

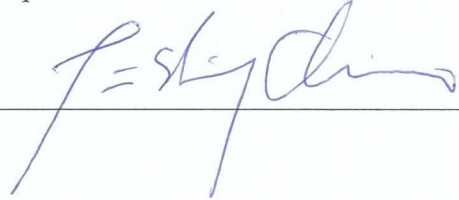
# HSERC MEMBERS OR THE VOTING REPRESENTATIVES' SIGN-IN SHEET FOR June 18, 2009

Dean M Yoshizu  
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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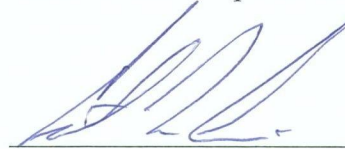


Henry Silva  
Hawaii Representative/LEPC Chairperson  
Hawaii County Fire Department

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Captain Carter Davis  
Honolulu Representative/LEPC Chairperson  
Honolulu Fire Department

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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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Katherine P. Kealoha  
Director  
Office of Environmental Quality Control

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**HSERC MEMBERS OR THE VOTING REPRESENTATIVES' SIGN-IN  
SHEET FOR June 18, 2009**

Chris Takeno  
Hazardous Materials Officer  
Department of Transportation



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Edward Teixeira  
Vice Director  
State Civil Defense  
Department of Defense

for Edward Teixeira  


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

 for Jay

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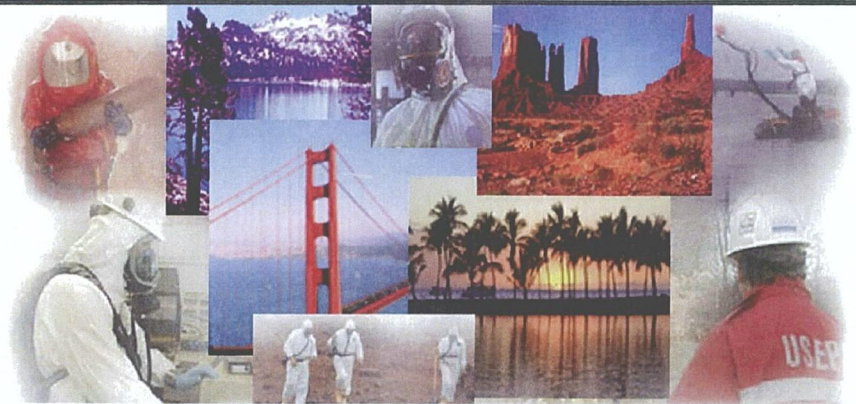
HSERC MEETING #75  
JUNE 18, 2009

Larry Dove	Local Preparedness Representative for FEMA Region IX
Dean Yoshizu	Department of Agriculture Representative
Dr. Deborah Juarez	For Dr. Jay Maddock, Office of Public Health Studies
Carter Davis	Has proxy for Clifford Ikeda - Kauai LEPC

Jan confirmed that September 10 or 17 is open.



United States  
Environmental Protection Agency  
Pacific Southwest Region



**EMERGENCY PREVENTION, PREPAREDNESS, AND RESPONSE  
PROGRAM UPDATE FOR HAWAII SERC  
MEETING IN HONOLULU ON JUNE 18, 2009**

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

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(over)

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### **EPA Provides Over \$50 Million from Recovery Act for Water Projects in Hawai'i**

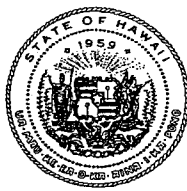
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### **EPA Pacific Southwest EPP Program Contact**

For more information about the U.S. EPA's Emergency Prevention and Preparedness program for Hawai'i, you may contact the liaison, Mike Ardito, at (415) 972-3081 or by email at [ardito.michael@epa.gov](mailto:ardito.michael@epa.gov) .

LINDA LINGLE  
GOVERNOR OF HAWAII



CHIYOME L. FUKINO, M.D.  
DIRECTOR OF HEALTH

VICE GOVERNOR'S OFFICE  
STATE OF HAWAII  
DEPARTMENT OF HEALTH

In reply, please refer to:  
HEER OFFICE

P.O. BOX 3378

'09 JUN 12 P2:16 HONOLULU, HAWAII 96801

HAWAII STATE EMERGENCY RESPONSE COMMISSION  
MEETING #75

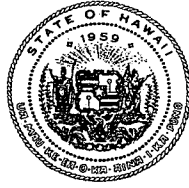
Thursday, June 18, 2009 from 9:00 a.m. to 12:00 p.m.

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

AGENDA

- 1) 9:00 Call to Order  
Approval of Minutes from Mtg #74  
Laurence Lau, Deputy Director for Environmental Health
- 2) 9:15 LEPC Updates  
Henry Silva, 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  
David Smith, State Civil Defense
- 5) 10:15 HEPCRA Administrative  
Rules Update and  
Decisions  
HEER, Tetra Tech
- 6) 10:30 Break
- 7) 10:45 Proposal of HMEP Project  
Vote On Project  
Henry Silva, Hawaii County LEPC  
HSERC
- 8) 11:00 Vote to Approve New  
LEPC Membership  
Scott Kekuewa, Maui LEPC
- 9) 11:15 Other Business
- 10) 11:45 Schedule next HSERC meeting
- 11) 12:00 Adjournment





STATE OF HAWAII  
DEPARTMENT OF HEALTH

P.O. Box 3378  
HONOLULU, HAWAII 96801-3378

In reply, please refer to:  
EHA/HEER Office

HAWAII STATE EMERGENCY RESPONSE COMMISSION  
MEETING # 74

Thursday, April 2, 2009 from 9:03 a.m. to 10:35 a.m.

