

Emergency Planning & Community Right to Know Act (EPCRA)

HOSTED BY
THE CENTER FOR
HOUSTON'S
FUTURE & RICE
UNIVERSITY

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About the webinar...

This presentation was used during the “***Emergency Planning and Community Right to Know Act (EPCRA)***” webinar to answer the questions raised for discussion. This webinar was conducted Thursday, June 18, 2020, Noon. It was hosted by the Center for Houston’s Future and Rice University.

The four panelists were:

- **Dr. Latrice Babin**, Director, Harris County Pollution Control Services Dept
- **Dr. Denise Chatam Walker**, Chair, Greater Houston Local Emergency Planning Committee
- **Commissioner Adrian Garcia**, Harris County Commissioner, Precinct 2
- **Dr. Stephen Linder**, Director, Institute for Health Policy, UTHealth School of Public Health

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ARE WE ON THE
RIGHT TRACK
WITH
IMPLEMENTING
EPCRA AND
SPECIFICALLY
COMMUNITY
INVOLVEMENT
AND ACCESS TO
INFORMATION
ON CHEMICAL
HAZARDS?

Harris County By The Numbers – Hazardous Materials

Number of Firms: 438,793

Source: 2012 Survey of Business Owners: Company Summary

Total Housing Units: 1,740,973

Source: 2014-2018 American Community Survey 5-Year Estimates

2019 Population Estimates: 4,713,325

Source: Vintage 2019 Population Estimates

**Number of Tier II Reports Submitted for
2019 Reporting Period: ≈1,750**

Source: TECQ ==> GHLEPC

**Number of Chemicals in Commerce (US):
25,000 - 84,000**

Source: Society of Chemical Manufacturers and Affiliates, 2014

Texas Hazards of Greatest Threat *Focus*

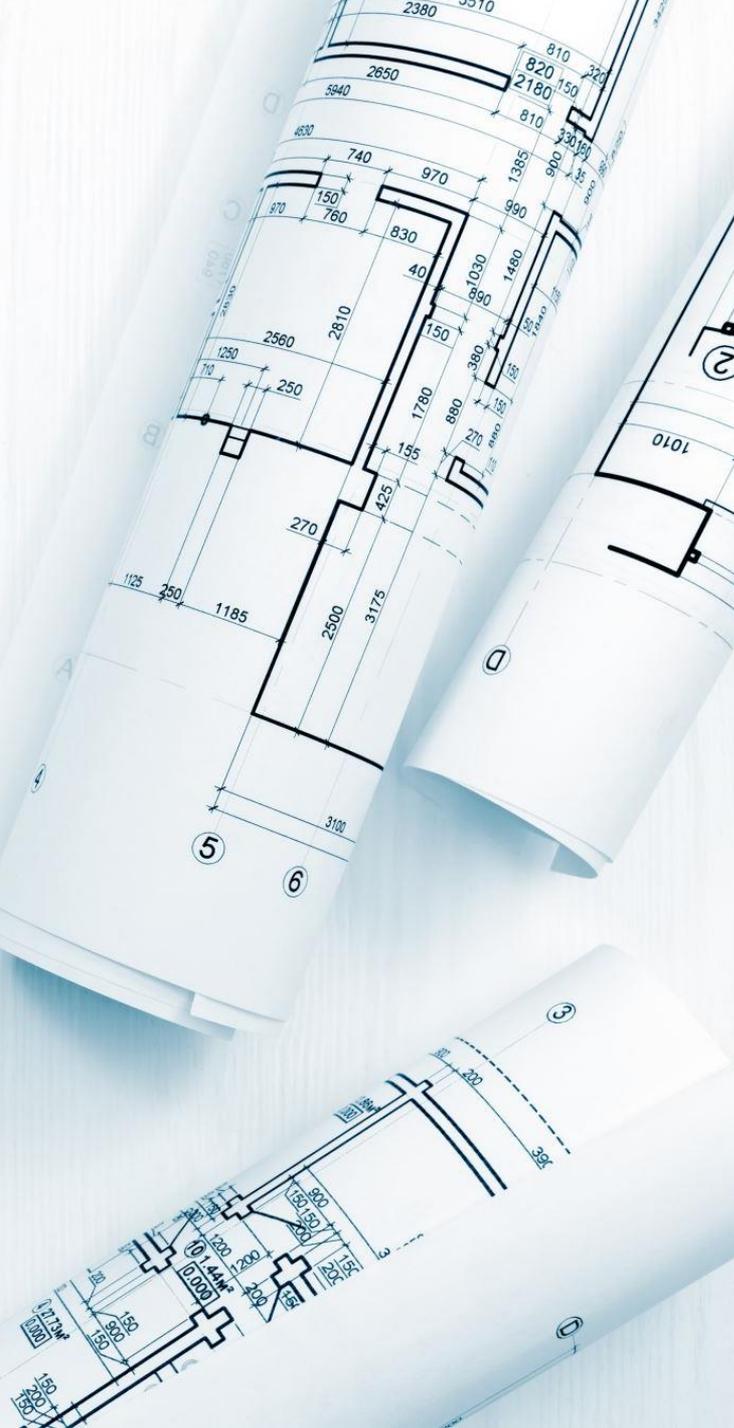
Hazard Impact Forecasts (2019-2023)

