



## STATE EMERGENCY RESPONSE COMMISSION MEETING

California Governor's Office of Emergency Services  
3650 Schriever Avenue  
Mather, California 95655  
October 26, 2016 – 1:30 pm  
Multipurpose Room 1 & 2

### **Member's Present**

Jill Talley, Acting Chair – California Governor's Office of Emergency Services (Cal OES) - Present  
California State Transportation Agency (Cal STA) - Absent  
California Business, Consumer Services, & Housing Agency (BCSH) - Absent  
Natural Resources Agency (NRA) - Absent  
California Health and Human Services (CHHS) - Absent  
Jim Bohon, Designee – California Environmental Protection Agency (Cal EPA) - Present  
Department of Food and Agriculture (CDFA) - Absent  
John LeGaux, Designee - Department of Industrial Relations (DIR) - Present  
Local Emergency Planning Committee Region (LEPC) I - Absent  
Lisa Baker, Chairperson – LEPC Region II - Present  
LEPC III - Absent  
LEPC IV - Absent  
LEPC V - Absent  
LEPC VI - Absent  
Certified Unified Program Agency (CUPA) Forum Board - Absent  
John Austin - California State Association of Counties (CSAC) - Present  
League of California Cities - Absent

### **Call to Order, Welcome & Introductions by Acting Chair Jill Talley**

**Approximately 13:40 hours. Only 5 of 17 members present. NO QUORUM.**

### **Approval of May 18, 2016 Minutes**

- **NO QUORUM. NO VOTE.**

### **Response Presentations**

- Fruitland Fire
  - Assistant Chief Tony Payne, Los Angeles County Fire Department (LACoFD), presented on the Fruitland Maywood Magnesium Explosion/Fire
  - June 14, 2016 at 2:31 in the morning. LACoFD units responded to a 3rd alarm commercial building fire, located at 3570 Fruitland Avenue in the City of Maywood.
  - First Business, Panda International Trading (PIT)

- Propane and Waste Oil only HazMat Disclosed in California Environmental Reporting System (CERS)
- Second Business, Sokor Metals (Not Permitted)
- Businesses on the north side of Fruitland Avenue
- Maywood residential properties border the south side
- A mandatory evacuation was issued for East 52nd Street from Everett Avenue to Maywood Avenue
- Chemicals of Concern (COC's) heavy metals, Nitric & Hydrochloric Acid 1:3 Aquaregia
- Air monitoring conducted
- Run off
- Responders and Public Exposure
- Gross decontamination of vehicles and turn outs
- EOS made referrals to AQMD, Public Health, and EPA
- Incident command post (ICP) moved three times
- XRF utilized to identify hazardous waste levels of contamination (ASH)
- Only items in CERS were propane and waste oil from PIT
- Sokor Metals was operating without a permit and illegally treating hazardous waste
- Legally, PIT was not required to disclose Magnesium (ingots) Metal
- Week prior (6/7)
  - A reaction occurred with incompatibles. Sokor Metals was cited and issued a Notice of Violation
    - Aquaregia - Nitric and Hydrochloric Acid 1:3 to extract Precious Metals  
No Permit
    - Illegal Treatment
- The fire was extinguished on June 15 at approximately 3:30 in the afternoon, and all firefighting operations were completed on June 16
- 30 Hours to extinguish fire
- USEPA confirmed the residential areas were contaminated with Heavy Metals at HW Levels
- Fire Fighters conducted Gross Decon on all homes on the North side of 52nd Street
- Rinseate diked, contained, collected and profiled prior to disposal
- Responders turnouts bagged and sent out for cleaning
- The Red Cross evacuation center at the Maywood YMCA
- Day 2 (6/15) - able to repopulate South Side of 52<sup>nd</sup> Street and surrounding areas
  - Criteria based on no observable contamination and AQMD air sampling
  - Approximately 150 individuals from 17 Parcels remained evacuated
- Day 4 (6/18) evacuated families moved to "local" motels
- June 16, 2016 - Transition to Unified Command: USEPA, HHMD, ATSDR and Public Health
  - Unified command challenge: establishing action levels and clean-up standards
  - Decision Algorithm
  - Determining Action Levels proved to be very difficult