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

Attendees

Voting: Laurence Lau, Department of Health; Carter Davis, Honolulu LEPC; Tin Shing Chao, Department of Labor and Industrial Relations; Henry Silva, Hawaii County LEPC; Clifford Ikeda, Kauai LEPC; Scott Kekuwa, Maui LEPC; David Smith, State Civil Defense, Department of Defense; Rebecca Alakai, Office of Environmental Quality Control

Non-Voting: Sharon Leonida, Department of Health, HEER Office; Albert Kau, Kauai Fire Department; Beryl Ekimoto, Department of Health, HEER Office; Keith Kawaoka, Department of Health, HEER Office; Cynthia Pang, U.S. Navy; Curtis Martin, Department of Health, HEER Office; Clarice Chung, State Civil Defense, Department of Defense; Andy Matsumoto, Environmental Health Administration; Mike Cripps, Department of Health, HEER Office; Paul Chong, Department of Health, HEER Office; Terry Corpus, Department of Health, HEER Office;

1. Larry Lau called the meeting to order 9:03 a.m.
  - 1.1 Larry will be leaving at 10:30, needs to chair another meeting. Carter Davis has agreed to finish meeting. We will advance the financial report and budget items and two presentations.
  - 1.2 Approval of minute. Tin Shing: **moved to adopt the minutes from meeting #73. Scott Kekuwa Seconded. Minutes adopted.**
2. Local Planning Committee (LEPC) Updates
  - 2.1 Hawaii: Henry Silva:
    - 2.1.1 LEPC met twice since last HSERC meeting, January 9, 2009 and March 31, 2009. Progressing in LEPC business.
    - 2.1.2. One small incident, Hilo Medical had a ten (10) gallon oil release from equipment. They were able to handle it themselves. Everything fine in Hawaii.
  - 2.2. Kauai: Clifford Ikeda
    - 2.2.1. KIUC had a transformer spill; all the proper notifications were made. Updated the committee

members, waiting for a letter from District Health Office to affirm and sent it up to the Mayor and to commission. List will be given to commission for approval.

- 2.2.2. Albert: Two incidents on the same day, odor from refuse truck-trailer, it was sent to Hanapepe along with Rod Yama of DOH, smell was gone. Smaller refuse truck for neighborhood pickup, two drivers sent to hospital for headaches, nausea. Odor coming from back of truck, responded, possible Malathion. Smell and odor gone when fire arrived.
- 2.3. Maui: Scott Kekuewa:
  - 2.3.1. LEPC meeting on February 18, 2009.
  - 2.3.2. Presentation by "The Gas Company".
  - 2.3.3. Two incidents; first in January, incident in Kihei, 2,000 gallon fuel truck leaking. Shut down roads for half a day, loaded truck on trailer and taken to Maui Raceway track and Gas Company flared tank. Total released was less than 100 gallons. Second, six transformers fell because of weather, contained PCB; Maui Electric could not contain it and continues to work on this. LEPC co-chair Joe Blackburn has resigned. Letter has gone to Maui's Mayor, will be forwarded to commission for approval.
  - 2.3.4. January and February Maui hosted 160 hour HAZMET Technician class. Fifteen slots for Maui, five from Hawaii, five from Kauai.
- 2.4. Oahu: Carter Davis:
  - 2.4.1. Last LEPC meeting was March 24, 2009 at the Honolulu Fire Administration Building.
  - 2.4.2. Tech class this summer, invitations sent to other islands. Possible participation from HEER Office, Federal Fire, 30 openings, 20 for HFD.
  - 2.4.3. Sharon gave Tier II submission update and HSERC.
  - 2.4.4. CLEAN update, on May 29 "Emergency Response Seminar" being held to educate businesses at the Filipino Community Center.
  - 2.4.5. Earl Nishikawa from Chevron Refinery gave presentation on "Alcohol Based Fuel Fires Readiness", Pre-planning has been done on facilities at Nimitz Highway. Supply of E-95 blended to become E-10 gasoline, E-95 gasoline has been moved on the highway, takes a new extinguishing agent, ARAFFF to stop the fires. County does not have a supply, the industry does. Workshops at HFD with the industry, each session will have Battalion Chief and Captains to talk about the new agents and how to apply them.
  - 2.4.6. Tank truck spill on H-1, needed better traffic control to get the dirt removal trucks through traffic.
  - 2.4.7. Department of Emergency Management hopes to fill Leland Nakai's old position by end of this fiscal year. If anyone doing studies of products going through harbors, Young Brothers would be willing to help them with the information on products that are being shipped through their company.

Larry asked Scott about traffic problems with the incident on Maui. Future discussion needed on how to expedite clearing roadways after an incident.

3. EPA Update: Mike Ardito not here. Larry went over the handout that Mike sent out. TRI has changed back to their earlier rules. Mentioned Continuing Challenge, date being held.
4. HMEP Update: David Smith

Hazmat Technicians Course held on Maui January – February, June-July in Honolulu, August – December helping Fire Department with Cameo courses. Preparing for NASTTPO – HMEP Grant, he needs from each LEPC, justifications, what outlook do you have for future, your wants needs, desires.

