

**Kent County  
LEPC Meeting Minutes**

**November 11, 2017**

**Attendees**

Brandon Olenik	KCDPS	Nicole Vautard	KCDPS
Mark Dolan	DNREC	Bill Davis	EPCRA
Kenneth Cenci	DNREC	David Irwin	NCC LEPC
Bob Barrish	Consultant	Sand Hoffman	Chesapeake Utilities
Barry Laise	STA 54/DSP	Sharon Jefferson-Hawkins	Red Cross
Arnold Maas	DAFB		

Brandon Olenik called the meeting to order at 10:00 am.

Welcome from Brandon and introduction of all the attendees.

Approval of minutes from last meeting.

**Current Issues**

**Barry Laise – DECON – Two responses**

- Tractor trailer leaking
- Call for Meth Lab in Camden

Petroleum 48 has been relocated to South Bowers.

Little Creek joined with Leipsic for more man power and equipment.

**Mark Dolan – NCC – Experimental station used new truck and deconned people. Will be conducting a training session in February.**

**Bill Davis –Tier II –**

**EPCRA Reporting Program LEPC Report – November 2017**

- *TierIIManager*<sup>TM</sup> Update-71 went on-line August 24th to allow facilities a 4-month head-start in updating hazard classifications from the previous 5 categories to the new 24 that EPA adopted effective January 1st, 2018. 311 hazard classifications will remain at 5 until 1/1/18. Facilities are encouraged to review their Safety Data Sheets and submit updated Tier II reports now so that the 8-week reporting window after January 1st (due March 1st) is not overwhelming.

Over **330** facilities have already either initiated or submitted Updated Tier II Reports with new hazard class information.

- **January Workshops** have been scheduled and announcements will be emailed to facility regulatory point of contacts at the beginning of December. The 3-hour workshops will demonstrate the online system and review the chemical inventory reporting requirements in

general. Registration is required and sessions will begin at **9:00** am (registration 8:45). Class size is limited, so early registration is encouraged. Workshop dates/locations are as follows:

<b>Date</b>	<b>Day</b>	<b>Location</b>
1/4/18	Thursday	New Castle DNREC Lukens Drive
1/9	Tuesday	Dover Fire School <b>Joint session with Kent LEPC meeting</b>
1/11	Thursday	Georgetown Fire School <b>Joint session with Sussex LEPC meeting</b>
1/16	Tuesday	New Castle Fire School
1/18	Thursday	Dover Fire School
1/23	Tuesday	Georgetown Fire School
1/25	Thursday	New Castle DNREC Lukens Drive

- **Farm Animal Waste Reporting**

Federal EPA has announced a new/revised approach that will exempt farms from reporting under EPCRA 304, so they won't need to report to the LEPCs/SERC. Farms will only need to deal with reporting to the Feds under CERCLA according to the recent EPA notice.

EPA Provides Guidance for Farmers for Reporting Animal Waste

On October 25, 2017, EPA released guidance to assist farmers in reporting air releases of hazardous substances from animal waste at farms. EPA is making this information available to provide time for farmers to review and prepare for the reporting obligation, which could become effective as early as November 15, 2017.

- On December 18, 2008, EPA published a final rule that exempted certain farms from reporting air releases of hazardous substances from animal waste.
  - On April 11, 2017, the DC Circuit Court vacated this final rule.
  - In response to a request from EPA, the DC Circuit Court extended the date on which its ruling would become effective to November 15, 2017.
    - Unless the court further extends this date, farms (including those previously exempted by EPA's rule) that release hazardous substances to the air from animal wastes equal to or greater than the reportable quantities for those hazardous substances within any 24-hour period must comply with applicable statutory reporting requirements.
- The EPA guidance information includes links to resources that farmers can use to calculate emissions tailored to specific species of livestock.
- View EPA's guidance and Frequently Asked Questions on reporting air emissions from animal waste: <https://www.epa.gov/epcra/cercla-and-epcra-reporting-requirements-air-releases-hazardous-substances-animal-waste-farms>
  - EPA will revise this guidance, as necessary, to reflect additional information to assist farm owners and operators to meet reporting obligations.
  - Interested parties may submit comments or suggestions by November 24, 2017.
- DNREC EPCRA web pages are being updated and show (among other things) our new mailing address.

