from legislature  
to get approved. Appropriation still  
It's usually a formality but we need to go  
through it.

John -  
Smaller LEPCs don't put in for projects  
because they don't have money to draw from.  
Fees not from legislature, we could consider  
requesting some operating funds from legislature.  
It would allow the fund from fees to build  
up like Honolulu. Use funds from legislature  
for operating cost + build up fund from  
fees.

#10  
Liz  
Dept of Health not sure if tabletop or workshops depending on  
participants in meeting. \* Aug 1, 2008  
Tactical procedure using an Incident threat  
Protocol As A guideline. Stake holder list  
being created. Will include 1st responders, police  
Fire, EMS, Civil Defense. It will be statewide.  
Goal - 1st response, when called to determine if  
threat is credible or not. Explained the rest  
of the training and what will be covered.

John - To update or exercise procedures?

Liz - Debating whether tabletop or workshop

(10)

we do have guide line, a prodocol. Test to see if it works, to validate this prodocol. Tom - testing this as annual test? Table top different from Workshop. <sup>looking at</sup> new writing or updating procedure as workshop might be.

Keith - Verify steps also to revise <sup>where</sup> necessary. Working with state lab, Civil Defense, General Richardson, Kate Gaynor <sup>name</sup>

Larry - she is now <sup>overall</sup> all Hazards Emergency Coordinator for the whole dept. Vancary in that area for <sup>over</sup> a year. Physicion by training, worked w/ dept before, big asset to have somebody full time. Make our Hazards Plan + Continuity of operations Plan. Make

Them Two of the top priorities.

Tim - Asked if the 'State Emergency Response Plan' updates? The last one he saw was a 1993 version. Any updated version?

Ceylan - They should have been working on it for several years.

Larry - Every dept involved in this should be working on its piece.

Cliff - Quoted back page that said it should be reviewed & updated. State CD has been working on it.

Larry - It's a big job. You're so busy in your job you don't have time to plan. When an incident happens, then you need it.

Larry - Tell your new boss to make this a priority. If he gives you trouble, tell him they were in AG's office together.

Tim - His boss is trying to make dept more ready to respond almost another job is just as important.

Larry - Everyone on same boat, he's view this as an important job, not always active that way. His staff knows that of his eight goals # one is to be prepared. Thanks everyone for hardwork. Everyone keeps coming together to keep network strong, try to build it. Shouldn't be meeting your partner in ICS for the 1st time. Happy Holiday, Happy new year.

next meeting - Michael G. or Tom ended at 10:34