Pushing to increase funding for one more HAZMAT Technicians Course. There is a need for more Hazmat courses. Will send e-mail and he needs a reply to set things up and get guidelines for DOT.

5. HSERC Financial Report, Tier II – Vote on Division of Funds

Curtis explained the handouts of the Draft FY 10 LEPC Fund Distribution. Carter **Motioned** to accept the \$3,000 base model and percentage split. Henry **Seconded, Motion carried**, budget adopted of \$3,000 base and percentages, this was previously used.

6. No Break

7. HEPCRA: Administrative Rules Update and Decisions:

Sharon briefed commission that Rosiland Selbach is the new person who is handling the rules. She has done other projects for LEPC's. Rules with Kathy Ho, she has some questions. She will be meeting with Rosiland and Dave Phillips. After that it will be sent up to the Small Business Review Board and others. Roseland calculated that by June, Public Hearings could be held.

Larry warned about getting a different public hearing officer other than Tom Rack. Because of cut backs, problems with contested hearings. He is busy; other people in the department could be used. The draft for rules is the same one that commission has seen before; Kathy has been reviewing and has questions.

Larry suggests that assuming changes to address any legal concerns are minor, would the commission be willing to delegate the review and approval to go to public hearing to one of the commission members so we won't need to wait for the full commission to meet.

Rebecca Alakai asked if we could delegate this to the chair. Larry would be willing to do this. Possible motion to delegate this responsibility to Larry, all commission members would retain their individual rights to comment on rules. After public hearings, public comments, a vote would be needed for the final version. If no further changes, we won't have to see it again. Questions on when the full commission meets to look at rules again, before it goes to the Governor for her final signature. Discussion with Larry, Rebecca on what goes into rules, someone from commission has to sign on rules, what procedure to follow.

**Motion** to commission to delegate to the chair, Laurence Lau, the authority to approve minor changes in the draft rules so it could go to public hearings. Subject to confirmation of the Chair's authority by legal counsel. Carter **Moved**, Scott **Seconded, Motion Carried**.

8. Proposal of HMEP Project: Henry Silva

8.1 The plan that was announced at the pervious meeting is being put on hold. Explanation about the three (3) different Emergency Response Plan the county now has. At March 20<sup>th</sup> meeting with key parties, they purpose to change the plans, to use HMEP money that was planned for pervious project now on hold, to get a contractor to come in and integrate the three (3) plans into one working EOP all parties can agree upon and use in an emergency. This can be used to give them an Integrated Plan, NIMS complaint and Hazmat all in one plan the county can use. This is for HMEP funds for next calendar year. David Smith is willing to support plan, Henry hopes to keep project under the \$25,000 limit. They have not worked on the numbers, at the next HSERC, Henry hopes to have a proposal letter and scope of project at the meeting. Discussion between Carter, Larry, Henry, this project for next year.

8.2 Letter submitted from Hawaii County for remaining HMEP Grant funds for this fiscal year. To be allowed for use in having a 160 hour Technicians Training Course, hoping to hold it in the summer, if funds are available. They have \$6000, not sending people to Continuing Challenge and NASTTPO.

Dr. John Bowen can get approval from National Fire Academy to teach the same Chemistry course for 50% less, about \$15,000. Requesting any remaining HEMP funds, for this course. Dave explained there was \$40,000 in planning, 48,000 in training; however expenses still have to be paid for bills that have been submitted. September 15 is final invoice date for anything to be submitted. Discussion and explanation about what would be affected by Henry's request for remaining HMEP funds for this fiscal year. Question on per diem for other islands if they attend Hawaii's course.

**Motion** to use remaining Planning monies for current Fiscal Year for training, including the possibility of per diem reimbursement, subject to the availability of funds and for the Hawaii County Hazmat Technicians Training as prescribed in the letter. **Scott Moved, Carter Seconded, Motion** carried.

Larry introduced Andy Matsumoto, Environmental Information Manager, Department of Health Environmental Administration. He is in charge of Larry's Integrated Network, Larry wants him to see what other programs are being used by other organizations.

9. Presentation Virtual Command Center: Carter Davis

Power Point, discussion and questions at end of presentation.

10. Other Business:

10.1 The Chemical – Biological – Radiological (CBR) Emergency Response Table Top Exercise, After Action Report and Improvement Plan are now available. Sign up and Sharon will e-mail it to you.

10.2 More Training Courses Possible From HMEP – Henry Silva asked if it was possible to have three training courses. Carter explained about changes and how funding is from congress and problems with this. There is a need to talk to Charley Rogoff at NASTTPO Conference. There are other funding sources available for classes, example Hawaii State Fire Counsel. Need to get creative when looking for funding.

