

November 29, 2023

Greater Houston Local Emergency Planning Committee Bi-Monthly Meeting Notes

Logistics

10:00 AM – 12:00 PM

American Red Cross, 2700 Southwest Freeway, Houston, TX 77098

Welcome

Business

Introductions

Chair/Vice Chair Report

- Pipeline Emergency Response Grant (*PHMSA PERG 693JK323NF0001*) Status – In progress
- Potential Fund Raisers under consideration:
 - Donation Request Letter
 - BBQ Cookoff; Cars, Trucks & Coffee; Golf Tournament
- Brazos County LEPC meeting
- State Office of Risk Management Continuity Council – upcoming
- UTMB Chemical Incident Preparedness Grant Program
- UT HSC SPH survey
- Cedar Marine Terminals - Oil Spill Drill 11/14/2023
- Standing Subcommittees: 1) Finance, Administration, and Logistics, 2) Planning & Operations, 3) Information, and 4) Liaison.
- Meeting Notes (available at <https://ghlepc.org/information>)

Treasurer Report – as provided in the meeting

Member Reports / Local Updates – see below

- Annual Emergency Response Drill 11/2/2023 Enterprise Products, Converge Midstream, Underground Storage, LLC Pierce Junction Field

TCEQ & EPA Updates – see below

PIO Report

Houston Fire Department Updates – New PIO/Liaison Captain Dana Brown, Hazmat.

Presentations

1. **Amtrak Emergency Response Program.** Mr. Stacy C. Weller, Amtrak Emergency Management Regional Emergency Manager. Mr. Weller served in the United States Marine Corps and then began his career with Amtrak in 1991, in Los Angeles, CA. He is currently serving as the Regional Emergency Manager for Amtrak's Southwest Division (AZ, CA, CO, NV, NM, OK, TX, UT). He and his wife enjoy travelling having visited Australia, Bali, Greece, South Africa, and Vietnam. Two pieces of wisdom I've learned over the years: "Common sense isn't common knowledge." and "Go with the goers."
2. **FM Approved Tiger Dam flood control technology system.** Mr. Coby Day, Territory Sales Manager, U.S. Flood Control & Tiger Dam. Tiger Dam is a rapid deployment system for protecting buildings, keeping interstates and highways accessible, and allowing utilities to function during storms. Tiger Dam is FM Approved with a Platinum-level certification for Flood Abatement. The Testing protocol was developed by the United States Army Corp of Engineers, in conjunction with the Association of Flood Plain Managers, and was facilitated at the Vicksburg, MS ERDAC testing facility. Visit <https://usfloodcontrol.com/tiger-dams-in-action/> for more information.

Next Meeting: **Wednesday, January 31, 2024**

LOCAL UPDATES

1. New Harris County Industrial Liaison OEM, Brett Conaway. He may be reached at brett.conaway@oem.hctx.net, 832.207.3323, or 832.657.5338.
2. **EHCMA** (ehcma.org)
 - **2023 EHCMA Annual Meeting** is scheduled on Wednesday, December 13, 11:00 a.m. – 1:00 p.m., at the Sylvan Beach Pavilion, 1 Sylvan Beach Drive, La Porte, TX 77571

STATE UPDATES

Texas Commission on Environmental Quality (TCEQ)

