MINUTES OF LEPC MEETING – November 14th, 2023

LOCATION:
PSTC & Virtual

ATTENDANCE:
LEPC Members:
Steve Wittmer, Jim Fry, Armand Alessi, Benjamin Russell, George Dula, Michael Jones, Michael Italia, Megan Young, Willard Troxel

OEP Staff:
Beverlee Stemple, Jason Wilson, Brandon Pursell, Todd Stieritz

Guests:
Patrick Till of Electronic Fluorocarbons
Michaleen Pacholski
Ed Barba from the Cybersecurity and Infrastructure Security Agency (CISA)

CALL TO ORDER:
Vice Chairman Fry called the meeting to order. The meeting was opened with the pledge of allegiance. Vice Chairman Fry noted the correction made to the August meeting and asked for the minutes to be accepted. Mr. Pursell made a motion to accept the 08/08/2023 meeting minutes. The motion was seconded by Mr. Dula. All members voted and the minutes were approved.

UNFINISHED BUSINESS:
Mr. Pursell gave Ms. Glenning’s report in her absence. At the last meeting, Chairman Wittmer asked about the invoicing fee collection system. Ms. Glenning found a document that was drafted by George Bartow regarding his established fee collection system and has it available for anyone who would like to see it.

This ended the Unfinished Business report.

**COMMITTEE REPORTS:**

**SARA Report:**

Ms. Stemple gave her report. She stated that there was 5.3 million pounds of EHS in the county and that 92% of the plans have been reviewed. The annual notification will be distributed at the end of the calendar year to all planning sites. The PATTS system will be open for reporting starting January 1st and will end March 1st of 2024. Ms. Stemple stated that, in compliance with SARA Title III and with permission from the LEPC, she has added PA ID numbers and page numbers to 90% of the plans. These plans should have all of the necessary documentation needed in the event of an emergency or an EPA audit. The remaining 10% of the plans were reviewed and submitted prior to the change in the plans being approved. The security pages of the plans may also need to be updated.

Ms. Stemple stated that she reviewed Section 324 to make sure that she was compliant with necessary documents for that and believes that she is regarding the plans, SDSs, 311 forms and the inventory forms. There is a toxic chemical release form that she is not responsible for maintaining and hopes to use this meeting to figure who is. There was also another section that pertained to public notification. She stated that with the change of personnel, she is unsure of who takes care of that now.

Vice Chairman Fry stated that last meeting there was a question brought up about escalation for facilities that are not in compliance and asked for a report on that. Ms. Stemple reported that she found 42 “non-compliant” facilities from 2015-2022. These facilities needed to tell us whether they were closed or needed to file or if there was a change of ownership. Ms. Stemple put emails out to encourage facilities to file the correct paperwork. Ms. Stemple provided Ms. Glenning with the remaining list of 5 non-compliant facilities. As of today, there are only 4 facilities left.

Mr. Pursell spoke to Ms. Glenning’s report, who was absent, to provide more information. He stated from Ms. Glenning’s report that after following up with facilities via direct email to management or a phone call, we now only have 13 facilities that have not paid. All but 4 facilities have responded and are actively working to address the issue. The 4 facilities that have not responded were sent a letter in the mail as a final attempt to contact them. The letter included how much they owe and all the attempts that were made to contact them. They were given a December 1st deadline to reach out with a plan for payment. She spoke with Laura Hege from Labor and Industry, and Laura suggested that after Ms. Glenning has done her due diligence to achieve compliance, she should send a report of the facilities that have not paid or reported to the EPA. Lara would also like to be kept in the loop of facilities that are non-compliant so that she can assist with the process as well.
Mr. Pursell stated that referring the facilities that owe the LEPC money to the county solicitors may end up costing the county more money than the invoice is worth. He spoke to the effectiveness of Ms. Glenning’s efforts in achieving compliance and stated that she has brought in about $50,000 more in fees than the LEPC typically sees in a year. Her total financial report stated that as of November 14th, there has been a total of $184,150.00 collected in SARA revenue. Of the $184,150.00 collected, $123,150.00 were collected from chemicals fees and $18,700 were collected in planning fees. As of the last LEPC meeting, there were 84 facilities that owed either this year’s Tier 2 fees or previous year’s fees. As of November 14th, there are only 13 facilities left that have not paid. Of those 13, only 4 have not reached out with a commitment to rectify the issue.

Mr. Pursell informed Chairman Wittmer of the document from Geroge Bartow that was mentioned in the “Unfinished Business”. He highlighted that the chemical fees are still $75 and the planning fees are still $100. He mentioned that Mr. Bartow had proposed that 1.5% of the total owed be added onto the facility’s bill as a late fee if payment was not received within 90 days. Mr. Pursell expressed concern that our current software does not allow the administrators to impose fees and that there is a question of what authority gives the LEPC the ability to impose such late fees.