Hazard	Property Losses	Crop Losses
Severe Coastal Flooding	\$5,612,798,835	
Hurricane/Tropical Storm/Depressions	\$5,505,055,604	\$1,830,531
Drought	\$371,964,411	\$3,486,150,916
Hail	\$2,521,001,724	\$166,637,326
Riverine Flooding	\$1,258,592,107	\$247,575,854
Tornado	\$560,692,305	\$23,115,327
Wildfire	\$330,190,566	\$89,490,775
Severe Winds	\$338,496,656	\$30,697,559
Winter Weather	\$100,081,159	\$3,572,851
Lightning	\$17,560,332	\$269
Cold	\$2,972,052	\$514,705
Heat	\$78,232	\$155,212
Total	\$16,619,483,984	\$4,049,741,325

We need to **add** HazMat Incidents:

2013 West Fertilizer Co., West, TX Texas Explosion (DR-4136)

Total Public Assistance Grants Dollars Obligated: \$28,913,392.63



Texas Hazard Mitigation Plan 2018

TCEQ

- Assigned Dam Safety Program only
- Coordination with agencies

Disaster Declaration State Rankings:

- Texas - #1 = 351+

WHAT ARE YOUR
THOUGHTS ON
DEVELOPING
COUNTY LEVEL &
COMMUNITY LEVEL
CHEMICAL HAZARD
& RESPONSE PLANS
AS A FRAMEWORK
FOR ADDRESSING

-INFORMATION
SHARING

-COMMUNITY
ENGAGEMENT

-RESPONSE
PLANNING

-MONITORING?

Emergency Support Function (ESF) #10 – Oil & Hazardous Materials Response

National Preparedness System

- **National Response Framework**
- **National Incident Management System (NIMS)**

Scope

- Oil & Hazardous Materials response
- Environmental short- and long-term cleanup

Major Considerations

- Number of hazmat leaks, spills, or releases or threatened releases from facilities, vessels, pipelines, and other sources.
- Extent of hazmat facilities damaged, destroyed, or without power.
- Nature and extent of actual or potential environmental contamination and its impacts (people, property, and environment)

ESF #10 – Oil & Hazardous Materials Response

Capabilities

- Consequence Management Advisory
- Environmental Response
- Fixed Laboratories
- Monitoring: air, waterway, roads, p/l,
- Radiological Environmental Assessment Equipment
- Criminal Enforcement Response
- Response Support
- Scientific Support
- National Weather Service
- Radiological Emergency Response
- Strike Force(s)
- Chemical Facility Anti-Terrorism Standards (CFATS) Inspection
- Salvage Engineering Response

Action

Field Operations Guide

Purpose

Policy

Roles and Responsibilities

Notification and Activation Coordinator

Agencies

Primary and Support

TDEM EMP Annex Q: Hazmat & Oil Spill Response (2018)**Emergency Support Function (ESF) #10: Oil & Hazardous Materials Response**

Provides support in response to an actual or potential discharge and/or release of oil or hazardous materials when activated. *(Convert by 2023)*