11. Schedule next HSERC meeting:

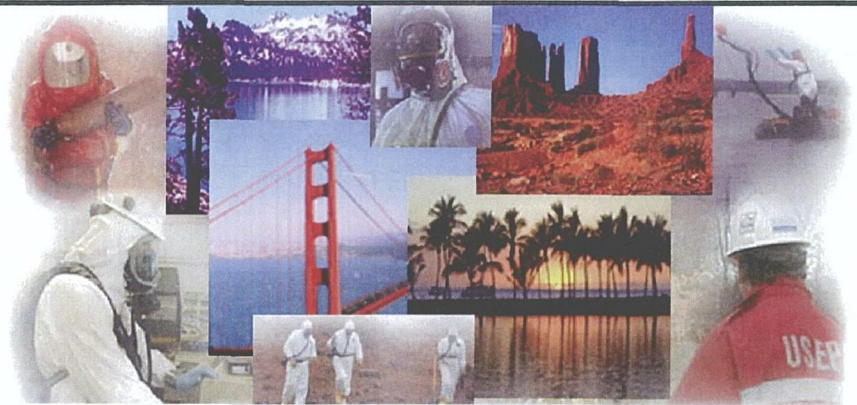
Larry: Meeting is scheduled for June 18, 2009 @ 9:00 a.m. Carter continued the meeting after Larry had to leave. **Motion** to adjourn the meeting made by Scott. Henry, **seconded** the motion. Meeting was **adjourned** at 10:35 am.

Respectively Submitted,

Sharon L. Leonida  
Environmental Health Specialist III



United States  
Environmental Protection Agency  
Pacific Southwest Region



**EMERGENCY PREVENTION, PREPAREDNESS, AND RESPONSE  
PROGRAM UPDATE FOR HAWAI'I SERC  
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The new infusion of money provided by the American Recovery and Reinvestment Act of 2009 will help the state and local governments finance many of the overdue improvements to water projects that are essential to protecting public health and the environment across the state. For more detailed information, please visit the EPA Region 9 Web site at [www.epa.gov/region09](http://www.epa.gov/region09) and click on the news release from May 18.

### **EPA Pacific Southwest EPP Program Contact**

For more information about the U.S. EPA's Emergency Prevention and Preparedness program for Hawai'i, you may contact the liaison, Mike Ardito, at (415) 972-3081 or by email at [ardito.michael@epa.gov](mailto:ardito.michael@epa.gov).



## CERCLA/EPCRA Administrative Reporting Exemption for Air Releases of Hazardous Substances from Animal Waste at Farms

### Final Rule

**Please note:**

This regulation does not create any new regulatory requirements or reporting deadlines.

The final rule, "CERCLA/EPCRA Administrative Reporting Exemption for Air Releases of Hazardous Substances from Animal Waste at Farms," is an *exemption* from the existing notification requirements in the 1984 final rule on the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) notification requirements. The exemption became effective on January 20, 2009. The final rule *exempts* all farms that release hazardous substances from animal waste to the air that meet or exceed their reportable quantity (RQ) from reporting under CERCLA section 103. The final rule also *exempts* farms that release hazardous substances from animal waste to the air that meet or exceed their RQ from reporting under the Emergency Planning and Community Right to Know Act (EPCRA) section 304 if they stable or confine *fewer* than the following number of animal species:

1. 700 mature dairy cows, whether milked or dry
2. 1,000 veal calves
3. 1,000 cattle other than mature dairy cows or veal calves. Cattle includes but is not limited to heifers, steers, bulls and cow/calf pairs
4. 2,500 swine each weighing 55 pounds or more
5. 10,000 swine each weighing less than 55 pounds
6. 500 horses
7. 10,000 sheep or lambs
8. 55,000 turkeys
9. 30,000 laying hens or broilers, if the farm uses a liquid manure handling system
10. 125,000 chickens (other than laying hens), if the farm uses other than liquid manure handling system
11. 82,000 laying hens, if the farm uses other than a liquid manure handling system
12. 30,000 ducks (if the farm uses other than a liquid manure handling system)
13. 5,000 ducks (if the farm uses a liquid manure handling system)

For purposes of this rule:

Animal Waste means manure (feces, urine, and other excrement produced by livestock), digestive emissions, and urea. The definition includes animal waste when mixed or commingled with bedding, compost, feed, soil and other typical materials found with animal waste.

Farm means a facility on a tract of land devoted to the production of crops or raising of animals, including fish, which produced and sold, or normally would have produced and sold, \$1,000 or more of agricultural products during a year.

Note: For the purposes of this rule, EPA considers animals that reside primarily outside of an enclosed structure (i.e., a barn or a feed lot) and graze on pastures, not to be stabled or confined.

Those farms that stable or confine greater than the number of animal species identified above are still required to submit the appropriate reports to State and local officials pursuant to EPCRA section 304 if they release hazardous substances to the air that meet or exceed their RQ. That is, the reporting requirement under EPCRA section 304 in this rule does not create a new regulatory requirement.



Farms that *are required* to report their air releases of hazardous substances from animal waste under EPCRA should follow the requirements at 40 CFR 355.32, "Which emergency release notification requirements apply to continuous releases?" For these notifications you are *not* required to call the National Response Center. Your initial telephone notification should be directed to the community emergency coordinator for the Local Emergency Planning Committee (LEPC) for any area likely to be affected by the release and to the State Emergency Response Commission (SERC) of any State likely to be affected by the release. You will then submit the written notification to those LEPCs and SERCs as appropriate.

Finally, the exemption created by the rule does not impact EPA's authority to respond to citizen complaints or requests for assistance from State or local government agencies to investigate and respond to those releases of hazardous substances from farms. Nor does this rule limit any of the Agency's other authorities under CERCLA (e.g., liability) or EPCRA.

### **Background**

CERCLA section 103 notification requirements call for immediate notification to the National Response Center (NRC) when the person in charge of a facility has knowledge of a release of a hazardous substance equal to or greater than the RQ established by EPA for that substance.

