

TO: Deer Park CAER/LEPC Team

SUBJECT: Minutes of January 26, 2010 - Hosted by the City of Deer Park

CALL TO ORDER

Ron Crabtree, Chairman, called the meeting to order at 11:00 a.m.

INTRODUCTIONS

Jesse Hicks introduced Melissa Franklin, Health & Safety Manager for Clean Harbors. Self introduction was given by Joe Goines, Manager of American Acryl.

PRESENTATION – APPRECIATION TO RON CRABTREE

Vice-Chairman Don Davis presented Chairman Ron Crabtree with a Wally Watch and plaque of appreciation for his service as Chairman from 2005-2010.

Chairman Crabtree thanked the LEPC Committee and commented, “In 1988 when I came to Deer Park, Jimmy Burke, Mayor and LEPC Chairman, made it clear to me the first day that this organization was a major part of the City Manager’s responsibility to ensure efforts between industry and the city were a priority. I had no background, but took it as another opportunity for learning and have been a member of this LEPC for the past twenty-two years. I have had the honor and privilege of serving as your Chairman these past five years, and while I am retiring from the City I am not leaving the city. So, now I will be on the other side as a citizen who knows the efforts and leadership of this LEPC. Thank you all.”

PRESENTATION – AMERICAN ACRYL

Joe Goines, Manager American Acryl, commented, “There was a explosion and fire on December 9, 2009 at our plant on Port Road. I am here today to give an overview of the incident, provide photos of the site and the status of our investigation. The incident occurred at our facility off Port Road and old Highway 146 just south of Seabrook. We have fifty employees and produce approximately 120,000 tons of Acrylic Acid annually. These acrylics are mainly used in your super absorbent poly such as baby diapers). “ Mr. Goines gave an overview of the plant site and explained the location of the unit and the explosion area, and continued, “At 8:45 a.m. on December 9, 2009 a 24,000 gallon tank exploded. The contents of the tank were contained in the dike area. The wind direction was south/southeast and there was visible smoke. We had the fire out in thirty to forty-five minutes. We are in the jurisdiction of the Southeast LEPC which covers Seabrook, LaPorte, Shoreacres and Pasadena. There was no CIMA call out, and while there were two employees standing 30-40 feet from the explosion they were only shaken up. We did transport them, but they were released the next hour. Fence line monitoring around the plant site was conducted by the Harris County Environmental & Public Health Department and by the air monitoring station north of the site, and there was no readings. We do not know the source of the ignition.

The incident occurred at approximately 8:45 a.m. and by 9:09 a.m. we had notified the TCEQ spill division, the First Call telephone system, the NRC, Harris County Sheriff's office, OSHA and the CAER line. We did experience difficulty in connection to the CAER line. It took five minutes. David Wade was on site by 10:00 a.m. as industrial liaison for Harris County and was a huge aide. He kept the FBI and Homeland Security at bay. He was a big resource. We did not call for a shelter-in-place. We knew what was burning (Tolulene) and where it was going, and while the wind was blowing south and Tolulene was burning, there was no ground impact. We updated the CAER line at 10:30 a.m. and then gave an all clear and press release at 11:00 a.m.

We did a formal press release the day of and day after the incident, provided information to the CEC and CAP, and are conducting community outreach through community leaders, and emergency managers. We have had a teleconference with Seacap the night of the event and the LEPC, and did an open letter to the Bay Area City and Bayshore Sun newspapers.

We are identifying gaps in our communication system, looking at our EOC and incident command radios. Southeast Regional LEPC suggested we use the 911 system, not First Call that is part of our current plan, and that we incorporate the CECC into our emergency plan protocol. We had key employees out of the plant on the day of the incident which resulted in some communication time lapses, one being the CAER line. We realize now the importance of at least providing some information such as who, where, what, wind, etc. followed by more detailed updates so that the citizens are aware. What is our follow up? We are in the process of retraining employees to use designated radio channels; looking at incorporating the CECC notification protocol into our emergency plan; making our first call to E-Notify; placing basic information followed by detailed information on the CAER line; auditing our emergency numbers on call list instead of buried in documents which slows communication process; and practice more frequently."

Ed Hawthorne commented, "The industry philosophy is that the CAER line is not an emergency notification system, but rather a notification tool, and should not be used as such. The First Call or E-Notify Systems are what should be used to generate a mass communication of an incident. It is, however, the Deer Park LEPC's requirement that a message be placed on the CAER line with at least preliminary information within fifteen minutes of an incident due to possible observations by citizens and other spectators."

Vice-Chairman Davis commented, "The TCEQ cannot even assist you within the first fifteen minutes, they're just a regulatory entity. Communication should first be given to your local LEPC followed by the E-Notify and then First Call or 911."

Mr. Goines commented, "We are finding through our critique that we totally agree with your comments and are working to incorporate some of those communication features into our emergency plan."

Chairman Crabtree thanked Mr. Goines for sharing with the Deer Park LEPC.

MINUTES

Motion was made by Ed Hawthorne and seconded by Rick Anorga to approve the minutes of the November 24, 2009 meeting as submitted. Motion carried unanimously.

FINANCIAL REPORT

Motion was made by Rick Anorga and seconded Don Davis to accept the financial report for November and December 2009. Motion carried unanimously.

