

Hazardous Materials Regional Plans Project

Phase II: Core Planning Team

Meeting Summary

March 18, 2015 1pm-4pm

At the California Governor's Office of Emergency Services & Webinar

Action Items:

- **! IMPORTANT!**: Please provide the CCP design team with additional comments and relevant references outlined below. Thanks you!. **Due by 4/15/15 (CPT members)**
 - **Paul Penn (Cal EPA) and Brian Abeel (Cal OES)**, and/or others from their agencies, to meet and decide what needs to be addressed in the guidance document and write language to be submitted for: EF 10 integration (SEMS/IC/UC items, 'who's in charge' guidance); and 'Out of Jurisdiction' language to be added to enhance these elements of the document.
 - **Denise Shemenski (Cal OES-Tribal Liaison)** to check with US EPA regarding plans that are brought by tribal communities to EPA. Denise also offered to help with identifying how these plans may be accessed by the LEPCs. Also to provide 'text' to possibly create a new section in the document and/or attachment on 'suggestions and best practices regarding how to engage and interact with tribes'. A tribal map will also be located to be included; as well as a list of federally recognized tribes and contacts.
 - **Jerilyn Anderson (Cal OES- Inland Region)** suggested that the Truckee River Plan may be a useful plan and offered to provide a copy. There are other river plans that may be helpful and can be referenced as a category with some links to specific plans in the guidance document.
 - **Lance Richman (EPA)** offered to provide additional plans to be referenced in the guidance document.
 - **Don Boland (CUEA)** offered to provide additional information on private sector to be included in the vulnerability assessment section.
 - **Michael Horn (CDFW-OSPR)** will review the document and the attachments and provide any additions/edits regarding OSPR authority and activities to be referenced.
 - **Tina Daley (Business, Consumer Services and Housing Agency Fiscal Policy and administration)** will check with her agency to see if there are additions to the guidance document.
- Send CPT members meeting notes. Due 3/27/15 (CCP)
- Send CPT members revised guidance document prior to next CPT mtg on April 29th. Due 4/22/15 (CCP)

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Welcome and introductions

Adam Sutkus, Associate Director and facilitator from the Center for Collaborative Policy (CCP/CSUS), welcomed participants to the second Core Planning Team (CPT) meeting and led introductions around the room and on the phone. Meeting participants, representing a wide cross section of organizations dealing with hazardous materials regional planning efforts, including tribal representation, private sector, and access and functional needs (AFN) community, were invited to share their expertise and join together in the development of a hazardous materials (hazmat) regional planning guidance document.

Mr. Brian Abeel, Cal OES project manager, thanked participants for their help in the collaborative development of the template and guidance document and tools to support LEPCs hazardous material regional planning efforts.

The project team is seeking input from the CPT on a proposed change to the project’s timeline since the primary document development is ahead of schedule. The guidance document is well formed thanks to CPT members’ engagement in its development. This meeting will focus on reviewing, in detail, the guidance document and with CPT members’ feedback and input lead to a draft final version. There are key questions that will be posed to the group before amending the guidance document to its next version. Ultimately, for the guidance document to be used by LEPCs planners it is important to receive strong support and endorsement from the CPT members.

The document presented at this 2nd CPT meeting, is at a more advanced stage than originally planned for because of the subgroups’ collective work. Many of the issues that were raised at

the subgroup meetings have been addressed and incorporated into the version that is presented to the CPT. Two subgroups met to address two different issues:

- 1) Development of the crosswalk tool as a reference document (included as Appendix 2A). The crosswalk table provides a summary of how different plans may affect/contribute to the hazardous material regional planning process.
- 2) Review of the 'first draft' guidance document. A robust discussion at the subgroup meeting led to major restructuring of the document into two key sections: a concise annotated planning template up front, and reference set of information documents as attachments.

Project overview and timeline

The original project timeline included an additional review of the guidance document by the CPT (CPT meeting #3) before being presented at workshops. Given the subgroup review and advanced stage of the guidance document, it was suggested that a short 3rd CPT meeting will convene, to validate changes to the document based on this meeting's CPT review (the 2nd meeting). The 3rd CPT meeting may be scheduled before the SERC meeting on April 29th to accommodate LEPCs members (*this was later verified to be 10:00 to 11:30 on April 29*). It was further suggested that the wider stakeholder workshop be rescheduled to follow the LEPC 'beta test' of the Draft Guidance, to address any feedback and lessons learned from the beta test experience. Region 3 (Bill Fuller) may be a candidate for the beta test of the guidance document.

