



STATE EMERGENCY RESPONSE COMMISSION MEETING

California Governor's Office of Emergency Services
3650 Schriever Avenue
Mather, California 95655
January 27, 2016 – 1:30 pm
Multipurpose Room 1 & 2

Member's Present

Jill Talley, Acting Chairmain – California Governor's Office of Emergency Services (Cal OES) - Present
Brian P. Kelley, Secretary – California State Transportation Agency (Cal STA) - Absent
Tina Daly, Designee – California Business, Consumer Services, & Housing Agency (BCSH) - Present
John Laird, Secretary – Natural Resources Agency (NRA) - Absent
Diana S. Dooley, Secretary – California Health and Human Services (CHHS) - Absent
James Bohon, Designee – Environmental Protection Agency (Cal EPA) - Present
Curry Mayer, Designee – Department of Food and Agriculture (CDFA) - Present
John LeGaux, Designee - Department of Industrial Relations (DIR) - Present
Randy Alva, Chairperson – Local Emergency Planning Committee Region (LEPC) I - Present
Lisa Baker, Chairperson – LEPC II - Present
Jerry Sipe, Designee – LEPC III - Present
Jerry Apodaca, Chairperson – LEPC IV - Present
Martin Hernandez, Co-Chairperson – LEPC V - Present
Steven Mayville, Co-Chairperson – LEPC VI - Present
Kristen Riegel, Chairperson – Certified Unified Program Agency (CUPA) Forum Board - Absent
Michael Cockrell, Designee – California State Association of Counties (CSAC) - Present
Tim Cromartie, Designee – League of California Cities - Absent

Call to Order, Welcome & Introductions by Acting Chairperson Talley

13:36 hours.

April 29, 2015 Minutes Approval

- Exhibit #1, Question on minutes by Michael Cockrell with CSAC on page 11 and it was determined that they will discuss that later. There was a motion to approve and adopt minutes as is. Second motion. Adopted.

ACTION ITEM – SERC members approved the April 29, 2015 minutes as is.

Subcommittee Reports

- Charter / Strategic Plan. No handout.
 - Discussion on the SERC/LEPCs Charter and Strategic Plan development and moving forward on the contract process to complete such. There was a motion to approve moving forward with the contract process. Second motion. Approved.

ACTION ITEM – SERC members approved to move forward with the contract process to develop the SERC/LEPCs Charter and Strategic Plan.

LEPC Membership Approval

- Exhibit #2, Question by Jim Bohon on why co-chairs for LEPC VI. After discussion, there was a motion to approve the LEPCs Chairs/Co-Chairs listed on Exhibit #2 as is. Second motion. Approved.

ACTION ITEM – SERC members approved the LEPCs Chairs/Co-Chairs listed on Exhibit #2 as is.

US EPA Update

- Kay Lawrence, Chief Emergency Preparedness, Region IX US EPA.
- Provided a briefing on Presidential Executive Order 13650: Chemical Safety and Security, Regionally and Nationally. No handout provided.
 - Timeline of incidents and activities that fueled the Presidential Executive Order 13650, and the actions thereafter (listening sessions, stakeholder input, report on actions to improve chemical facility safety, Region 9 workgroup, and state action plan implementations).
 - 5 Key focus areas. (1) Strengthening community planning and preparedness, (2) enhancing federal operation coordination, (3) improving data management, (4) modernizing policies and regulations, (5) incorporating stakeholder feedback and developing best practices.
 - National Efforts.
 - Chemical guidance on Ammonium Nitrate and Anhydrous Ammonia.
 - NFPA Safe Practices.
 - OSHA rulemaking process.
 - Chemical Facility Anti-Terrorism Standards (CFATS) program.
 - CAMEO updates.
 - Region 9 EO implementation involved three phases. (1) outreach, engagement, and info gathering; (2) organize Region 9 workgroup, conduct monthly calls/webinars, draft charter and develop state operating guidelines (SOGs); (3) implementation of plans focusing on Anhydrous Ammonia and Ammonium Nitrate. Finished both phase 1 and 2 and now are working on Implementation for Region 9. Goal for Implementation is to reduce the frequency and magnitude of incidents involving Anhydrous Ammonia and Ammonium Nitrate.
 - Want to create a specific ammonia website and have solid outreach with California and create partnerships with ASTI, IIAR, RETA, TRANSCAER, and Other Associations.
 - EO Specific Ammonia safety Days: NorCal, SoCal, HI, NV, AZ. Additional ammonia outreach and training at CUPA Conference and Continuing Challenge.

- Regular webinars on Anhydrous Ammonia building coordination and capacity building specifically with engagement with the SERCs and LEPCs.
- Have collaborative web space on max.gov.
- Regional Response Team (9) partnership with other federal agencies for preparedness and prevention.
- Improving data quality, integration and access by continuing to connect state and local constituents with computer programs.
- Better inspection and coordination abilities. Will be talking about this at the CUPA conference.
- The End Goal is the increased understanding and buy-in of emergency prevention and preparedness concepts (One Plan), better access to resources/tools, new recognized and generally accepted good engineering practices (RAGAGEP), and establish a template to focus on other areas.
- US EPA nearing the unveiling of their new Clean Air Act 112r Risk Management Plan regulation; hopefully coming by March 2016. The timeline is hoping to start in the spring and will seek input. Once this hits the streets US EPA will interact with this commission.
- Questions and answers followed the presentation.