COMMITTEE REPORTS

Chairman Crabtree reported for the Executive Committee:

LEPC Chairman – Chairman Crabtree commented, “The by-laws designate that with the vacancy of the Chairman position, the Vice-Chairman assumes Chairmanship until a new Chairman is elected. The officers are elected in even numbered years. The Executive Committee has met with Vice-Chairman Don Davis who has agreed to assume the position of Chairman until the election in December, and he will assume this position beginning with the February 2010 meeting.

It has been the history, beginning with Mayor Jimmy Burke, of this LEPC that the Chairmanship be held by the Mayor or City Manager, and the Executive Committee still feels the chairman position should continue under the leadership of the Mayor or City Manager. The Executive Committee will meet with Mayor Riddle to re-enforce this understanding and to make sure the new City Manager participates and has leadership responsibilities for the LEPC.

Don has been a LEPC participant longer than I, and has the knowledge to do an excellent job as Chairman.”

ACTION ITEM: - *Executive Committee to meet with Mayor Riddle regarding Chairmanship of the LEPC.*

Sandra Watkins reported for Beth Dombrowa, Community Awareness Subcommittee Chair:

2010 Calendar – “The calendar has been delivered and we have had numerous positive comments.”

Sam Pipkin, Communication Subcommittee Chair, reported:

E-Notify – “The system is in place and tests are being conducted. The Executive Committee discussed the reporting process for the E-Notify testing and has decided a quarterly report will be made to the LEPC, the first of which we are distributing today (Exhibit A) which will show the number of tests being performed by which industry.”

Chairman Crabtree commented, “The LEPC made a commitment that this is the standard of operation, and the report is a reminder to keep this action before us sharing this information with plant managers and facilities to encourage continued testing. This report will be monitored as we move forward.”

Reportable Incident Reports – “At one time, these reports were being mailed to Sandra Watkins as the LEPC contact, however, we are finding that she has not received these reports from some time and they are being sent to me instead. The requirement is to send the report to the LEPC which in this case that is Sandra. I do not need a copy. We are asking you to make a note to advise your environmental personnel to send your industry’s reportable incident reports for Deer Park to Sandra at Deer Park LEPC, P. O. Box 700, Deer Park, Texas 77536.”

ACTION ITEM – *LEPC representatives to contact their respective environmental personnel to ensure the reportable incident reports are being sent to Ms. Watkins instead of Mr. Pipkin and Mr. Pipkin does not need a copy.*

Ed Hawthorne, Emergency Response/Transportation Subcommittee Chair, reported:

Drill 2009 Wrap Up Event – “The committee had a meeting in December to wrap up the 2009 Drill and there were five items determined:

- Communications between EOC and Incident Command – more training
- Stormwater maps should be provided to EOC
- Pipeline Manual should include MSDS sheets for products listed in pipeline
- Create a reference list for abbreviations (LEPC, MSDS, TCEQ, etc.)
- Update resources emergency contact list (ie: oil spill agencies)

Pipeline Study – “Work continues on the study and we should be able to make a final report in February or March.”

ACTION ITEM: *Committee to make final report and present new pipeline manual to LEPC in February or March.*

Commodity Flow Study – “We were not successful in receiving the grant as there are numerous LEPC applications, so the committee is proposing we reapply in 2010 for the grant to use in 2011.”

Drill 2010 – “The committee is working on the aspects of a drill for 2010 and will give more specifics to the LEPC in February (date, time, place).”

ACTION ITEM: *Committee to provide specifics on 2010 drill to LEPC in February.*

RMP 2010 Event – “We are proposing an outreach opportunity to the citizens of Deer Park to refresh their minds on what industry does to prevent incidents from happening in conjunction with the current subcommittee outreaches throughout the year. The Executive Committee along with the Emergency Response/Transportation Subcommittee proposes using the Totally Texas Festival (get audience naturally) by expanding the traditional LEPC booth with each subcommittee having an area (table) at the festival. Wally is already there and has been a tremendous outreach effort for the LEPC and Shelter-in-place, so we can use this forum to highlight all LEPC activities and not just RMP. The event is scheduled for April 16-17, 2010 at the Jimmy Burke Activity Center.”

Motion was made by Ed Hawthorne and seconded by Sam Pipkin to expand the LEPC booth outreach program at the Totally Texas Festival to include RMP as well as each subcommittee activities. Motion carried unanimously.

Chairman Crabtree commented, "This is a great opportunity for the LEPC and participation in this event will only require individuals to participate in presenting the message of LEPC and RMP in two hour blocks."

Mark Slezak questioned whether there should be an ad-hoc committee formed to which Mr. Hawthorne advised that each sub-committee Chairperson will be responsible for coordinating their booth area utilizing their individual committee members and items specific to their respective committee. He asked that the chairpersons submit their booth plan to Ms. Watkins by mid March.

Chairman Crabtree commented, "This venue will provide an audience that is already active and afford the LEPC a communication event that will reach many citizens."

ACTION ITEM: *Subcommittees work on their outreach activities and RMP to incorporate into the LEPC Totally Texas Festival booth April 16-17, 2010, and submit booth plan to Ms. Watkins by mid March.*

ANNOUNCEMENTS

Chairman Crabtree thanked the LEPC for the opportunity to serve, for the plaque of appreciation and for his Wally watch and commented, "While I will not be involved with the LEPC as an employee of the City, I will be a citizen of Deer Park interested in what the LEPC is doing and continues to do."

NEXT MEETING

The next meeting will be February 23, 2010 at Deer Park City Hall.

ATTEST:

APPROVED:

Sandra Watkins, TRMC, CMC
City Secretary

Ronald V. Crabtree
Chairman