EPCRA section 304 emergency notification requirements call for notification to be given to the community emergency coordinator for each LEPC for any area likely to be affected by the release, and the SERC of any State likely to be affected by the release. Through this notification, State and local officials can assess whether a response action to the release is appropriate. EPCRA section 304 notification requirements apply only to releases that have the potential for off-site exposure and that are from facilities that produce, use, or store a "hazardous chemical," as defined by regulations promulgated under the Occupational Safety and Health Act of 1970 (OSHA) (29 CFR 1910.1200(c)) and by section 311 of EPCRA.

### **You Are Not Required to Report If:**

- You have reported continuous releases in the past and your continuous release report is up to date and on file with the appropriate SERC and LEPC; or
- Your releases are less than the RQ.

Moreover, EPA does not expect farms participating in the Agency's Animal Feeding Operation Air Compliance Agreement (70 *Fed. Reg.* 4958), and that are in compliance with the terms of the Agreement, to report at this time.

For continuous release reporting, to establish the continuity and stability of the release, you may use:

- Prior release data;
- Knowledge of operating procedures; or
- Best professional judgment.

### **Look for Updates**

As the Agency receives additional questions that are generally applicable to a wide audience, we will update this fact sheet on the web with those questions and answers.

EPA is working on developing emission estimating methodologies based in part on the data collected in the National Air Emissions Monitoring Study, which is scheduled for completion at the end of 2009 with the final report to be complete in 2011. For more information on the Air Compliance Agreement and the Air Emissions Monitoring Study, please visit:

<http://www.epa.gov/compliance/resources/agreements/caa/cafo-agr.html>.

LINDA LINGLE  
GOVERNOR OF HAWAII



**DRAFT**

CHIYOME LEINAALA FUKINO, M.D.  
DIRECTOR OF HEALTH

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

In reply, please refer to:  
File: EHA/MEER Office

July 6, 2009

Fire Chief Kenneth Silva  
Hawaii State Fire Council  
636 South Street  
Honolulu, Hawaii 96813

Chief Silva:

Re: HMEP Funding for Hazmat Technician Training

The Hawaii State Emergency Response Commission (HSERC) held their quarterly meeting on June 18, 2009. One of the items that was discussed at the meeting was the HMEP funded Hazmat Technician Course. This letter is being sent as a reminder that when a HMEP funded course is being hosted by one county, at least five training slots should be offered to each of the other three counties. If the counties are unable to use them, the host county can then use the slots for their own personnel.

For courses that are funded by the different counties without HMEP Grant funds, the county decides if they would like to invite the other counties to attend their training. The Hawaii State Emergency Response Commission (HSERC) shares a vital interest with you in having properly trained people on duty, we all want to insure the continuation of training courses so that we achieve objectives assuring that operations can be conducted well.

Sincerely Yours,

Laurence K. Lau  
Deputy Director for Environmental Health &  
Vice-chair, HSERC

## **MAUI LOCAL EMERGENCY PLANNING COMMITTEE**

c/o Maui Department of Fire & Public Safety  
200 Dairy Road, Kahului, HI 96732-3123

June 15, 2009

Mr. Laurence K. Lau, Chair  
Hawaii State Emergency Response Commission  
Department of Health  
919 Ala Moana Blvd., 5<sup>th</sup> Floor  
Honolulu, HI 96814

Re: Maui Local Emergency Planning Committee Membership

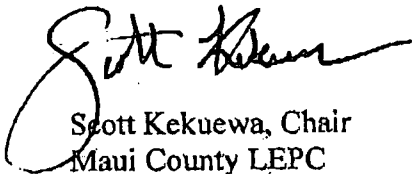
Aloha Mr. Lau,

The Maui Local Emergency Planning Committee would like to request the HSERC's approval to changes, additions, or resignations made to its' membership at the last meeting held February 18, 2009.

Attached is a letter sent to Maui mayor Charmaine Tavares regarding this request and a current Maui LEPC membership list.

If you should have any questions regarding this request, please feel free to contact me at your convenience.

Mahalo,



Scott Kekuewa, Chair  
Maui County LEPC  
scott.kekuewa@mauicounty.gov

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

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

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

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

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

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

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

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

(f) Each committee shall:

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

# MAUI LOCAL EMERGENCY PLANNING COMMITTEE

c/o Dept. Fire & Public Safety  
200 Dairy Road, Kahului, HI 96732  
Ph: (808) 270-7911 fax: (808) 279-7917

Co-Chair Joseph Blackburn email: [blackburj001@hawaii.rr.com](mailto:blackburj001@hawaii.rr.com)  
Co-Chair Scott Kekuewa email: [scott.kekuewa@co.maui.hi.us](mailto:scott.kekuewa@co.maui.hi.us)

March 15, 2009

Honorable Mayor Charmaine Tavares  
County of Maui  
200 South High St.  
Wailuku, HI 96793

Re: Maui Local Emergency Planning Committee Membership

Aloha Mayor Tavares:

This letter is to request your approval of membership changes, additions, or resignations to the Maui Local Emergency Planning Committee (LEPC).

The following members have resigned effective February 18, 2009: Herbert Matsubayashi, Maui District Health Office and Joseph Blackburn, Co-Chair, Maui Electric.

