

**Regional Railroad Accident Preparedness and Immediate Response Fund Advisory Committee
Meeting Minutes**

Cal OES Headquarters
3650 Schriever Avenue
Mather, CA 95655
Multi-Purpose Room 1 & 2
March 8, 2016

Members Present:

Mark Ghilarducci, Director, Governor's Office of Emergency Services, Chair

James Farner, designee for Patrick Brady, Hazardous materials specialist from the railroad industry

John Mervin, Operation Specialist from the railroad industry

Joe Bateman, Fire and safety specialist from the refinery industry

Dale Backlund, Chemical hazardous materials specialist

Frank Vidales, designee for Daryl Osby, Firefighting Resources of California Organized for Potential Emergencies (FIRESCOPE)

Jerry Apodaca, Local Emergency Preparedness Commissions (LEPCs)

Niko King, California Fire Chiefs Association

Amy Howard, California Professional Firefighters

Gene Gantt, California State Firefighters' Association

Roy J. Shackel, California Emergency Services Association

Steve Turner, Fire Districts Association of California

Staff Present:

Sarah Poss, Chief, Office of Executive Programs and Policy Analysis, Governor's Office of Emergency Services

Jill Talley, Chief Counsel, Governor's Office of Emergency Services

Kim Zagaris, Fire and Rescue Chief, Governor's Office of Emergency Services

I. Welcome – Call to Order – Introductions

- Director Ghilarducci called the Regional Railroad Accident Preparedness and Immediate Response Fund Advisory Committee meeting to order.
- Member introductions.

- Director Ghilarducci provided the statutory purpose and mission of the advisory committee.
- Director Ghilarducci discussed the composition of the advisory committee. He outlined future slots to be filled: EMS representation, law enforcement representation, and short line railroad systems representation. He asked the current advisory board members if they believed any representation was still missing; asked for feedback to be sent to staff.

II. **Budget Act of 2015-2016**

- An increase in rail accidents involving hazardous materials across the country creates the necessity for the Regional Railroad Accident Preparedness and Immediate Response Fund. This program will give the State a multi-jurisdictional, multi-disciplined response capability for rail accidents involving hazardous materials, predicated particularly on local response.
- Discussion of the chemicals that will be assessed under this program.
 - According to Government Code Section 8574.32 (a)(2), prior to the adoption of regulations identifying the 25 most hazardous material commodities, the fee shall apply to the top 25 hazardous materials identified by the Association of American Railroads Bureau of Explosives Annual Report of Non-Accident Releases of Hazardous Materials Transported by Rail, published in August 2013:
 1. Petroleum Distillates, N.O.S.
 2. Flammable Liquids, N.O.S.
 3. Hydrochloric Acid
 4. Ammonia Anhydrous
 5. Environmentally Hazardous Substances, Liquid, N.O.S.
 6. Hydrocarbons, Liquid, N.O.S.
 7. Petroleum Gases, Liquefied
 8. Methanol
 9. Combustible Liquid, N.O.S.
 10. Petroleum Crude Oil
 11. Sulfuric Acid
 12. Alcohols, N.O.S.
 13. Propylene
 14. Gasoline
 15. Styrene Monomer, Stabilized
 16. Sulfur, Molten
 17. Chlorine
 18. Diesel Fuel
 19. Phosphoric Acid Solution
 20. Sodium Hydroxide Solution
 21. Propane
 22. Carbon Dioxide, Refrigerated Liquid
 23. Elevated Temperature Liquid
 24. Elevated Temperature Liquid, N.O.S.
 25. Vinyl Chloride, Stabilized

- To increase the ability to train personnel, the program will build upon existing sites and create a standard across the sites to minimize travel and maximize training. Mobile training units will also be implemented for use in various parts of the state.

III. Development of Regulations

- Federal law allows the state to impose a fee related to transportation of hazardous materials if the fee is fair, and is used for a purpose related to transporting hazardous materials. The activities that may be included are enforcement and planning, development and maintaining a capability for emergency response.
- Discussion of the process and timeline to enact emergency regulations.
- Chief Bateman asked whether partnering with regional response teams will earn the chemical owner a credit on the fee assessment. Director Ghilarducci answered that this is something that will need to be further discussed.
- Mr. Shackel remarked that the California Specialized Training Institute should craft training scenarios and look at training not just in rural counties but in cities that are on common rail lines that carry hazardous materials that may not have fully functional emergency operations centers.
- Mr. Mervin asked whether railroads would be included in the infrastructure and training for this program. Director Ghilarducci replied that they would be.
- Chief Bateman and Director Ghilarducci discussed the input that would be utilized from the advisory board members with regard to program purchases.

IV. Public Comment

- Bill Fuller - LEPC Chair Region 3
 - Comments regarding backfill and overtime, and how this program will affect the LEPCs.
- Tim Shestek - American Chemistry Council
 - Inquired about whether there would be a website where public notices and advisory board related materials would be posted. The Director responded that there would be. The link can be found here:
<http://www.caloes.ca.gov/cal-oes-divisions/fire-rescue/hazardous-materials/hazmat-by-rail>

V. Adjournment