- Restoring utilities to community prior to repopulation was vital: Electric & phone lines impacted by fire
- Evacuees allowed to re-enter homes for clothing and medication (north side of E. 52nd St.). Coordination/Access
- Community Information Center (CIC) set up on East 52nd Street
- Outdoor air monitoring and testing
  - Arsenic
  - Chlorine
  - Copper
  - Nickel
  - Vanadium
- Activity based indoor air sampling conducted at child and adult level
  - Micro Vac testing: Public Health
  - Measured total chromium based on Chromium VI, copper, zinc, and magnesium as an indicator
- Homes and properties cleaned to ensure safety of the residents. Not all homes were cleaned (interior), but all homes on the north side of 52nd St. were tested. If test results were below action levels, cleaning was not necessary
- Community Outreach and Media
  - “Community Fair” for Maywood Residents
  - All Agencies available to answer questions
- Most asked question: “Why was I let back into my home and across the street they are kept out and cleaning their yards and homes”?
- Fire debris at facility covered with soil sealant and filter fabric to prevent Ash and dust from re- contaminating surrounding properties
- Chain link fence was erected at front of property and also covered with a textile barrier
- 24 hours security at site
- Current Site Status
  - EPA began removal action on 10/17/2016
  - EPA will work with the California Department of Resources Recycling and Recovery (Cal Recycle) to remove non-hazardous materials (debris and scrap metal)
  - All hazardous waste will be separated and transported to an EPA-approved facility for disposal
  - Air monitoring will be conducted throughout the cleanup to ensure contaminants at the site do not pose health risk to surrounding community
  - Projected to take 8 weeks and cost up to \$3 M
- Lessons Learned
  - Community engagement/outreach to keep residents informed and address their concerns has to be a top priority. The success of the response will be judged by public perception more than technical benchmarks

- NFPA placard indicating water reactive may have avoided the explosion and resulting “near miss”
- Discussion followed the presentation
  - Integration of non-emergency response organizations into emergency response; air district, public health
  - Clean up standards; nationally vs others standards
  - Other environmental issues with the surrounding areas; Exide
  - Responsible party interaction challenges
  - Cleanup funding issues
  - Consideration of lessons learned
  - Public expectations; health considerations, sheltering
- LEPC Regional Planning Project
  - Chief Thomas Campbell provided a brief update
  - Initiating Phase III using HMEP Grant funds
  - Using a standardized template for Regional Plans
  - Phase II, LEPC III Regional Plan unaddressed items will be included
  - Remaining LEPC Regional Plans will be developed
- SERC Strategic Plan Update
  - Jill Talley provided an update
  - Cal OES hired a contractor that interviewed stakeholders identifying issues and problems, and ways to move forward. It was a cursory assessment. Cal OES will utilize the assessment findings and draft the SERC Strategic Plan. Intent to have a draft available to SERC at next meeting March 29, 2016.
  - Original intent was to include within the Plan the SERC Executive Order. This new Executive Order was to solidify the SERC and the LEPCs. Cal OES will now propose legislation to achieve the solidification. Intent is to provide the SERC a draft at the next meeting and have this legislation addressed in the next Legislation cycle. If not in 2017 will be 2018 legislation cycle

### **SERC Tribal Representations**

- Jill Talley delayed action on this item until the next meeting because NO QUORUM existed
- Denise Shemenski provided an update on Tribal Representation on the SERC
  - Been discussing this topic with the Governor’s Tribal Advisor, Cynthia Gomez
  - Cal OES approached her how the SERC wishes to go forward on this topic
  - Difficult to get one individual to represent all Tribes in California
  - No one individual or Tribe that represent all the Tribes
  - Suggested to her that whoever sits in the seat would represent the interests of the Tribal community. Cal OES deferred back to Cynthia Gomez hoping she would sit in this seat but because she sits on multiple commissions and advisories she was unsure how she could do this

- Alternative potential solution suggested was pass the responsibility back on the state Tribal Liaison to be not the representative but the individual holding the interest of the Tribes. And, take the information from the SERC and going back to the Tribes and delivering whatever message needs to be shared
- No one Tribal entity wants to sit on the seat
- Denise Shemenski and Jilly Talley agreed to take this alternative back to the Tribal Advisory Group for discussion