New members of the Maui LEPC include: Lauren Farmer, Maui County Dept. of Water Supply and Marc Nishimoto, Maui District Health Office.

A motion was passed at the 2/18/09 meeting to change Scott Kekuewa, Maui Fire Dept., from co-chair to become the chair of the committee.

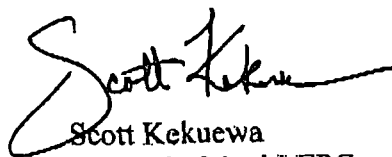
We request your endorsement to the changes stated above. A current Maui LEPC membership list is attached for your information. Following your consent, these changes will be forwarded to the Hawaii State Emergency Response Commission for approval per HRS128E-5(b).

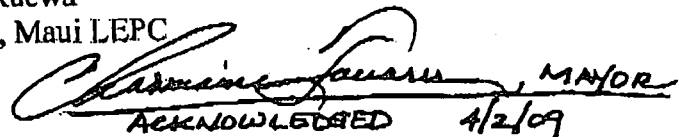
If you should have any questions, concerns, or suggestions about the LEPC, please do not hesitate to contact Scott Kekuewa.

Thank you, Mayor Tavares, for taking the time to consider this request and for your continued support of the Maui LEPC.

Mahalo Nui Loa,

Joseph Blackburn  
Co-Chair, Maui LEPC

  
Scott Kekuewa  
Co-Chair, Maui LEPC

  
ACKNOWLEDGED 4/2/09

RECEIVED  
2009 APR - 1 AM 9: 28  
OFFICE OF THE MAYOR

## **MAUI LEPC MEMBERSHIP LIST**

*(As of FEB 2009)*

Scott Kekuewa, Chair – Maui Fire Department (357-0332 cell)  
Greg Heyd – BEI Hawaii, Maui Branch Manager  
Kelbert Kealoha, - BEI Hawaii, Maui Branch  
Gen Inuma – Maui Civil Defense  
Derek Heafey – HC&S Puunene Sugar Mill  
Mel Hipolito – Maui Land & Pineapple Co.  
Asst. Chief Wayne Ribao – Maui Police Department  
Marc Nishimoto – Maui District Health Office  
Walt Hager – Maui County Dept. of Water Supply  
Asst. Chief Alan Cordeiro – Maui Fire Department  
Theodore Leong – Maui County Dept. of PW & Wastewater Mngmnt  
Captain Val Martin – Maui Fire Department  
Bill Medeiros – Maui County GIS  
Lt. James Stelflug – USCG, Maui Marine Safety Team  
Denise Laitinen – Firewise Community Liaison  
DJ Schwind – County of Maui, Mayor's Office  
Lauren Farmer, Maui County Dept. of Water Supply

# KAUAI CIVIL DEFENSE AGENCY

3990 KAANA ST 100 • LIHUE, HAWAII 96766  
PHONE: (808) 241-1800 • FAX: (808) 241-1860



June 15, 2009

## PROXY VOTE

We are unable to have representation at the upcoming Hawaii State Emergency Response Commission (HSERC) Meeting scheduled for June 18, 2009. We hereby give our proxy vote to Mr. Carter Davis.

A handwritten signature in black ink, appearing to read 'Clifford Ikeda', written over a horizontal line.

Clifford Ikeda, Commissioner - HSERC  
(Kauai Local Emergency Planning Committee)

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

June 12, 2009

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

FROM: Edward T. Teixeira   
Vice Director of Civil Defense

SUBJECT: HSERC Meeting - June 18, 2009

I am unable to attend the June 18, 2009, HSERC meeting due to a conflicting schedule.

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



June 8, 2009

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

Dear Mr. Lau:

The Hawaii County Civil Defense Agency (HCDA) submits a proposal for \$24,000 to revise and update its Emergency Operations Plan (EOP) using HMEP Planning Grant and matching HLS Grant funds. We propose to incorporate National Incident Management System principles into the plan and revise the plan's supporting annexes to reflect incident response using the Emergency Support Function (ESF) approach used by the State of Hawaii and the Federal Government. This project will be called Hawaii County EOP Revision 2009.

This project will involve all Hawaii County Departments and Agency's with a role in incident response. State and Federal Department's and Agency's present in Hawaii County possessing assets that may be called upon in a incident of the magnitude that requires State and/or Federal assistance will also be consulted. The bulk of the research and revision will be done by HCDA personnel. The major fund expenditures will be the costs associated with editing the plan and then producing copies for distribution. The attached Scope of Services further describes the project in greater detail.

Please call me or Mr. Henry Silva, LEPC Coordinator, at 935-1661 if you have any questions or require further clarification.

Sincerely,



Quince Mento  
Civil Defense Administrator

Attachment

## SCOPE OF SERVICES

The CONSULTANT shall in a satisfactory and proper manner as determined by the County of Hawaii, hereinafter called the County, and in accordance with the terms and conditions of this Agreement, provide the following services:

1. Collate the County of Hawaii Emergency Operations Plan (EOP) in accordance with the Federal Emergency Management Agency's (FEMA) Comprehensive Preparedness Guide (CPG) 101 and produce thirty copies for distribution as determined by the Hawai'i County Civil Defense Agency. The County will provide the text to be collated. The information provided will be generally free of errors in spelling, punctuation, and grammar.

2 Correct any obvious errors in spelling, punctuation, and grammar without altering the meaning of the sentence and/or paragraph.