Mr. Bill Fuller, Region 3 chair, confirmed the interest in the beta test to determine how well the guidance document aligns with the work that needs to be done in putting together the hazardous material regional plan. This exercise is manageable at Region 3 because it is not a large urban but will provide interesting lessons since there are 13 counties with different resources that will need to be considered. In addition, Region 3 is collaborating with the update of the Feather River Geographic Response Plan and it will be interesting to see how information can be leveraged between the different planning efforts. Mr. Sutkus also added that the R.3 LEPC Plan would likely not be able to completely finished through the best test exercise, but would allow many lessons learned to be brought to a workshop for review, and provide R. 3 with a draft Plan to build upon.

CPT members generally concurred that the revised schedule is appropriate. It was pointed out the OSPR representative will not be available to join the April 29th meeting but will continue to work with CCP and Cal OES to provide feedback on the next version of the guidance document.

Mr. Sutkus reminded the group that the validation of the final draft document at the April 29th will be to endorse it to move forward to the beta test but the guidance document will not be finalized until after the beta test is done and lessons learned incorporated into a revised version. Mr. Sutkus also added that this Guidance document will ultimately be a product

regularly referenced through the SERC and would be a 'living document' that is expected to be enhanced and updated as a tool for the LEPC on an ongoing basis.

Introduction to the document and its development process

Based on the feedback from the two subgroups the document has been restructured and has two main parts.

Part I: Guidance and Annotated Template. Part I was developed by Caryn Woodhouse and Becky Wagoner. The CPT will be asked to provide feedback on the template to ensure that it includes the appropriate components and that it is user friendly. The first part of the document includes:

- Transmittal letter.
- List of Core Planning Team members.
- Preface explaining the context of the guidance document.
- How to use this guidance document explaining the two part structure of the guidance document.
- Acronyms and abbreviations list.
- Table of contents.
- Annotated template and guidance which includes the template and instructions.

Part II: Workbook of Attachment for References. The second part has information that was viewed as important for planning activities but crowded the document. The information was separated from the template and is provided as reference.

Mr. Sutkus asked if these two parts should remain as one document or if there is a benefit to separating them into two documents. CPT members preferred the two parts as one document because it made all the information readily available.

Mr. Sutkus reviewed the attachments in Part II and asked CPT members to comment on their usefulness for the planning process.

Attachment 1A: The basic template, without the supporting instructions, may be used by planners to begin developing a regional plan.

Attachment 1B: Compliance Summary Form. This table, developed by Caryn Woodhouse, allows for clarifying a specific LEPC's methodology. Particular regions are going to meet requirements with different plans/means according to the desires and preferences of a particular LEPC. This table can be used to demonstrate approach and compliance with EPCRA requirements for each Region.

Attachment 2A: Cross Walk Table Showing Hazardous Material Plans in California with Relevance to LEPC Regional Planning.

Attachment 2B: Descriptions of Hazardous Material Plans in California with Relevance to LEPC Regional Planning.

Attachment 3: Hazard Identification and Vulnerability Assessment resource information and guidance.

Attachment 4: Steps in a Commodity Flow Study. This attachment was inserted in response to request from CPT to provide a sample process on how to do a study.

Attachment 5: Background Information on Federal and State Hazardous Material Planning. This attachment provides key information for planners on the interplay between the various intergovernmental interests.

Attachment 6: Regional Hazardous Materials Plan Review information.

Attachment 7: Training reference information.

Attachment 8: Drills and Exercises information.

Attachment 9: Methods, Procedures, and Equipment information.

Attachment 10: Map Showing California LEPC Boundaries.

Attachment 11: California Executive Order Establishing the State Emergency Response Commission. *This attachment will be updated when a new Executive order is available.*

Attachment 12: Example of Agency Roles Table. The provided example came from a region's plans and this format can be used to develop an Agency roles table for the hazardous material planning to provide LEPCs with information on representatives for relevant authorities. This table will need to be tailored to specific agencies as applicable at the LEPC regional level.

Attachment 13: References and Resources (links, etc.).

Mr. Fuller said that a beta test of the guidance document in Region 3 will be an important exercise in planning for 13 counties and different response teams to learn about notification issues. CPT members agreed that the draft guidance document has good tools, the attachments are beneficial, and comments from the subgroup were incorporated well. The new document structure was endorsed by the CPT.

Ms. Denise Shemenski, Cal OES-Tribal Liaison, discussed tribal involvement in the planning process. Although tribal communities can create their own LEPCs they don't have to. Most tribal communities have some form of chemical response plan but no formalized group such as the LEPCs. Ms. Shemenski inquired on how LEPCs outreach and connect with the tribes (LEPC 6 in San Diego may have some tribal representation). The collaboration with tribes in LEPC 6 is not working well. LEPC 6 approached the tribes but they have their own TERC (Tribal Emergency Response Commission) and they have not participated in the LEPC meetings, potentially due to a conflict that was being discussed with their elders.