DNREC EPCRA Reporting  
155 Commerce Way, Suite B, Dover, DE 19904

- We are awaiting/expecting (early November) a *TierIIManger*<sup>TM</sup> software update from IDSi to handle the fee increase, GIS-related changes, and other issues that were identified in the planning module.
- **Reporting Status:**

### **Reporting Year 2016 EPCRA 312 (Tier II) Reports**

(LEPC designations as reported by the Facility)

<b>11/3/17</b>	RY2015 ~final	
<b>2179</b>	2112	<b>State Total</b>
<b>751</b>	724	<b>Sussex</b>
<b>471</b>	448	<b>Kent</b>
<b>822</b>	806	<b>New Castle</b>
<b>135</b>	134	<b>Wilmington</b>

- 78 more reports have been submitted for RY2016 versus RY2015 by this time last year.

### **Brandon Olenik – Delaware Emergency Agency Reports**

#### **Recent Meetings**

The SERC Planning & Training Committee meeting was held on August 17, 2017.

The SERC Quarterly meeting was held on September 13, 2017.

There was a Chemical Safety, Security and Transportation Workshop held at Delaware Technical Community College, Terry Campus, in Dover on November 1, 2017. This work shop was sponsored by the State Emergency Response Commission and featured representatives from the EPA, OSHA, DHS, DOT, FRA, USCG, ATF, FBI, and DNREC.

Over 150 people attended the work shop which had topics including; emergency planning and community right to know, chemical safety, chemical facility security and chemical transportation safety. The audience included; chemical manufacturers and processors, oil and chemical storage and transporters, institutional users, emergency responders, emergency planning committees, state and local emergency response organizations. Equipment displays from several state, federal and private companies were set up for participants to view.

#### **HMEP Grant – Mr. Dalton**

FY17 grant closed for this fiscal year on September 30<sup>th</sup>. Approximately \$21,399.67 dollars will be rolled over to the next grant year for Hazmat exercises. A tabletop exercise is planned for 2018 and a functional exercise is planned for 2019.

Current balance of the FY18 grant starting on October 1<sup>st</sup>, is \$106,804.00 (2017-2018). No funds have been spent so far.

#### **SERT Plan - Hazardous Substance Incident Contingency Plan**

The printer is scheduled to deliver the SERT Plan on November 14<sup>th</sup>.

The SERT Plan will be distributed within two weeks of that date. Additionally a password secure PDF version of the plan will be provided to the SERC, LEPCs, and Fire Chiefs.

## **Old Business**

### **Bob Barrish – Facility Inspections –**

- None completed since the last meeting
- Set up a few visits
  - 11/28 Service Energy
  - 12/12 US Cold Storage
  - Amera Gas Pardee
- Total of 5 done for this quarter
- Will have a game plan for the next quarter

**Sussex LEPC – No report**

### **Dave Irwin – New Castle County LEPC –**

- Met yesterday
- Conducted business transactions
- FEMA Run Hide Video is out.
- New campaign being worked on called Stop The Bleed (this will be combined with the Run Hide campaign).

**Wilmington LEPC – No report.**

### **Dave Irwin – Annual Statewide Hazmat Training Workshop –**

- Program is in final form
- There will not be a dinner on Friday
  - There will be breakfast and lunch on Friday
  - Present awards and presenters after lunch
- If Frank can't make it we will have the FBI attend
- Registration will be sent out in January
- It will be held May 11 & 12
- Sponsorships will go out soon

## **New Business**

### **Updates from visiting agencies**

**Sharon Jefferson-Hawkins – Red Cross –** FEPD went well. Had about 1,000 – 1,200 attendees.

**Sand Hoffman – Chesapeake Utilities –** Natural Gas Safety Trailer available. We work with fire departments with this trailer for training.

### **Brandon – KC LEPC –**

- Contacted Avery Dalton at DEMA in regards to rolling over unused HMEP money from FY17
- Would like to send multiple LEPC members to FDIC in April 2018. Waiting on a response.
- November 2, 2017 finished LEPC budget for submittal to Kent County Finance for review
- November 5 – 12, 2017 traveled to San Marcos, TX for the Advanced Law Enforcement Rapid Response Training (ALERRT) Conference. Information about active shooters and violent intruders was presented by numerous presenters from Orlando, Dallas, and Las Vegas. The Stope

the Bleed campaign is picking up and should be on the radar of businesses. Now is the time to prepare, make sure you are adding violent intruder/active shooter plans to emergency plans that are in place.

- November 13, 2017 HMEP money does not roll over. Currently working on spending plan for FY18 money.

Next LEPC meeting will be **Tuesday, January 9, 2018 at 9:00 am at the Delaware State Fire School.**

Meeting adjourned.

Respectfully submitted,

*Nicole Vautard*

Nicole Vautard  
Kent County Dept. of Public Safety  
LEPC Secretary