

State Emergency Response Commission (SERC)

May 17, 2017

State Emergency Operations Center
45 State Drive
Waterbury, VT 05671-1300

SERC Members Attending

Annie Macmillan – VT Agency of Agriculture
Dan Whipple – VT Dept of Labor
Tim Copley – VT Agency of Nat. Res.
Chris Bell – VT Dept of Health
Carl Rogers – Local Government
Mike Collins – Hazardous Substances
Mike Stevens – Chief Barre Town PD
Neil Fulton – Fire Service
Al Barber – LEPCs

Also Attending:

Gary Lipson – Environmental Protection Agency
Mary Lamson – Rutland County RPC
Tim Bouton – Addison County RPC
Lee Krohn – Chittenden County RPC
Jim Tonkovich – 211
Alec Portalupi – Agency of Transportation
Todd Cosgrove – VT HRT, Hazmat Chief
Pete Lynch – VT Fire Academy, Chief of Training
Bob Weinert – DEMHS, Emergency Mgmt. Coordinator
Josh Cox – DEMHS, Critical Infrastructure Planner
Terry LaValley – Dept. Public Safety, RTS
Rhonda Camley – Dept. Public Safety, Accounting Div.
Rob Densmore – Dept. Public Safety, Accounting Div.
Scott Carpenter – DEMHS, Planning Section Chief
Susan Sharbino – DEMHS, Administrative Assistant
Grant Folsom – Suburban Energy

1. Call to Order- Chair (absent) Vice-Chair Neil Fulton 10:02 a.m. (Certified quorum present)
2. Introductions
3. Approval of Minutes- no discussion, motion made, minutes approved
4. Hazardous Materials Grant Statuses
 - a. HMEP FY15- Rob Densmore
On the planning side, DPS Administration is receiving more reimbursements. \$32,500 left on the grant, HP16 will not start until FY15 is complete, expected completion in mid-June.
 - b. HMEP FY16- Rob Densmore
More robust report to follow.
 - c. HazChem FY2017 – Rhonda Camley
Applications for FY17, treasurer's reports are coming in regularly. Nothing received from LEPC7, Bennington. Bob W. will follow up.
 - d. HazChem FY2018 – Rhonda Camley

Application deadline was May 15th, DPS Administration has not received applications from Bennington (LEPC 7) or Grand Isle (LEPC 13). All others will be reviewed this week, or next and sub grant agreements will be issued as soon as possible.

Tim B. - When is SERC going to review the applications and make recommendations to the Commissioner?

Neil F. – In the past we have authorized a 3-member subcommittee do the reviews. Bylaws committee

Volunteered: Annie M., Al B., Tim B. (Josh C. and Bob W.)

Note – Can a member be on committee if they also have an application? It was decided that the individual will recuse themselves on discussion of their respective application.

Criteria to review was discussed at the last meeting.

Motion to accept, approved

Rhonda – Reiterated the 2 applicants not received will need to be made aware that no funds will be released, Bennington (LEPC 7) or Grand Isle (LEPC 13). Al B. and Tim B. will contact them directly.

Neil – Under the new agreement you will not get a check unless you've applied.

5. Community Right to Know / Tier II

a. Tier II Submissions-Todd Cosgrove

To date, there are 2,338 reports. There are still 10 companies that have additional money owed. We will be looking for companies that haven't reported. It has been sent out to fire depts. and they're using the Tier II information.

b. Tier II Financial Report-Todd Cosgrove

The current balance is around \$850,000, about \$100,000 more than last year, because of the fee entries. The LEPD has done a great job of contacting organizations.

6. Team Statuses

a. HAZMAT Team Report-Todd Cosgrove

There are 25 part time employees currently and 2 people have been offered a position, Michael Marshall out of Randolph and Maurice VanDerMark. Training completed- an agility obstacle course, an LEPC presentation for the VT State Police, a HAZMAT/fit testing, attended training in Canada... There is no HAZMAT response for Montreal. The border communities (Franklin County) do not have any HAZMAT response which prompted a conversation with the Governor and the Provincial leader. Networked with Federal agencies, EPA, ATF, Border Crossings, and Customs. Canada does not have a Tier II program. At a meeting in British Columbia, it was disclosed that they had a response call last year where they went with the information that this chemical was there, went protecting themselves from that chemical and it hadn't been used in 10 years. The fire fighters were exposed and are now are under a 6 year watch, for signs of that exposure. They took our Tier II program and our border crossing program, that is used in Franklin county, to see if it was something they could use. In April, there was an exercise and overview of transport incidents. In May, 13 team members completed a 40 hour lab safety officer program, offered by the military, and more than half of the members are now certified to do clandestine lab operations. Attended MASPO and had a great

networking experience with reps from all states. They were very interested in the Vermont setup. One gentleman from Texas ANM, saw our team brief and how we put it together and was very interested in sharing that.