Cal OES presented to Region 4 on the issue of LEPCs tribal inclusion. USEPA provides funding (grants) to tribes (under the CERCLA-Comprehensive Environmental Response, Compensation, and Liability Act) to develop tribal response programs so many tribes already have Chemical Response Plans. The Tuolumne tribe in Region 4 has their own LEPC but it is limited to chemical emergencies.

In Arizona, similarly to California, it has been difficult to engage the tribes in this process and there are only 6 active TERCs. Next month, in the tribes' conference in Arizona, there will be a presentation on how the TERCs may operate using the SERC model in efforts to engage the tribes in the emergency planning effort. One of the most active tribes in Arizona is the Gila River tribe. The Gila River tribe has an agreement for chemical reporting mutual aid where tribes are provided with access to electronic database for facilities subject to Tier II chemical reporting (as required by the Emergency Planning and Community Right-to-Know Act to provide State and local officials and the public with information on the general hazard types and locations of hazardous chemicals present at those facilities).

In Nevada, there are 25 tribes who, by law, have to work through the LEPCs so they have no TERCs in Nevada. The tribes are represented on the SERC and the LEPCs. Both Nevada and Arizona have great working relationships with their tribes. In California, there are more than 100 recognized tribes that vary from 1 to 8000 members. The large number of tribes and their diversity creates unique challenges. The California Inter-Tribal Council has received some federal grants through California for emergency response planning but it is new to emergency management and Homeland Security. Cal OES is trying to use the Inter-Tribal Council for outreach. Cal OES is working on developing direct relationships with federally recognized tribes.

It was suggested that the guidance document include a new section on best practices on outreach with California tribes and list the federally recognized tribes within each region and their emergency contact. Cal OES was asked to help with this section (and to provide a California tribal map).

In Region 3, there was tribal representation for a while from the Oroville area to address issues related to cultural sites in the LEPC planning activities.

Cal OES recognizes that different agencies have different counts of tribes in California and there is a collaborative effort to address the discrepancies. Reaching out to tribal chairmen is difficult because these planning efforts are not viewed by the tribes as priorities and therefore requests are not given much attention. Furthermore, the tribal governments change every few years and it is hard to keep track of the tribe contact person. It is important to develop a comprehensive directory of the tribes and their resources/assets. The State Historic Preservation Office was suggested as a resource for identifying all California tribes.

SERC has voted to have a tribal representation and is reaching out to tribal associations throughout California to have representations for southern California and northern California tribes.

No issues were presented by the private sector or the AFN community representatives; inclusion of both sectors in the guidance document will be continually updated.

It was suggested that as a general parameter the guidance document should address large events that extend beyond one area and which require pulling resources from several jurisdictions. With regard to tribal land, it is important to consider legal issues related to health and the environment. Cal Fire has an agreement for repressing fire on tribal land. Cal OES has a close relationship with Cal Fire and they understand can and cannot be done with regards to tribal land.

It was suggested that language be added to the guidance to address access in the tribal section of the guidance document.

Attachment 9 provides information on state assistance. State agencies need to provide additional information on what support they can provide at the local level for coordinated response. The beta test will be helpful in identifying what needs to be included in the plan to address the large event and multi jurisdiction collaboration. As an example, in Region 3, there could be a rail derailment in area where there is no hazmat response team in which case the railroad company will bring out their own hazmat team and will require a mutual aid agreement to get other hazmat teams to respond. All stakeholders need to be identified and included in this planning process, potentially as a gap analysis.

Detailed walk through the guidance document (Part I)

The following comments were offered by the CPT members in reviewing the guidance document:

Addition of Definitions List:

- It was suggested that a definitions list be added to the document and that existing lists may be used to generate the definitions list, especially SEMS/NIMS terminology.

Required Element #1: Identification of Facilities, Routes, and Risk

- The County Area Plan should have identified “fixed facilities” (such as cold storage) and the “proximity of these facilities” to sensitive areas (such as schools). They can be used as a starting point to identify the larger facilities and the areas where a hazardous materials release could result in a multi-jurisdictional response. Region 3 covers 13 counties and some plans may be online. Although small facilities may not need to be referenced, large quantity facilities should be identified.
- Each LEPC will make its own determination on the level of information that will need to be included in the plan.