### **Regional Railroad Accident Preparedness & Immediate Response Fund Update**

- Sarah Poss provided an update on the Regional Railroad Accident Preparedness & Immediate Response Fund (HMBR) Update
- Emergency Regulations will sunset in December 2016. Cal OES will submit an extension
- Final Regular rulemaking package for regulations will be submitted to OAL in mid-November. Regulations for the program were posted to OAL on August 12. Accepted comments until September 26. Analyzing comments received. Substantial changes will trigger a required 45 day comment period. Non-substantial changes will trigger a 15 day comment period. Afterwards, a Final Statement of Reasons will be submitted to OAL, which will include response to comments received. OAL will then have 30 days to conduct their review
- Emergency regulations and emergency rulemaking expire December 20. Need to complete our regular rulemaking package before the emergency regulations expire. Submitting an extension to the emergency regulations to ensure they don't expire prior to the finalization of the regular rulemaking package
- First HazMat Type II vehicle has been received and undergoing preparation for deployment
- CSTI has 23 HazMat By Rail Team related courses that are planned across the state between now and June 2017. CSTI working out a reimbursement process for backfill, overtime, and travel and testing that during the January 2017 training

### **LEPC Individual Websites**

- Jill Talley provide an update on LEPC Individual Websites
- The request is to create individual LEPC webpages. Will talk more about it at the next SERC Meeting
- The concern is that when Cal OES transitioned to a new website the previous LEPCs webpages and the information contained within them no longer existed
- Cal OES will reinvent these webpages based on the needs of the LEPCs

### **Introduction of Regional Administrators**

- Jill Talley announced that the Cal OES Regional Administrators will be assigned to the LEPCs within their regions
- Concern referenced at the last SERC meeting was that Cal OES staff designated to assist the LEPCs was lacking. The Cal OES Regional Administrators introduced themselves and pledged to

be involved with the LEPCs via the Cal OES Liaisons. Their introduction is meant to mend any perceived thoughts of inadequate services and to create a bond with the LEPCs moving forward.

- Regional Administrators:
  - Jodi Traversaro, Coastal
  - Ron Quigley filling in for Tina Walker, Inland
  - Mona Bontty, Southern

### **HMBR Commodity Flow Study Difficulties**

- Alex Pal, Cal OES Legal Counsel, presented on HMBR Commodity Flow Study Difficulties
- Jill Talley mentioned that LEPCs have asked for Commodity Flow Studies be done so they know what hazardous materials are being transported through their communities. Challenges with conducting such studies given confidentialities of the commodities
- Jill Talley asked Alex Pal to talk about what information you get from Commodity Flow Studies, what information you don't get, and who you can share that information with
- A few years back AB 380 was signed by the Governor which required reporting from the rail carriers to the state of hazardous materials transported by rail within the state, Health and Safety Code 25547.2. Starting January 31, 2015, and thereafter every quarter, the railroads are required to provide the 25 largest hazardous materials commodities transported broken down by county
- These PDF submittals consist of giant stacks of raw data. Not able to manipulate or sort the information
- Limited on who the state can share that data with. Under California law, the state must treat the information in accordance with Federal law that governs commodity flow via rail administered by the Federal Railroad Administration. Law allows sharing the information with people who need to know for purposes of emergency planning. State law allows sharing the information with Unified Program Agencies only, and who those agencies can share that information with are only those who have the need to know for purposes of emergency planning
- Emergency Order in 2014 required Railroads to submit information about estimated Bakken Oil transported on rail. This information is retrospective. While jurisdictions may get prior quarter commodities that does not mean those jurisdictions will have different commodities transported by rail through their jurisdictions that may present a higher risk or be more volatile. So, emergency responders may not have adequate information to plan for those shipments
- So difficulties exist in sharing the information and using it in a way that truly can prepare the local jurisdictions for commodities transported by rail
- Cal OES is seeking to receive the information in a more usable format. Will report back to the SERC on this issue

### **Regional HazMat Team Project Update**

- Chief Thomas Campbell provided an update
- Two of the twelve HazMat Type II vehicles have arrived. Undergoing maintenance due to issues that resulted from being driven out from the Wisconsin

- Twelve sites have been determine who will receive these vehicles
  - Region I – Los Angeles and Santa Maria Fire Departments
  - Region II – Contra Costa County Fire Protection District and Seaside City Fire Department
  - Region III – Yuba City and Susanville Fire Departments
  - Region IV – South County Fire Authority (Tracy) and Modesto City Fire
  - Region V – Fresno City and Kern County Fire Departments
  - Region VI – San Bernardino and San Diego City Fire Departments
- Cal OES receives the vehicles fully equipped. Cost is approximately \$840,000 per vehicle. The vehicles will be inventoried prior to distribution