CAL EPA Update

- James Bohon, Assistant Secretary and Paul Penn – Cal EPA
- James Bohon presented on HazMat Facility Assessment Team. No handout provided.
 - Official name of this Assessment Team is the CUPA Post Disaster Hazardous Material Mutual Aid Plan, which focuses on what is called a Disaster Assessment Recovery Team (DART) for hazardous materials. Considering renaming DART. DART is not really a recovery team, it's rather an assessment team.
 - The CUPA Forum Board has a reserve of staff, over 700 inspectors throughout the state that inspect hazardous material facilities, and therefore wants to use this resource during a disaster. Right now, no methodology for utilizing this resource in a meaningful and constructive way. There is a second draft plan for utilizing this resource. Been commented on by Cal EPA and Cal OES.
 - The California Environmental Reporting System (CERS) is what CUPAs use to collect hazardous material data from 160,000 businesses which is live and active. Internal facing aspect being extending to externally facing as well to be completed in the summer of 2016.
 - Want to type and define the DART teams so they can be utilized to assess the hazardous material facilities in post disasters and perform fast damage assessments on these 160,000 facilities. The intent then is to use this information by the emergency management infrastructure and determine on what to do next.
 - Environmental response is one of the core capabilities of the Threatened Hazardous Identification and Risk Assessment (THIRA) core requirements. THE DART teams address this core requirement.

- Recent disasters involving multiple counties simultaneously stretched the environmental management structure of those counties to the limits.
- California Conference of Directors of Environmental Health (CCDEH) has been working for a couple of years on the environmental response mutual aid concept. This concept spans the hazardous material world as well; not in regards to HazMat response in suits but HazMat response farther back from this.
- Working with state and counties agencies addressing the concept but still defining the environmental objectives of what it actually means.
- Questions and answers followed the presentation.
- Paul Penn, Cal EPA discussed recent activities at the California Interagency Refinery Task Force (IRTF), focusing primarily on the Emergency Preparedness and Response regulations. Handouts provided.
 - History. Chevron Richmond Refinery fire (August 2012) triggered the governor to designate this working group, which produced a report.
 - The report focuses on two directives dealing with regulatory amendments to the Safety and Prevention and the Emergency Preparedness and Response only at refineries.
 - Safety and Prevention regulatory amendments focus.
 - Process Safety Management Worker Safety “Inside the fence”.
 - CalARP – Community Safety and Environmental Protection “Outside the fence”.
 - Agencies involved DIR, Cal OES, Cal EPA, and CUPAs.
 - Strengthen and align the inside and outside the fence safety and protection.
 - Emergency Preparedness and Response amendments focus.
 - Requires refineries act to enhance preparation and capabilities/capacities to ensure safe and effective response based on hazards present.
 - Requires CUPAs coordinate overall refinery emergency preparedness within jurisdiction.
 - Cal ARP Petroleum Refineries – Key Regulatory Update Elements.
 - Requiring the refineries to designate a geographic zone that is subject to potential offsite impacts if there is a release. And address within it outreach to potential impacted population, communication with emergency response agencies and institutions, notifications, coordinating “protective actions” (evacuation or shelter-in-place) and air monitoring and detection for ground truth information.
 - Use of Incident Command System (per SEMS/NIMS) Unified Command, Joint Operations, and Joint Information.
 - Training, Drills and Exercises (TDE) on a regular basis.
 - CUPA Area Plan - Key Regulatory Update Elements.
 - Requiring the CUPA to address within the plan, emergency management and duties and authorities of local health officer, overall mutual aid resources, unified command and joint information center, other regulatory agencies involvement in the development of the plan, air monitoring and warning notification systems, emergency communication (with public, private, and non-

governmental, including primary and alternate communications, interoperability, and testing and maintenance), evacuation planning, and training and exercises.

- IRTF Next steps.
 - Continue outreach and receive comments.
 - Complete the regulatory process.
- Questions and answers followed the presentation.

Release Reporting Update

- Jack Harrah and Trevor Anderson, Cal OES.
- Provided an update of the Release Reporting and Spill Notification proposed regulatory amendments that Cal OES is preparing for OAL. Handouts provided.
- Discussed the cleanup language that was done including punctuation, correcting outdated citations, and adding nonemergency reporting numbers for CUPAs.
- Discussed the new definitions that are being created for Release Reporting and Spill Notification.
 - Contained release.
 - Facility.
 - Immediate.
 - Incidental release.
 - Release.
 - Release reporting.
 - Significant.
 - Threatened release.
- Discussed the development of the proposed regulations, coordination with stakeholders, and rulemaking process and Office of Administrative Law review for finalizing and approving the regulatory changes.
- Provided contact information for any suggestions to the process and asked for questions.