3. Identify ambiguity in the text provided and remit the ambiguous passages to the County for revision.

4. Identify the main body, annexes', and appendices' chapters, sections, paragraphs, figures, charts, and illustrations sequentially using alpha and/or numeric designations.

5. Identify main body pages sequentially by numeric.

6. Identify annex pages sequentially with alpha (corresponding with the annex designation) and numeric.

7. Identify appendix pages sequentially with numeric (corresponding with the appendix designation), alpha (corresponding with annex designation), and numeric.

8. Bind each copy of the EOP in an appropriate capacity (2 inch, 2 ½ inch, 3 inch, etc.) yellow, view, D-ring binder, 11 x 8 ½ inches in dimension, RBE.

9. Provide an electronic copy of the complete EOP, with each bound copy, on a compact disc in a format compatible with and readable by a personal computer using Microsoft Word 2003 as the word processing program.

10. Review final product for compliance with the National Incident Management System (NIMS), the National Preparedness Guidelines (NPG), the National Response Framework (NRF), the National Strategy for Information Sharing, the National Infrastructure Protection Plan (NIPP), the current edition of the Hawai'i State Civil Defense Emergency Operations Plan, and the current edition of the Hawai'i County Multi-Hazard Mitigation Plan. Recommend revision of any area that does not comply with the named references.

11. The CONSULTANT will provide the COUNTY with 100 CD's with each CD containing one copy of the electronic version of the Emergency Operations Plan and thirty-six hard copies of the plan at the completion of the project.

LINDA LINGLE  
GOVERNOR OF HAWAII



KATHERINE PUANA KEALOHA  
DIRECTOR

STATE OF HAWAII  
OFFICE OF ENVIRONMENTAL QUALITY CONTROL  
235 S BERETANIA ST. SUITE 702  
HONOLULU, HAWAII 96813  
Tel. (808) 586-4185  
Fax. (808) 586-4186  
Email: oeqc@doh.hawaii.gov

December 18, 2008

MEMORANDUM

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

FROM: Katherine Puana Kealoha *KPK*  
Director

SUBJECT: Hawaii State Emergency Response Commission (HSERC)

There may be times when I am unable to attend the HSERC meetings due to a conflicting schedule. I hereby appoint Rebecca Alakai from my staff to represent me at the December 18, 2008 meeting and all future meetings as a voting member.

RECEIVED  
DEPARTMENT OF HEALTH  
2009 JUN 16 A 10:26  
HEER OFFICE

# Fax

To: S. Leonida / HEER  
Fax: 808-586-7537  
Phone:

From: S. Kekuewa / Maui LEPC  
Fax:  
Phone:

Date: 6/16/2009  
Subject: Membership request for approval

Comments:

Sharon,

4 pages total, if you have any questions call me.

Thanks,

Scott

## MAUI LOCAL EMERGENCY PLANNING COMMITTEE

c/o Maui Department of Fire & Public Safety  
200 Dairy Road, Kahului, HI 96732-3123

June 15, 2009

Mr. Laurence K. Lau, Chair  
Hawaii State Emergency Response Commission  
Department of Health  
919 Ala Moana Blvd., 5<sup>th</sup> Floor  
Honolulu, HI 96814

Re: Maui Local Emergency Planning Committee Membership

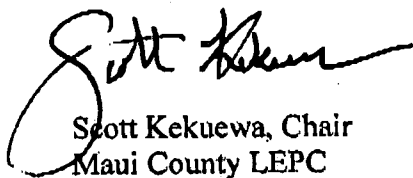
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Attached is a letter sent to Maui mayor Charmaine Tavares regarding this request and a current Maui LEPC membership list.

If you should have any questions regarding this request, please feel free to contact me at your convenience.

Mahalo,



Scott Kekuewa, Chair  
Maui County LEPC  
scott.kekuewa@mauicounty.gov

# MAUI LOCAL EMERGENCY PLANNING COMMITTEE

c/o Dept. Fire & Public Safety

200 Dairy Road, Kahului, HI 96732

Ph: (808) 270-7911 fax: (808) 279-7917

Co-Chair Joseph Blackburn email: [blackburj001@hawaii.rr.com](mailto:blackburj001@hawaii.rr.com)

Co-Chair Scott Kekuewa email: [scott.kekuewa@co.maui.hi.us](mailto:scott.kekuewa@co.maui.hi.us)

March 15, 2009

Honorable Mayor Charmaine Tavares  
County of Maui  
200 South High St.  
Wailuku, HI 96793

RECEIVED  
2009 APR - 1 AM 9: 28  
OFFICE OF THE MAYOR

Re: Maui Local Emergency Planning Committee Membership

Aloha Mayor Tavares:

This letter is to request your approval of membership changes, additions, or resignations to the Maui Local Emergency Planning Committee (LEPC).

The following members have resigned effective February 18, 2009: Herbert Matsubayashi, Maui District Health Office and Joseph Blackburn, Co-Chair, Maui Electric.

New members of the Maui LEPC include: Lauren Farmer, Maui County Dept. of Water Supply and Marc Nishimoto, Maui District Health Office.

A motion was passed at the 2/18/09 meeting to change Scott Kekuewa, Maui Fire Dept., from co-chair to become the chair of the committee.

We request your endorsement to the changes stated above. A current Maui LEPC membership list is attached for your information. Following your consent, these changes will be forwarded to the Hawaii State Emergency Response Commission for approval per HRS128E-5(b).