#### **Hazardous Materials Emergency Preparedness (HMEP) Grant Update**

- Erika Olsen provided the HMEP update
- Handout provided
- Grant is offered by US DOT/PHMSA. HazMat Training/Planning grant assistance For Public Sector Employees to increase the safe handling of HazMat accidents and incidents
- The grant enhances EPCRA Implementation, encourages comprehensive emergency training and planning, and allows incorporating unique response challenges to transportation situations
- The grant is performance-based and builds on and supports accomplishments of long-term goals and objectives
- 2015-2016 Planning Activities Summary
  - US DOT/PHMSA funding priority was on activities addressing bulk transport of energy products by rail and road
  - Sub-Grant Award Projects were for
    - Emergency Plans/Procedures
    - Commodity Flow Studies
    - Drills/Exercises
  - Sub-Grantees were
    - Sacramento
    - San Diego
    - Trinity
    - Tuolumne
  - Grant Administration and Planning Sub-Grant Management
  - Sponsored CUPA Conference and Continuing Challenge HazMat Workshop
  - Provided LEPCs fee registration waivers for attending the Continuing Challenge HazMat Workshop
- 2015-2016 Training Summary
  - Maintain HazMat Training curriculum
  - Training Grant Administration
  - Coordinate and audit outreach HazMat training classes
- 2016-2019 HMEP Grant

- New grant cycle began October 1, 2016
- Multi-year performance period
- Grantees (states) determine Planning/Training allocation
- California allocating 30% - Planning and 70% - Training
- Removes requirement to make 75% available to LEPCs
- Projects must still benefit LEPCs
- California Funding
  - Year 1 Allocation/\$1,503,300
  - Year 2 Projected Allocation/\$997,696
  - Year 3 Projected Allocation/\$997,696
- 2016-2019 Proposed Planning Activities
  - Initiate LEPC Regional Plan Project – Phase III
  - CUPA Conference and Continuing Challenge HazMat Workshops sponsorships each year
  - LEPC Continuing Challenge HazMat Workshop registration fee waivers each year
  - Fund LEPC representatives' travel costs to SERC Meetings
  - Unused funds will roll over to next grant year, with the exception of the end of the third year - remaining money will be returned to the Federal government barring any extensions to utilize the remaining money
  - In January 2017 will begin the sub-grant solicitation for Years 2 and 3
- 2016-2019 Training Activities
  - Regions I and VI
    - Year 1 (2016-17)
      - HazMat Technician Series (Modules A, B, C, and D)
    - Year 2 (2017-18)
      - HazMat Specialist Series (Modules F and G)
      - Incident Commander
      - Assistant Safety Officer
    - Year 3 (2018-19)
      - HazMat Technician Series (Modules A, B, C, and D)
  - Regions II and III
    - Year 1 (2016-17)
      - HazMat Technician Series (Modules A, B, C, and D)
    - Year 2 (2017-18)
      - HazMat Specialist Series (Modules F and G)
      - Incident Commander
      - Assistant Safety Officer
    - Year 3 (2018-19)
      - HazMat Technician Series (Modules A, B, C, and D)
  - Regions IV and V
    - Year 1 (2016-17)
      - HazMat Specialist Series (Modules F and G)
      - Incident Commander



- Assistant Safety Officer
- Year 2 (2017-18)
  - HazMat Technician Series (Modules A, B, C, and D)
- Year 3 (2018-19)
  - HazMat Specialist Series (Modules F and G)
  - Incident Commander
  - Assistant Safety Officer

### **HazMat Training Update**

- Bruce Gabois provide the CSTI HazMat training Update
- CSTI has a pending reorganization which will result in individuals assigned to specific curriculum
- Bruce will be supervising the Hazardous Materials curriculum
- Two Handouts provided
  - Proposed CSTI Haz Mat Courses for 2016-17 funded by HMEP and HMBR
  - Projected CSTI HMEP Funded Courses - 3 Year Plan- 2016 thru 2019. Shared earlier in the HMEP update
  - By Fall 2017 will have a revised curriculum for HazMat Tech A-D
  - HazMat Incident Commander and First Responder Operations (FRO) will be revised to ensure consistency and current with NFPA, Fire Marshall, and Pro Board requirements. As of yet, no date when will be completed

### **New Business**

- No new business

### **Public Comment Period**

- None

### **Future Meeting Dates**

- March 29, 2017

**US EPA was not on the agenda but provided a handout**

**Requested meeting agenda items for the next SERC meeting. No suggestions**

**The minutes for this meeting will be available for the next meeting although they will not be official since there was no quorum**

**Meeting Adjourned**