- The plan needs to focus on cross-jurisdictional events involving clusters of high hazard facilities where resources need to be coordinated; the focus should be regional rather than facility specific.

It was suggested that Cal OES and Cal EPA will coordinate on language regarding EF 10 (the California Hazardous Materials and Oil Emergency Function) to be included in the guidance document.

- A section will be added with OSPR information to address inbound vessels based on coordination with the Marine Exchange for Inspection and the US Coast Guard. The Marine Exchange has good daily information that can be used for historical data (different levels of data reliability).
- For planning efforts, real time information is not needed. The hazard analysis requires overall knowledge regarding what commonly comes through that may be hazardous.
- The tables are useful if they are moved to higher hazard and vulnerability facilities. Mapping is a quick way of identifying potential problem areas. The Cal EPA database was mentioned as a source of data. (Note: The Office of Environmental Health Hazard Assessment (OEHHA), under the California Environmental Protection Agency (CalEPA), developed the California Communities Environmental Health Screening Tool: CalEnviroScreen Version 2.0. CalEnviroScreen is a screening methodology that can be used to help identify California communities that are disproportionately burdened by multiple sources of pollution. The database can be accessed via the Cal EPA website under Departments/OEHHA)
- There needs to be a way to do the cataloging so it can be referenced.
- Cal OES reference or link to database tools may be included.
- The guidance document should suggest identification of high hazard areas by potential impact using “High Hazard Impact Mapping”.

Required Element #2: Methods and Procedures to Respond to a Release

- Out of jurisdiction issues: At the last SERC meeting, mutual aid agreements, reimbursement, and back-fill (of first responders) were seen as major considerations for agencies going on their own. This area of the guidance will be enhanced.

Required Element #3: Designation of a Community and Facility Emergency Coordinators

- This element is an EPCRA requirement geared at response but in California this Plan will be administrative. Would the LEPC chair be the natural designation for the coordinator?
- This is not addressed right now at the LEPC level. The LEPC chair is a volunteer position which may change year to year. Consistency is needed for a coordinator position and it is unclear who this will be determined.
- Mr. Curtis Brundage, Region 6 LEPC Chair, added that this has not been addressed at his LEPC from a planning perspective. As a chair, Mr. Brundage prepares the release reporting and receives notification from outside the jurisdiction. Currently, the Cal OES Regional

Liaison is the person to implement the plan if needed. It is unclear if all notices that are forwarded to the LEPC chairs from the RP (responsible party) are going to the CUPAs.

- Cal OES: The standard procedure for coordination is that when the Cal OES Warning Center receives a notification from individuals or agencies about a spill, the Warning Center, based on the information provided, will make a determination on who is required by law/MOU to get the notification. At the local level, the CUPA always receives a notification from the Warning Center about a release or spill and then it is up to the CUPA to pass this information along to the LEPCs. The CUPA fills the coordinator role.
- The regional plan is administrative and not operational and therefore should only identify points of contact. Whether it is the LEPC chair or CUPA is a local decision. When documented in the Plan accordingly, this will address the EPCRA requirement.
- Referencing the LEPC chairs as coordinators in the guidance document may not be appropriate. Mr. Abeel commented that Cal OES is working towards having hazmat response through Cal OES Fire and Rescue which will lead to a regional management structure around the fire coordination role.

It was suggested that this discussion be brought to the SERC for clarification and feedback.

Detailed walk through the guidance document (Part II)

Part II of the guidance document is a collection of reference information that CPT members suggested is important to include rather than provide a link to external sources.

Attachment 2A: Crosswalk table

The crosswalk subgroup tackled the issue of developing a quick useful reference of relevant plans. The table has the following components:

1. Plan, authority, author
2. Requirements met by the plan
3. Description and critical activity/purpose
4. Plan element that are EPCRA related
5. Plan elements that are not EPCRA related
6. Relevance to LEPC regional planning

OSPR perspective: All referenced OSPR documents need to be deleted from the plans crosswalk table. OSPR deals only with petroleum. References to hazmat needs to be the Department of Fish and Wildlife. The category of preventing, preparing, and responding to “deleterious materials” needs to be further looked at to determine if it should be included in this guidance. This will be included in an additional table on agencies roles and authorities.

The project design team will work with OSPR to identify the appropriate information for the tables (plans cross walk and authorities).

[Attachment 2B: Additional Information about Hazardous Material Plans in California.](#)

This is a catch-all section for key plans and narratives that may be used to address the needs of LEPC planners. CPT members were asked to suggest any additional key documents that are missing.

Tina Daley (Business, Consumer Services and Housing Agency Fiscal Policy and Administration) will check with Housing to see if there are additional plans regarding emergency housing that should be added.