1. **TCEQ** is accepting applications under the Governmental Alternative Fuel Fleet (GAFF) Program. The GAFF Program will be providing an estimated \$3.9 million in grant funding to help government entities with 15 motor vehicles or more purchase or lease new vehicles that operate primarily on compressed natural gas, liquified natural gas, liquified petroleum gas (propane), hydrogen fuel cells, or electricity. (<https://www.tceq.texas.gov/airquality/terp/gaff>)
2. **Approval 11/29/2023: Proposed Rulemaking Chapter 115, Control of Air Pollution from Volatile Organic Compounds VOC Rule Revisions for Ozone Nonattainment Areas Rule Project No. 2023-116-115-AI.** The rule project would revise Chapter 115 to implement rules necessary to meet federal SIP requirements in the Dallas-Fort Worth and Houston-Galveston-Brazoria 2008 ozone NAAQS severe nonattainment areas and, as a result of merging 2023-113-115-AI with this project, the Bexar County 2015 ozone NAAQS moderate nonattainment area. Effective 11/7/2022, the EPA reclassified Bexar County, nine counties in the Dallas-Fort Worth (DFW) area and six counties in the Houston-Galveston-Brazoria (HGB) area (Brazoria, Chambers, Fort Bend, Galveston, Harris, and Montgomery Counties) from marginal to moderate for the **2015 eight-hour ozone National Ambient Air Quality Standard (NAAQS)** (87 Federal Register (FR) 60897). The attainment date for the ...HGB 2015 ozone NAAQS moderate nonattainment areas is 8/3/2024. Also, effective 11/7/2022, EPA reclassified ... eight counties in the HGB area (Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties) from serious to severe for the 2008 eight-hour ozone NAAQS (87 FR 60926). The attainment date for the ... HGB 2008 ozone NAAQS severe nonattainment areas is 7/20/2027. Nonattainment areas classified as moderate and above are required to meet the mandates of the federal Clean Air Act (FCAA) under §172(c)(1) and §182(b)(2). FCAA, §172(c)(1) requires that the State Implementation Plan (SIP) incorporate all reasonably available control measures (RACM), including reasonably available control technology (RACT), as expeditiously as practicable. (https://www.tceq.texas.gov/downloads/rules/current/23116115_pex.pdf)
3. **Approval 11/29/2023: Proposed Rulemaking Chapter 117, Control of Air Pollution from Nitrogen Compounds NOX Rule Revisions for DFW and HGB Ozone Nonattainment Areas Rule Project No. 2023-117-117-AI.** Effective 11/7/2022, the EPA reclassified ... six counties in the Houston-Galveston-Brazoria (HGB) area (Brazoria, Chambers, Fort Bend, Galveston, Harris, and Montgomery Counties) from marginal to moderate for the 2015 eight-hour ozone National Ambient Air Quality Standard (NAAQS) (87 Federal Register 60897). The attainment date for the ... HGB 2015 ozone NAAQS moderate nonattainment areas is 8/3/2024. Also, effective 11/7/2022, EPA reclassified ... eight counties in the HGB area (Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties) from serious to severe for the 2008 eight-hour ozone NAAQS (87 FR 60926). The attainment date for the DFW and HGB 2008 ozone NAAQS severe nonattainment areas is 7/20/2027. Nonattainment areas classified as moderate and above are required to meet the mandates of the federal Clean Air Act (FCAA) under §172(c)(1) and §182(b)(2) and (f). FCAA, §172(c)(1) requires that the State Implementation Plan (SIP) incorporate all reasonably available control measures (RACM), including reasonably available control technology (RACT), as expeditiously as practicable. (https://www.tceq.texas.gov/downloads/rules/current/23117117_pex.pdf)


TCEQ Pending Enforcement Action – TCEQ Cases

Below are new pending enforcement actions since September 18, 2023, within the GHLEPC jurisdiction. A complete list of all enforcement actions across Texas and to file an open records request by visiting <https://www2.tceq.texas.gov/oce/penenfac/>