There is a lot of uncertainty regarding Federal budgets. It was recommended the Chemical Safety Board be disbanded but has been met opposition from congress so it may not happen. ATM gave a good presentation on explosive safety. A 3 day conference was put on by the Florida SERC. Based on two of their annual reports which they've presented to all states, their meeting is about the same as Vermont's, maybe a bit larger. They combine a lot of their LEPCs.

Equipment – Replaced MCA airpacs and ordered 8 more, new radios, PIDs, new medical monitoring equipment, LP dragon flare kit (after the incident in Berlin). Currently at 34 incidents for this year.

At the upcoming HSEM conference information will go out to Fire Depts and the EMS community. Refreshers courses for HAZMAT operations, DECONs, the clandestine lab training can be requested through Todd Cosgrove, however that has been passed on to the State Police team as they have more expertise to offer. Same thing for the EOP. Lt. Peterson is available to explain what the teams are and how they respond.

b. DEMHS Watch Officer Calls

Appreciation to Jason Gosselin for having more LEPC fields filled, an improvement over years ago.

c. ANR Spill Team Calls-Tim Cropley

All the "spill" numbers are in. One, a tanker rollover, was not a stand out type of response. There was a loss of product, the contractor said there was about 50,000 gallons. The cleanup was done immediately but there was a discrepancy, as there were 900 gallons unaccounted for. The site manager is continuing the work on it until they are satisfied. It was a dome cover leak. James went down to represent ANR during the process. When they removed the rig, and brought it to VTRANS facility there was a further leak there, but determined it was not significant.

Report from this past weekend, not in this covered period, there was an AST leak in Canaan, VT. Initially thought it was coming from Canada. ANR Spill person called Canada and got everyone involved. Border Control contacted locals and they determined it was an above ground storage tank, at a camper, drained to a perimeter footer drain, then into the lake. They located a "275", empty, and buttoned it up with collection points. Interesting because of the international aspect.

Regarding the geographic response plan (GRP) from the last meeting, site surveys were conducted at the end of April. Identified areas on a map as prime areas in which measures, for something like a tanker rollover, would be initiated. Went out and got the "lay of the land" and will get together again to discuss the tactics involved and how it would be deployed for each location. The southern end of the lake is going to be mainly a NY response, response on the Vermont side of the lake will still be conducted by Vermont.

While conducting an underground storage tank inspection was told by the facility owner that they get some spill material from the Fire Dept to clean up spills that can be thrown in the trash. Heard of other Fire Depts using this, but it is not true. Any material from a cleanup still needs to be handled as hazardous waste. Important to get the word out, especially to Fire Depts. There are products that claim to be 100% neutral, but it is not true.

Todd – They'll take a liquid, turn it into a solid and supposedly when it's in a solid state it's totally neutral. The team bought it initially, but don't use it. We tested it and the acid that was supposed to be neutral wasn't. Once you wet it it would turn back to acid. It doesn't take away the hazard.

Tim – One company that continued to use that said it fully encapsulates the gasoline but they stopped using it a couple years ago. They used it for a gas spill on their own property, squeezed it into their oil/water separator on site, resulting in it not able to separate anymore.

Presentations

d. FirstNet Update- Terry LaValley

FirstNet – LMR systems, supplying 2-way radio systems for municipalities. Portables – that technology is not going away. During 911 the reality of communication was that law enforcement, Fire Depts and other bands were unable to communicate. There has been money applied to try to fix this problem and overcome this challenge. The 911 commission looked at the situation and asked “what went wrong”? One of the last recommendations was, we need one radio platform.

(Video had technical difficulties, no audio. Terry did an overview verbally with the video)

FirstNet is an independent organization under NTIA to build and construct a network for first responders. Vermont created a commission to discuss what public safety needs and expectations for FirstNet in Vermont. The commission meets monthly or as needed.

FirstNet has access to the radio spectrum and a license to operate. So, we lobbied congress for this spectrum. Almost everyone is using cell phones, which is an additional tool to add to “your toolbelt”. For example, at a chemical spill, information is needed on a certain chemical. It would be helpful to look that up and have that “real time” data.