Denise Shemenski (Cal OES) offered to check with USEPA regarding TERC plans that are brought by tribal communities to USEPA. Denise also offered to help out with identifying how these plans may be accessed by the LEPCs.

Jerilyn Anderson (Cal OES- Inland Region) suggested that the Truckee River Corridor Plan (2005) may be a useful plan and offered to provide a copy. There are other river plans (including the Feather River HazMat Response Plan) that may be helpful and can be referenced as a category with some links to specific plans in the guidance document.

Lance Richman (EPA) offered to provide additional plans to be referenced in the document.

[Attachment 3: Hazard identification and vulnerability assessment](#)

Additional input from the CPT was requested regarding agricultural chemicals.

Don Boland (CUEA) offered to provide additional information on private sector to be included in the vulnerability assessment section. Other sectors to be included are tribal and AFN communities.

[Attachment 5: Background information on federal and state hazardous material planning](#)

It is up to LEPCs to determine how to address Federal and State requirements but this section provides a reminder that this needs to be done and how to address it locally.

- Region 3 hasn't done a lot but in a recent meeting TV stations were invited to interview Yvonne Addassi and Chief Campbell and reported on oil by rail which generated much interest. Additional outreach has been done regarding marijuana illegal growers sites. Illegal chemicals has not been addressed in plans yet.
- The guidance document should include a note that information can be accessed through the CUPAs/CERS database.

[Attachment 7: Training](#)

The training information is general and provides federal and state options and requirements.

[Attachment 8: Drills and Exercises](#)

There is much information on drills and exercises. CSTI and federal resources are listed.

Attachment 9: Methods, Procedures, and Equipment

- Need to add procedures for: (1) Events that exceed local response capabilities; and (2) Events that cross jurisdictional boundaries.
- Reference to OSPR (page 108) needs to be revised to reflect that OSPR is not a lead for oil spill response on land.
- Clarification on OSPR inclusion in this section is needed.
- Roles, responsibilities and authorities of other state and federal agencies in a large hazmat emergency response needs to be provided, including who should be in the Unified Command as the event evolves.
- Role of EF 10 needs to be included and how it is activated (i.e., requires a Governor’s State of Emergency Proclamation).

Paul Penn (Cal EPA) and Brian Abeel (Cal OES) will collaborate and provide written guidance text on EF 10, out of jurisdiction issues, and other items for this section.

Attachment 11: California Executive Order

A new version of the executive order will be added when it becomes available.

Attachment 12: Example of agency roles table

A similar table will be created to meet regional planning needs.

Attachment 13: References and resources--No comments

Other issues/topics for the project—discussion

Mr. Sutkus summarized the discussion and the need to investigate, with other stakeholders, who is responsible for the role of communication coordinator. This guidance document provides a helpful framework but issues may come up during the beta testing of the guidance that will help refine the guidance as LEPCs move forward with planning.

Mr. Abeel closed the meeting by thanking everyone for their collaboration and review. The planning process is important for developing relationships ahead of emergencies. Cal OES will follow up to address CPT feedback. Meeting notes will be sent out to the CPT and a revised version of the guidance document will be provided a week before the SERC on April 29th.

List of Participants

Core Planning Team Members	
Bill Jones	US EPA Region 9
Curtis Brundage	San Bernardino County Fire Department- Office of the Fire Marshal, Hazardous Materials Division
Denise Shemensi	Cal OES –Tribal Liaison

Don Boland	California Utility Emergency Association
Dore Bietz	Tuolumne Band of Me-Wuk Indians
Dwight Bateman	Cal OES- Office of Access and Functional Needs
Jerilyn Anderson	Cal OES - Inland Region
Jim Bohon	California Environmental Protection Agency
Kay Lawrence	United States Environmental Protection Agency- Emergency Response, Planning, and Prevention Branch
Ken Bobinski	Cal OES-Inland Region
Lance Richman	US Environment Protection Agency
Mark Howard	Arizona State Emergency Response Commission
Michael Horn	California Department of Fish and Wildlife- Office of Spill Prevention & Response
Neverley Shoemake	Cal OES-HazMat
Ravi Varma	State Lands Commission
Richard Brenner	Nevada State Emergency Response Commission
Robert Duncan	County of Sacramento
Thomas Harvey	California Public Utility Commission
Tina Z. Daley	California Business, Consumer Services and Housing Agency- Fiscal Policy and Administration
William (Bill) Fuller	Yuba City Fire Department
Willy Jenkins	California Department of Public Health- Environmental Management Branch
Project Team	
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