Case #	RN	RE Name	Respondent	Enforcement Type	Order Type	Program	Status
64825	RN102913043	THE QUEEN READY MIX 8702 LIBERTY RD HOUSTON, TX 77028	RENE D GONZALEZ	Administrative Order	1660	Water Quality High Level	Initial Screening – 09/18/2023
64844	RN101279651	LAKEVILLE PROPERTY OWNERS ASSOCIATION	Franks, Johnny and The Lakeville Property Owners Association	Administrative Order	1660	Public Water System/Supply	Initial Screening - 09/22/2023
64855	RN102186194	VAM USA FACILITY 19210 E HARDY RD HOUSTON, TX 77073	VAM USA LLC	Administrative Order	1660	WATER QUALITY - HIGH LEVEL	Initial Screening - 09/15/2023
64859	RN103004487	Harris County WCID 114 17906 COUNTRY WALK DRIVE 8030 VINTAGE CREEK 8150 RED HOLLY KEY MAP 330E, J, K	HARRIS COUNTY WCID 114	Administrative Order	Findings	Public Water System/Supply	Initial Screening - 09/27/2023
64888	RN100707769	American Thermoplastic 1235 KRESS ST HOUSTON, TX 77020	KRESS STREET PROPERTIES LLC	Administrative Order	1660	Water Quality – High Level	Initial Screening - 09/23/2023
64890	RN102681095	BOUDREAUX GARDENS S of 9000 Block of Boudreaux at Sharon and Caroline Key Map 289V	AQUA TEXAS INC	Administrative Order	1660	Public Water System/Supply	Initial Screening - 10/03/2023
64900	RN104920046	YELLOW JACKET READY MIX 2219 HARTWICK RD HOUSTON, TX 77093	YELLOW JACKET READYMIX LLC	Administrative Order	1660	AIR QUALITY - HIGH LEVEL	Initial Screening - 10/04/2023
64956	RN103102125	CYPRESS HILL MUD 1 1301 MCKINNEY ST HOUSTON, TX 77010	CYPRESS HILL MUD 1	Administrative Order	1660	WATER QUALITY - HIGH LEVEL	Initial Screening - 10/10/2023
64970	RN101515740	TURK BROS BLDG 15219 STUEBNER AIRLINE RD HOUSTON, TX 77069	TILLES, TINA LEE	Administrative Order	1660	WATER QUALITY - HIGH LEVEL	Initial Screening - 10/06/2023
65012	RN101225712	LAKE HOUSTON MARKET 9000 Mount Houston Rd HOUSTON, TX 77050	LAKE HOUSTON MARKET	REFERRAL	N/A	Public Water System/Supply	Initial Screening - 11/09/2023
65063	RN109546812	V AND A SERVICES 4230 ALLISON RD HOUSTON, TX 77048	J MARTINEZ TRUCKING INC	Administrative Order	1660	Water Quality – High Level Aggregate Production Operation	Initial Screening - 11/21/2023

The Situation Report for Harris County

2% of Harris County is experiencing **no** drought ↑ 71,675 people

 64% of Harris County is experiencing **abnormally** dry conditions ↑ 3,080,134 people

 33% of Harris County is experiencing **moderate** drought ↑ 1,584,984 people

 1% of Harris County is experiencing **severe** drought ↑ 41,572 people

Harris County, Texas is 1,749 sq. mi. in size with a population of 4,778,365. There are, on average, 2,732.5 people per square mile. Drought data is updated every 2 weeks and was last updated 1 week ago.

Source:
<https://www.fireweatheravalanch>

FEDERAL

Environmental Protection Agency (EPA)

1. **Celebrating Native American Heritage Month**, honoring the culture, knowledge, and countless contributions of Indigenous people.
2. **The Inflation Reduction Act** provided EPA with \$50 million to help address indoor air quality issues and reduce greenhouse gas emissions at K-12 schools in low-income, disadvantaged, and Tribal communities. (<https://www.epa.gov/iaq-schools>)
3. **LEPC requests MSDS** for substances not defined as hazardous chemicals. The LEPC can only request the MSDS for a substance that is defined as a hazardous chemical under 40 CFR 370.66. Since a substance used in a research laboratory under the direct supervision of a technically qualified individual is not a hazardous chemical as defined by 40 CFR 370.66, the facility does not need to submit the MSDS for this substance to the LEPC. (<https://www.epa.gov/epcra/lepc-request-msds-substance-not-defined-hazardous-chemical>)
4. **Video** addressing common chemical management and safety issues at warehouses and distribution facilities.
5. **Advance Notice of Proposed Rulemaking** for Reporting Air Releases of Hazardous Substances from Animal Waste at Farms under EPCRA. EPA is seeking information on how to promote compliance and accuracy in reporting, how to streamline reporting requirements, a potential small farm exemption, and user needs for a reporting instrument, including identifying when reporting would be required.
6. **Fifth Ward/Kashmere Gardens UPRR**

Anticipated Sampling Schedule

Timing	Activity
September 2023	UPRR begins the process to obtain the required access agreements for private property sampling EPA approves UPRR Vapor Intrusion Field Sampling Plan
October 2023	EPA hosts community information meeting about sampling EPA approves UPRR Background Sampling and Onsite Soils Field Sampling Plan EPA approves UPRR Off-Site Residential Soils Field Sampling Plan Preparation for field investigation activities and sampling
Nov 2023-May 2024	Field investigation activities and sampling
Summer 2024	EPA uses sampling data to determine if there is a risk from HWPW site contamination EPA produces human health risk assessment UPRR produces Removal Site Evaluation report EPA determines if cleanup is necessary based on risk to public health