Eventually the 2 way radios and this technology will converge. Right now, the technology is not there. Cellular networks can have channels/bandwidth all filled especially when there's an event. Public Safety needs to be pre-empted so first responders can do their job. Cellular systems will be used for public safety. After 3 RFPs, AT&T won the bid for a nation-wide 25 yr. network contract. They currently have about 125 towers in VT and will be building more. AT&T is going to invest over 40 billion dollars into this network.

The state can opt in or opt out on this plan. If Vermont chooses to “opt out” we'd have to build our own network. “Opt in” would have a network established and show us a plan for what's happening in the next 5 to 25 years. How do you keep up with the changes in technology? The broad band commission is looking at every option. If the state opts in there is no requirement that everyone must use that network. It will be

another choice as to what the best service is. In the contract between AT&T and FirstNet, there are penalties if it does not work for the states, an adoption rate that's set for Vermont. How many first responders do you want to attract in the state of Vermont? If they don't meet those numbers, then FirstNet will start fining them.

To do our job, we need adequate tools that meet our needs across the state. We do that with towers, deployable and even a drone that now that runs. It must work well for us. If you look at a cell site and the number of users using that network, it appears all the calls are getting through and it's working well. We want to give Public Safety an all band plan with features and capabilities available everywhere, providing better coverage.

Dan W- Would various departments have to purchase cell phones specifically designated or programable in existing cell phones? Will the system always be up? When there is some level of emergency will it be activated? How would that work?

Terry - The system would be always up and available. BYOD – Bring your own device... How often do you change out your phone? The devices would make your calls but there would be a sim card in the phone that would identify that you are on a list and actively involved with public safety. The card in that phone will point out "this phone is on this list" ...

During Irene, in the southern part of the state, we lost cellular coverage. The site went down; they ran out of fuel. We are not concerned with the return of investment; we are concerned with saving lives.

Dan W – Would each EMS have a certain number of devices?

Terry – There'd be a list of authorized users, a lot of people move in these jobs which requires data bases are kept up to date.

Dan W – How do individual members of the dept. know when there's a certain level of emergency, that this has been activated?

Terry – Credentialing; based on positions in the dept., for example, top priority would be the chief of the dept., sub priorities would be the Fire Departments. The list is going to be very important.

Chris B. – With the first rollout, the discussion was about voice coverage versus data. So, this is about voice, not data – like sending videos, correct?

Terry – It's kind of the opposite. It's a data solution and then the voice components will come in. Imagine trying to respond to an event; how do we collectively respond with a cell phone? That type of response is one to one. One to many is not current cell coverage. Doing a demo of a PTT, which looks at a cell phone interface to 2 way radios. That conversion is not that far out. Change is happening very quickly. Young people grew up with this cell phone technology. We're marketing to the next generation of first responders and making sure those tools are available. It's about being reliable and having security, especially in law enforcement. HIPPA requirements and many other things are carried over into this technology.

Televate is the company hired to look at the technical side of the plan. A draft plan is expected to be completed in June, then we have 45 days to get it to FirstNet. Then the plan goes to the Governor's office. We'll make a recommendation to either opt in or opt

out. The Governor has 90 days to make a motion or decision. By default, Vermont would be an “opt in” state.

Neil – If we decide to opt out, then that is going to mean there’s a lot more the state is going to have to do, right?

Terry – Absolutely, it’s challenging. The 911 commission has wanted this to be a nation-wide system, everyone operating together and collectively. Originally the goal was 2022 but that date is now too far out and features are being implemented now.

PSBC.Vermont.gov outlines details.

- e. HMEP 15 Update - Kevin Geiger (Remotely dialed in)

All the sites are getting worked on. Estimating fieldwork will be done by the end of June.

Economic analysis, VTRANS handles some commodities but use a proprietary provider.

Neil – Kevin, what type of information are we collecting at these locations you described?

Kevin – We’re collecting information on vehicle types, semi or shorter box or tankers, as well as times and dates.

Neil – At what hours and how many days is information gathered from the sites?

Kevin – Each site is assessed for 4 hours at least 3 times, on different days so it’s not as if you see the same truck at the same time, for 3 days in a row. We have survey placards and we wear our vests, fully geared up with flashing lights at each site.