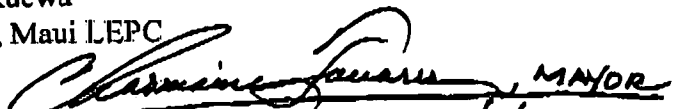
If you should have any questions, concerns, or suggestions about the LEPC, please do not hesitate to contact Scott Kekuewa.

Thank you, Mayor Tavares, for taking the time to consider this request and for your continued support of the Maui LEPC.

Mahalo Nui Loa,

Joseph Blackburn  
Co-Chair, Maui LEPC

  
Scott Kekuewa  
Co-Chair, Maui LEPC

  
ACKNOWLEDGED 4/2/09  
MAYOR

## **MAUI LEPC MEMBERSHIP LIST**

*(As of FEB 2009)*

Scott Kekuewa, Chair – Maui Fire Department (357-0332 cell)  
Greg Heyd – BEI Hawaii, Maui Branch Manager  
Kelbert Kealoha, - BEI Hawaii, Maui Branch  
Gen Iinuma – Maui Civil Defense  
Derek Heafey – HC&S Puunene Sugar Mill  
Mel Hipolito – Maui Land & Pineapple Co.  
Asst. Chief Wayne Ribao – Maui Police Department  
Marc Nishimoto – Maui District Health Office  
Walt Hager – Maui County Dept. of Water Supply  
Asst. Chief Alan Cordeiro – Maui Fire Department  
Theodore Leong – Maui County Dept. of PW & Wastewater Mngmnt  
Captain Val Martin – Maui Fire Department  
Bill Medeiros – Maui County GIS  
Lt. James Stelflug – USCG, Maui Marine Safety Team  
Denise Laitinen – Firewise Community Liaison  
DJ Schwind – County of Maui, Mayor's Office  
Lauren Farmer, Maui County Dept. of Water Supply



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

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

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

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

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

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

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

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

(f) Each committee shall:

- (1) Adopt bylaws and other administrative procedures to carry out the duties, requirements, and responsibilities set forth in this chapter, and as required by the commission and the Emergency Planning and Community Right-to-Know Act of 1986;
- (2) Take appropriate actions to ensure the preparation, implementation, and annual update and review of the local emergency response plan required by this chapter and the Emergency Planning and Community Right-to-Know Act of 1986. The local emergency response plans shall include, but not be limited to, the following:

- (A) Identification of each facility subject to the requirements of section 303 of the Emergency Planning and Community Right-to-Know

## Leonida, Sharon L

---

**From:** Jay Maddock [jmaddock@hawaii.edu]  
**Sent:** Tuesday, June 16, 2009 10:01 AM  
**To:** Leonida, Sharon L  
**Subject:** FW: FW: June 18, HSERC meeting and minutes from meeting #74

Hi Sharon,

Dr. Deb Juarez will attend in my place and is authorized to vote on my behalf.

Jay

Jay Maddock, Ph.D.  
Director & Associate Professor  
Office of Public Health Studies  
University of Hawai'i at Mānoa  
1960 East-West Rd. D209  
Honolulu, HI 96822  
Phone: (808) 956-5779  
www.hawaii.edu/publichealth

---

**From:** Deborah Juarez [mailto:dtjuarez@hawaii.edu]  
**Sent:** Monday, June 15, 2009 9:38 AM  
**To:** Jay Maddock  
**Subject:** Re: FW: June 18, HSERC meeting and minutes from meeting #74

Hi Jay,  
I'm happy to attend if no one else has volunteered yet.  
Deb

Deborah Taira Juarez, ScD  
Associate Professor of Health Economics  
Office of Public Health Studies

----- Original Message -----

From: Jay Maddock <jmaddock@hawaii.edu>  
Date: Friday, June 5, 2009 2:50 am  
Subject: FW: June 18, HSERC meeting and minutes from meeting #74  
To: ph-faculty@HAWAII.EDU

> Does anyone want to sit on this committee?  
>  
> Jay Maddock, Ph.D.  
> Director & Associate Professor  
> Office of Public Health Studies  
> University of Hawaii at Mnoa

6/16/2009

## Leonida, Sharon L

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**From:** Leonida, Sharon L  
**Sent:** Tuesday, June 09, 2009 2:23 PM  
**To:** 'dean.m.yoshizu@hawaii.gov'  
**Subject:** HSERC Meeting on June 18, 2009

Mr. Yoshizu,

I would like to welcome you to the HSERC commission. I hope Bob Boesch had time to give you an idea of what we do. Under the Emergency Planning and Community Right-to-Know Act, EPCRA, which we adopted in 1986 and call HEPCRA, we hold meetings once a quarter. Larry Lau is the Deputy Director that chairs the commission. We have another meeting coming up on June 18, 2009, at our office building. This is at 919 Ala Moana Blvd., across the street from Fishermen's wharf. It looks like a four story building, meeting room is on the fifth floor. I will attach the agenda and hope you can attend. You can receive a half day pass for parking at our meters. This would be a good time to meet the other people on the commission. If you are unable to attend you could appoint someone to take your place, I will attach a sample that you could use. We have issues that require voting and need a quorum of voting members before we are able to this. I hope you will be able to attend. Thank You.

Sharon Leonida



Alternate to HSERC  
Meeting let...



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