*Updated 9/14/2023

(<https://fifth-ward-kashmere-gardens-uprr-epa.hub.arcgis.com/>)

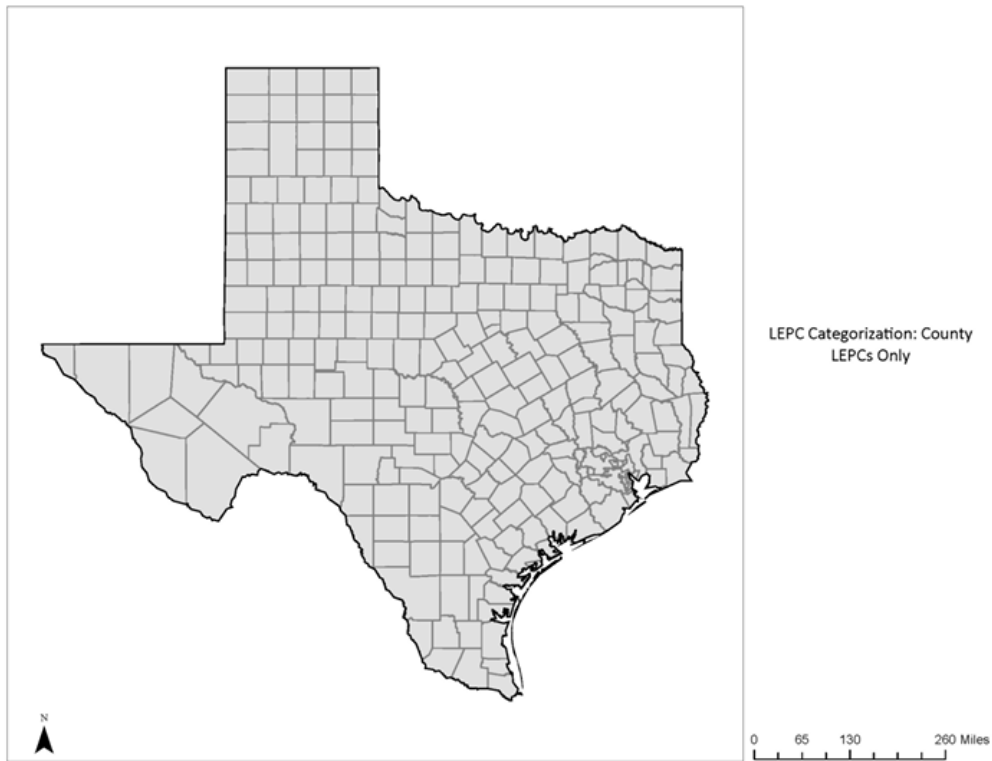
4. **FEMA Releases Business Emergency Operations Center Guide for Private-Public Partnerships for Public Comment**
5. **USDOT Proposes Updates to Gas Distribution Pipeline Regulations, Bolstering Safety Requirements and Strengthening Community Protections.** The U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA) announced a Notice of Proposed Rulemaking (NPRM) to strengthen safety requirements for millions of miles of gas distribution pipelines. These proposed changes aim to improve safety and mitigate risk through the improvement of emergency response plans, integrity management plans, operation manuals, and more. This proposal comes after the tragic Merrimack Valley incident, which injured dozens and resulted in one fatality. (<https://www.federalregister.gov/documents/2023/09/07/2023-18585/pipeline-safety-safety-of-gas-distribution-pipelines-and-other-pipeline-safety-initiatives>)
6. **EPCRA 311-312 Lithium-Ion Battery Reporting Requirements.** The EPA has updated the lithium-ion battery frequent question website to provide better guidance regarding what lithium-ion batteries are subject to the federal hazardous chemical inventory reporting requirements. (<https://www.epa.gov/epcra/lithium-ion-batteries-and-epcra-311-312-reporting-requirements-1>)
7. EPA Conduct a **National Survey of the State Emergency Response Commissions** to learn how EPCRA is currently implemented at the state, tribal, and local levels. (<https://www.epa.gov/system/files/documents/2023-04/National%20Survey%20of%20the%20State%20Emergency%20Response%20Commissions.pdf>)