Tim – Observation - from our previous commodities flow studies, most of the hazardous materials are being flowed at night. If we’re not tracking at night time, we’re not going to get an accurate representation.

Kevin – Night time site visits have not been performed for logistical reasons. Some are conducted early in the morning and up to at least 6 p.m. on sites. Will see if they can be done later than they are currently and will update Bob before the next meeting in August.

7. Committee Reports

- a. Legal/Legislative - Neil Fulton

Expecting to see bylaws and rules revisions after the chair gets back from England.

- b. Training - Al Barber

Discussion was held on what’s been taught, looking for gaps and will have a longer meeting in August.

- c. LEPC / SERC Liaison - Al Barber

No feedback from the LEPCs. There may be a technical issue with the LEPC List serv and outdated email addresses preventing Al’s emails from getting through. This IT issue should be resolved as soon as possible.

- d. Membership – No discussion

- e. Citizens Corps Advisory Committee (CCAC)-Pending approval of the new bylaws – No discussion

8. SERC Action Items – No Action taken

- a. SERC Bylaws
- b. SERC Rules and Regulations Continue to update
- c. SERC Appointment Letters/Process
- d. LEPC Membership Approvals

9. LEPC Reports –

LEPC1

Bob – Regular meetings are interesting and informative. The annual meeting is in June and Todd and the HAZMAT team are going to give a presentation. The big project right now is a regional emergency dispatch implementation project for Chittenden county.

LEPC2

Mary – There are 2 more meetings before summer recess, one is tomorrow and one is in June. Executive committee will continue to meet throughout the summer. We are trying to hone in meetings and any supplemental activities we do to get back to the HAZCHEM roots, back to what the statute intent was and honor that.

Neil – A revision to the statues was completed 8 years ago which broadened the authority of the SERC and the LEPCs, HAZCHEM and Emergency Planning.

Mary – That's a big task and \$4500 doesn't cover the entire hazards planning on 3 hours a month.

LEPC3

Jim – Met with the town highway foreman and we had a meth lab presentation with 12-15 people present. A successful joint meeting with our own business meetings afterwards.

LEPC8

Tim – We did request an extension for our application to the SERC grant this year and submitted it. One difficulty is the timing of the request for funds, prior to the budget being approved and the annual meeting. Current funding is to attend a meeting, 3 hours per month. Our last speaker was Kristin Fairnow from the Red Cross to explain the Red Cross sheltering. Staff now have the materials they requested.

AL – The lack of funds for LEPC is difficult. Some generate funds and some do not. It should be made more equitable. It may behoove us to hire someone to oversee this issue for the mandates to be met.

Neil – At the last meeting, I believe it was Maine that suggested the LEPC get a portion of the Tier II funds.

Todd – No, I don't believe so because I spoke to the girl that runs the conference and she took my Tier II feedback. Funds are Federal. They are facing the same issues we are. I'm going to Maine to present and talk about our HAZMAT teams and the Tier II programs, so I'll get more information then.

Al – I remember, about Maine, that any time an LEPC had a new reporter, that first year the reporting fees go into the LEPC.

Todd – Maine does it differently, they charge a reporting fee but they don't charge any fees based on pounds or anything like that. So, it brings in a lot less money, that's why they're looking at our law, Title 20. They're modeling that, they may still charge that fee because the fee is what goes to the LEPC. The other money goes to the HAZMAT team.

Mary – The finder's fee might be an interesting way to engage the Fire Depts and they would open and review the reports. That's a huge missing action item that seems detrimental.

Neil – Do we have access to any information as to how other states are dealing with funding the LEPCs? When we did the statute revision 10 years ago, it was a minimum of \$600 and we pushed it up to \$4000 as a minimum.

AI – Maybe we could get other state's information...

Todd – I can send an email out to the people I've networked with to see what's out there for funding.

AI – It would help everybody if we could get a full-time staff member.

10. Other Items

Peter – I've been going around to a lot of fire departments to introduce myself and most importantly, to listen to what people are saying. What do they want to see happen in the next 5-10 years? I bring this up at this meeting because while I may have been in your area, I may not have had the opportunity to meet everyone there. If you are heavily involved with an organization that would like me to come in, I'd be happy to stop in and talk for a few minutes and let them know what's happening at the academy, and listen to what people are thinking.

11. Adjourn / Next Meeting; August 9, 2017

Book room 9 – noon Committees 9-10 SERC mtg 10-12

Motion to adjourn, approved

Adjourned 11:38 a.m.