Chairman Wittmer asked that Ms. Glenning use Mr. Bartow’s draft for escalation to create a current plan moving forward and present it at the next LEPC meeting. He also stated that he believed there was a document for escalation already created and asked if anyone knew of the document. Ms. Stemple stated that Mr. Bartow had introduced a 1% fee but that the LEPC later eliminated it. Mr. Wilson added that he believes it was dropped because, per county code, there was no authority to apply a percentage increase without being codified. Mr. Pursell noted that the current software enables the county to keep track of facilities that have not paid and will apply any past due fees to the next year. Chairman Wittmer stated that the administration should follow the procedures that we are currently following and create a draft for a procedure moving forward.

Mr. Pursell noted the last thing in Ms. Glenning’s report was to discuss using the Hazconnect system for planning. Hazconnect already is in use for Tier 2 billing and has a planning component that has always been available to us but has not previously been utilized by Montgomery County. Berks county has used it successfully. Mr. Pursell gave a brief overview of its effectiveness and how Ms. Stemple can use the program along with a fillable form that gets sent out to the facilities to create the plans. Chairman Wittmer asked for a presentation of the new planning software for either February’s or May’s LEPC meeting. This ended Ms. Glenning’s report.

Hazardous Materials:
Mr. Pursell gave the following report:

There have been 14 calls since the August 8th LEPC Meeting. Most notable calls are the following:

- 8/25 – Station 81 was dispatched to Franconia Township for a refrigerant leak inside of a commercial building. Shortly after clearing in Franconia, 81 was dispatched to Conshohocken for a fuel leak after an accident involving a tractor trailer.
8/31 – Chief 81 responded to Whitemarsh Township for a landscape truck and trailer that ran into a fuel pump subsequently catching fire. The DEP was notified.

9/30 BC81-2 responded to Upper Merion Township for a hydrocarbon dumped down a storm drain.

10/21 – Montgomery County Hazmat as well as the Montgomery County Foam Task Force responded to an 8000-gallon Tanker Fire on the NENB Extension of the Pennsylvania Turnpike. This call was the first time that the Universal Green Foam, an environmentally friendly foam, was used by the Hazmat Team. The foam worked very effectively and had the fire under control within 10 minutes.

There have been 17 trainings since August 8th:

- 8/8 - Limerick Generating Station Emergency Worker Decon/ Reception Center Training
- 8/19 - Grounding, Bonding, Fluid Transfers
- 8/24 - Campbell Supply Driver Training
- 8/31 - Campbell Supply Driver Training
- 9/5 – Cavcom In-Suit Communications Training
- 9/8 – HM81 Driver Training
- 9/9 Lankenau Hospital ETO Drill
- 9/14 – MH81 Driver Training
- 9/23 – Hazcat Kit Training
- 9/26 – LGS Route Alerting Drill
- 10/5 – HM81 Driver Training
- 10/9 - Bryn Mawr Hospital Decon Drill
- 10/15 through 10/19 – Advanced Tank Car Specialist at SERTC
- 10/19 – 2 LGS EWD/RC Drills (Montgomery Township and Lower Salford)
- 10/21 – Foam Task Force Exercise

Other Updates:

- On July, 26th, 11 members from Montgomery County Hazmat were recognized for their life saving actions at a call in Pottstown Borough in early June.
- On September 20th, the new HM81 was placed in service. The truck is currently housed at the Fort Washington Substation. Once the construction on the EOC warehouse is complete, Mr. Pursell would like to invite the LEPC to come and look at the truck and the current Hazmat assets.
- On October 12th Montgomery County Hazmat was recognized by Whitemarsh Township for their action and response to the July 17th Train Derailment.
- Montgomery County Hazmat is currently at 53 calls for the year surpassing all other years as the busiest year to date.
- The county is in the process of reviewing bids for the new Foam Tender which will be bought with LEPC funds. Mr. Pursell emphasized that with recent incidents, namely the jet fuel tanker fire, there is a strong need for foam assets in the county. Chairman Wittmer asked if there was still only one bidder for the Foam Tender. Mr. Willson stated that he would cover it in his report.

Emergency Management:

Mr. Wilson gave his report. The following points were noted:
The Limerick Generating Station Hostile Action Take Over Exercise was successfully completed on September 26th. A lot of work was put into training the 20 municipalities and 7 school districts to be successful during the drill.

The Hurricane Ida reimbursement is still ongoing. The department recently filed an appeal with PEMA to add costs back to the claim that PEMA had deemed ineligible for reimbursement. The total cost that was deemed ineligible is approximately 7.5 million dollars. The department is working with Montgomery County’s reimbursement contractor to accomplish this.

The Department met with a debris management contractor, SARIS, out of Florida. It is a standby contractor similar to the one the county had going into Hurricane Ida (DRC). There have been some reimbursement issues with DRC that are currently being worked out. The department is attempting to get 3 debris management contractors on standby.

The Logistics Specialist Position was filled by Janson Shaw. He is currently a dispatcher for Montgomery County and will start his new position in November.

The new Assistant Director for Special Operations was advertised. Applications are still being reviewed and interviews should start in the next couple of weeks.