Hazardous Materials Emergency Preparedness (HMEP) Grant Update

- Neverley Shoemake, Cal OES.
- Exhibit #3. Provide an HMEP update.
 - 2014-2015 HMEP grant performance period.
 - Award - \$686,693 Planning; \$1,050,728 Training.
 - LEPC Regional Plan project conducted; beta tested in LEPC Region III.
 - CUPA Conference sponsorship; Continuing Challenge sponsorship / LEPC Registration Fees.
 - Eleven executed Planning sub-awards; Total de-obligations = \$39,339.
 - Twenty-five HazMat training courses conducted; 537 students trained/certified (Includes 5 full/partial Technician series and 1 Specialist series).
 - ~ \$200,000 transferred from Planning to Training.
 - Reconciliation in progress; final reports due March 31, 2016.

- 2015-2016 HMEP grant performance period.
 - Award - \$1,026,586 Training; \$660,804 Planning.
 - CUPA Conference sponsorship; Continuing Challenge sponsorship / LEPC Registration Fees.
 - LEPC Regional Plan continuation TBD – approved in application.
 - Statewide HazMat Transportation Analysis TBD – approved in application.
 - Four executed Planning sub-awards.
 - Eight HazMat training courses planned; one Technician series conducted – 36 students certified (Includes one Technician series and three Specialist series).
 - Currently unobligated in Planning: ~\$353,000.
- 2016-2019 HMEP grant performance period.
 - Implements multi-year performance period.
 - Allows Grantees to determine Planning/Training allocation.
 - Removes requirement to make 75% available to LEPCs – projects must still benefit LEPCs.
 - New funding formula – preliminary info shows CA could receive less than \$1.5m total award cap.
 - Funding will be awarded each year; streamlined applications for years two and three.
 - Less frequent financial reporting; Supporting documentation not needed, unless requested.
 - Application period anticipated to be Feb. 1 to Apr. 30, 2016 (Year one details required; at least objectives and targets for out years).
 - Details on all these changes expected in PHMSA Webinar Jan. 20, 2016.
 - Determination of effects on Planning subgrant program and total rewrite required.
 - Uncertain impact of new State funding and HMBR fee on HMEP Grant program.
- Questions and answers followed the presentation.

HazMat Training Update

- Michael Brady with CSTI. Handouts provided.
- Provided an update on CSTI HazMat Training as it pertains to the HMEP Grant, consideration of the 6 LEPCs' training needs and priorities, and funding training courses based on the LEPCs feedback.
- Provided information on Hazardous Materials Technician and Specialist classes' scheduling. Availability of the classes to individuals varies based on the funding source for the classes (e.g. tuition based, HMEP grant, and hazmat by rail funds).
- Additional hazmat classes will become available as additional funding is allotted or re-allotted from the HMEP grant and hazmat by rail. Additional HMEP grant funded classes will be announced in the fall while in mid-February for additional hazmat by rail funded classes. CSTI

will be reaching out to the LEPCs sometime in February regarding the additional hazmat by rail funded classes.

- CSTI is seeking to be Pro Board certified again because it provides recognition of their courses. So will be enhancing curriculums to meet National Standards.
- Contact Mike Brady for updating HazMat Technician A-D and other curriculums and providing suggestions.
- Questions and answers followed presentation.

New Business

- Chief Zagaris, Cal OES announced looking for a SERC volunteer to be a representative on the HazMat by Rail Advisory Board. Legal clarification - it must be a representative from the SERC and not one of their staff. Jerry Apodaca, LEPC VI Chairperson, volunteered to be on this committee.
- Trevor Anderson and Chief Zagaris provided an update on the Aliso Canyon Gas Release and what efforts that Cal OES are currently doing.
- Jim Bohon, Cal EPA have 160,000 hazardous material facilities in California and have to evaluate the 80 plus CUPAs every three years that regulate these facilities. They are reviewing and revamping this evaluation process and hopefully will have this process done by the end of spring.
- Question from Jim Bohon, Cal EPA on the Executive Order for the SERC and what the status is. Jill Talley, Cal OES said that it has been revised and in the process of being reviewed. The delay of its completion has been due to other executive orders and state of emergencies. Jim Bohon mentioned that the SERC Executive Order drives the SERC charter and strategic plan.
- Question from Jim Bohon, Cal EPA on what is the status of the SERC looking at how to provide resources to the LEPCs. Chief Thomas Campbell, Cal OES said that this will be rolled into the strategic plan development.

Public Comment Period

- None.

Future Meeting Dates

- October 26, 2016.
- March 29, 2017.
- Discussion and suggestion that they should meet sometime in early May due to pending projects and information that needs to be presented to and addressed by the SERC.
- The committee decided to add May 18, 2016 at 1:30pm for the next SERC meeting.

Meeting Adjourned at 15:50 hours.

(33 in Attendance)