Texas

Commission Name:	Texas State Emergency Response Commission
Legal Basis:	State Law
Commission Chair:	Texas Division of Emergency Management (TDEM)
SERC Members:	Public Utility Commission of Texas; Railroad Commission of Texas; Texas A&M AgriLife Extension Service; Texas A&M Engineering Extension Service; Texas A&M Forest Service; Texas Animal Health Commission; Texas Commission on Environmental Quality (TCEQ); Texas Department of Agriculture; Texas Department of Public Safety; Texas Department of State Health Services; Texas Department of Transportation; Texas Division of Emergency Management; Texas General Land Office; Texas Military Department; Texas Parks and Wildlife Department
Roles and Responsibilities:	<i>TDEM</i> Supervise LEPCs and their activities; Review emergency response plans
	<i>TCEQ & TDEM</i> Receive emergency release notifications (initial telephone notification); Receive emergency release notifications (follow-up written reports); Receive hazardous chemical inventories (Tier II or State equivalent)
	<i>TCEQ</i> Receive and process public requests for EPCRA information
Average Number of SERC Meetings Held Annually:	2
Communication with LEPCs:	Personalized and group email; phone calls; in-person meetings
Resources & Assistance to LEPCs:	Guidance documents; Training
Tribal Representatives SERC/LEPC:	Unknown
Sources of Funding:	HMEP grant; Tier II filing fees
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program
Number of EHS Planning Facilities in CY20:	16,692
Emergency Release Notification Requirements (EPCRA Section 304):	Follows federal program
Release Notification System:	State Hotline; 911; TCEQ notification line
Follow-up Reports Tracking:	No
AWIA Section 304 Requirements Established:	TDEM's State Operations Center which serves as the state's 24/7 Warning Point shares notifications with TCEQ, the state's regulatory agency that oversees public drinking water systems.

Hazardous Chemical Inventory Requirements (EPCRA Section 312):	State has more stringent requirements than federal
Number of Facilities Reported in CY 2020:	80,418
Reporting Software:	State-developed online reporting tool
One-stop Filing:	No
Tier II Filing Fee:	Yes
Outreach to Facilities for Compliance:	Webinars; mass email; conferences
AWIA Section 312 Requirements Established:	When Tier II data is requested for by a CWS for AWIA amendments, we verify the requestor is from the CWS or is representing the CWS, then we search for the data requested and export the data into either an XML or PDF file format for the CWS.
Public Access to EPCRA Information (EPCRA Section 324):	Provide data electronically
Fee for processing requests:	TCEQ charges for reimbursement of the costs incurred when responding to Public Information Requests in accordance with state law



TRAINING OPPORTUNITIES

1. Visit www.ghlepc.org/training for a listing of training.
2. **TCEQ**, the State of Texas Environmental Electronic Reporting System (**STEERS**), Tier II Reporting (TIERII) visit <https://www3.tceq.texas.gov/steers/>
3. **ONLINE & IN-PERSON HazMat Training. TRANSCAER®** (Transportation Community Awareness and Emergency Response). <https://www.transcaer.com/training>.
4. **Texas School Safety Center (TxSSC)**. Visit <https://txssc.txstate.edu/tools/pipeline-safety/> for details.
5. **FEMA Virtual Instructor-Led Courses**
Register on the OBP/CDP Schedule & Registration Page at: <https://cdp.dhs.gov/obp> to receive updates. Note: FEMA Student Identification (SID) number and password are required to apply. To obtain a FEMA SID, go to: <https://cdp.dhs.gov/femasid/register>.
6. **EPA**
 - a. **ChemLock: Introduction to Chemical Security Training Course (Virtual)**. 1/10/2024 and 4/8/2024 (<https://www.eventbrite.com/e/chemlock-introduction-to-chemical-security-training-tickets-464540431937>)
 - b. **ChemLock: Secure Your Chemicals Security Planning Training Course (Virtual (2/6/24 and 5/6/2024) (** <https://www.eventbrite.com/e/chemlock-secure-your-chemicals-security-planning-training-tickets-479973372277>)
7. **Other Training Opportunities:**
 - a. <https://preparingtexas.org>
 - b. www.fema.gov
 - c. www.harriscountycitizencorps.com
 - d. <https://houstonuasi.com/regional-training-registration-2021/>
 - e. Texas Department of Insurance