The USAR Team Lead/ Manager Position is still being worked out by HR

Work on the pump house for the warehouse and garage sprinkler system has started. The hope is that the foundation will be completed by the end of this month. If everything stays on track, movement from the Upper Dublin warehouse to the Lower Providence warehouse at the EOC should begin by the end of this year. The pallet racking will need to be reconfigured so that the forklifts can reach the racks.

Mr. Willson and members of the Hazmat Team reviewed specs from 2 vendors for the Foam Tender. The first vendor, Glick, put in a bid at $855,000 initially and then dropped the bid to $655,000. The second vendor was Ward Apparatus with the lowest bid ($500,000) who is working with Cambell Supply. Cambell Supply was the company that the new HM81 was purchased from. The department had initially budgeted $300,000 for this project and is currently attempting to justify the increase in cost. Mr. Willson stated that the goal is still to get the truck ordered this year as the price will continue to rise the longer the project waits. Mr. Willson also emphasized the need for the Foam Tender in the county and is hoping that the finance department will see that and allow for the purchase. Chairman Wittmer asked if anything was need from the LEPC to approve the funds for the Foam Tender. Mr. Willson asked if the LEPC could make a motion to cover the increased cost of the Foam Tender. Vice Chairman Fry made the motion to cover the increased cost. Chairman Wittmer seconded the motion. All members of the LEPC voted, no one was opposed, and the increased cost was approved. Mr. Willson added that the Foam Tender can be used for different types of Hazmat responses in addition to foam and will provide a way for more of the Hazmat Team to respond.

Vice Chairman Fry asked why the County Purchasing Department is denying the purchase of the Foam Tender if the funds are coming from the LEPC. Mr. Willson explained that projects are submitted, and the Chief Financial Officer has the final say in the project’s approval. Part of the delay in the project was that the project had to be justified three times. After reminding the finance department that the money for the Foam Tender was coming from the LEPC funds which are only to be used for Hazmat Safety Programs in the county, they approved the project relatively quickly.
This ended Mr. Willson’s report.

**Physicians Response Team:**

No report/representative.

**Fire and Rescue Services:**

Mr. Italia and Mr. Jones had no report.

**Public Health:**

Ms. Young gave her report.

- The OPH received multiple calls regarding the tanker fire on the PA Turnpike. Mr. Kyle Schmeck handled those calls. The day of the tanker fire, the OPH was operated a community vaccination clinic at the Community College and were aware of the fire almost immediately into the incident.
- OPH completed their annual KI distribution in the areas surrounding the Limerick Generation Station in late August. They used two distribution locations this year. One being the Pottstown Health Center, which is used every year, and the other location was a drive through model at the Limerick Fire House. Both distribution sites were successful. 1600 pills were distributed to residents and businesses at Pottstown and 6800 pills were distributed at the Limerick site. To date, the OPH has distributed just over 13,000 KI pills throughout the county.
- The OPH expects 2024 to be a large distribution. The current KI lot for the county expires in November 2024 and they are awaiting guidance from State Health and the NRC on when the new lot is coming in. Once they have the new lot, they can start planning for distribution.
- The OPH would like to expand KI availability. Currently KI is available at the Pottstown Health Center every day of the week. OPH is hoping to expand availability of KI by adding a pickup location in Limerick Township as well as doing KI by mail. Chester County has been doing it by mail and has seen success with it.
- Community Vaccination has concluded for the year. Six clinics were run throughout the county, 1100 clients were served, and 1600 vaccinations were offered.
- The OPH Division of Emergency Preparedness and the Emergency Management Department completed small group interviews with contractors for the Medical Countermeasures Project. More interviews will be completed throughout November and December. The contractor will give a draft plan for medical countermeasures based off the feedback from the small group interviews. Focus groups from the larger community will begin in January. This ended her report.

**Additional Reports:**

Mr. Pursell introduced Mr. Ed Barba from the Department of Homeland Security. Mr. Barba introduced a program called Chemlock that started in November 2021. The program is voluntary and available to any facility that processes hazardous chemicals. This program can be utilized by Tier 2 facilities for security training and exercises as well as on-site security assessments. For more information, facilities can go to cisa.gov/chemlock.
This ended his report.

**NEW BUSINESS:**
Mr. Armand Alessi from Main Line health wanted to thank Mr. Pursell and the Hazmat team for supporting Main Line Health in Lankenau and Bryn Mawr with their Hazmat drill.

**VISITOR COMMENTS:**
No report.

**NEXT MEETING DATE:**
February 13th, 2024, at 1300 hrs. This meeting will tentatively be held at the EOC in Eagleville to show the new warehouse and HM81 truck. An email will be sent out to confirm the location as more information becomes available. The meeting will also be available virtually through Microsoft Teams.

**ADJOURNMENT:**
A motion to adjourn was made by Mr. Pursell and seconded by Chairman Wittmer. All members were in favor and the meeting was adjourned at 1355.