Appendix	Resources	Owners
1: General Hazmat Response Checklist	OSHA, State EMP, Area, County, Local, Facility Plans	All – Facilities & Residents
2: HazMat Incident Report	ERG, SDS, ChemTREC, Facility	OEM, Fire Dept., Facility Risk Mgmt. or EH&S
3: Response Personnel Safety	OSHA, State EMP, Area, County, Local, Facility Plans	OEM, Facility Risk Mgmt/EH&S
4: Protective Action for the Public	State EMP	OEM
5: Map of Venerable Facilities & Special Needs Facilities	Security Sensitive	Fire Dept., Homeland Security
6: HazMat Threat Map – Regulated Facilities	Security Sensitive	Fire Dept., Homeland Security
7: HazMat Threat Map – Transportation Routes	Security Sensitive	OEM, Fire Dept., Law Enforcement, Homeland Security
8: Evacuation Routes for Regulated Facility Risk Areas	Security Sensitive	Fire Dept., Homeland Security

WHAT WOULD
IT TAKE TO
DEVELOP A
HARRIS
COUNTY
CHEMICAL
HAZARD
ANALYSIS AND
RESPONSE
PLAN?

At the table...

Plan Coordinator:

- Office of Emergency Management

Primary Agencies:

- Fire Department
- Homeland Security
- Local Emergency Planning Committee

Resources – State & Federal:

- Texas Comm. on Environmental Quality
- General Land Office
- Texas Attorney General Office
- Texas Department of Emergency Mgmt.
- Texas Department of Insurance
- Center for Disease Control & Prevention
- Occupational Safety & Health Admin
- Department of State (*foreign vessels*)
- Department of Transportation
- Environmental Protection Agency
- FEMA
- Department of Energy
- Department of the Interior
- Coast Guard

Support Agencies:

- Appraisal District
- City Attorney
- Education: day care, K12, higher ed
- Elected Officials
- Flood Control
- Forensic Institute
- Health & Human Services
- Hospitals, SETRAC
- HGAC, Chambers of Commerce
- Industry/Private Sector
- Law Enforcement
- Mayor's Office
- Transportation: Metro, RR, TxDOT
- National Weather Service
- Nongovernmental Organizations (NGO)
- Pollution Control
- Port Authority
- Public Works
- Texas Workforce Commission
- U.S. Army Corps of Engineers
- Utilities, Water, Power, NG, Cable, Phone

...and others

Other Needs

Shared SDS database

Education – Facilities, Residence

Training & Exercises

Templates: Facilities, Residence

Chemical Hygiene Plan – (OSHA)

Modeling Technology – air, waterways,
railroads, pipelines

WHAT WOULD
IT TAKE TO
DEVELOP A
SERIES OF
COMMUNITY
LEVEL
CHEMICAL
HAZARD
ANALYSIS AND
RESPONSE
PLANS?

PROMOTE
COMMUNITY-
FRIENDLY POLICY:

*A county
commitment
to EPCRA
that...*

- Takes into account the realities and uniqueness of our community and needs.
- Considers community cultural and social norms, relationship patterns, and settlements.
- Values diversity of thought to help community members feel trusted and respected.
- Considers its hazardous materials footprint before future development that materially change close-knit neighborhoods.
- Eliminates favoritism between groups or that make racial or cultural distinctions.
- Respects the natural environment and considers the need for preservation.
- Safeguards and promotes the health and security of the community with regulations that are fair and equitable.

Community
Level
Chemical
Hazard
Analysis &
Response
Plan...
Timeline
(1-5 Years) &
Community
Engagement



**Start
now!**



**Take small
steps:** Not
overnight
or all at
once



Enlist people
from many
sectors: **Broad
base coalition**



**Poll community
members:**
different
preferences for
different people



**Get our foot in
the door:** Start
with
something
simple that will
have a real
impact



**Leverage
best
practices:**
SE Harris
County
area LEPCs
and other
states



Conduct a **pilot program** and then adjust
before committing to a large-scale effort.

PROMOTE COMMUNITY- FRIENDLY POLICY...

Community Engagement

Provide tax incentives, grants, and push for public-private cost sharing.

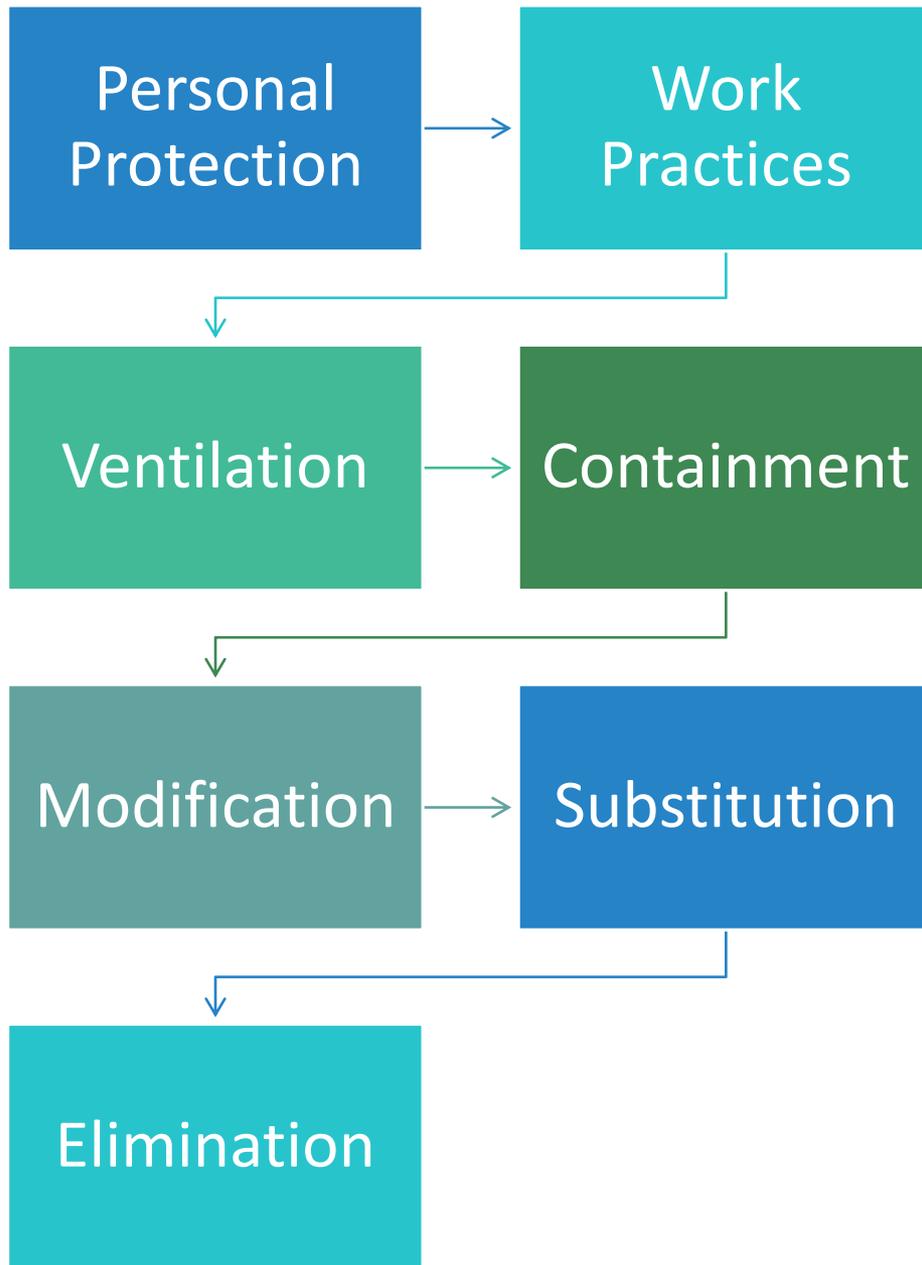
- Work with TCEQ to allocate a portion of the Tier II filing fee, permits, fines, etc. to LEPCs
- Offer tax breaks to facilities in return for such practices as adopting EPCRA
- Seek donations from the private sector
- *Leverage Community Development Block Grants*

Promote Disposal/Recycling

- Establish pickup and disposal days for hazardous materials

Get the message out

- Launch traditional and non-traditional media campaigns
- Enlist support from influential community and government members, Chambers of Commerce, Trade & Professional organizations
- Work with CEOs, HR Managers



Measures
of Success:
Facility
Hierarchy
of
Exposure
Control
Practices



Thank you

Dr. Denise Chatam Walker

Chair

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References

Center for Community Health and Development at the University of Kansas

Texas Department of Emergency Management

Texas Commission on Environmental Quality

FEMA

EPA