



DELAWARE STATE EMERGENCY RESPONSE COMMISSION ANNUAL REPORT Fiscal Year 2022

Submitted to
Governor John Carney



Prepared by the
Delaware Emergency Management Agency

Note: SERC meeting dates, Bylaws, and the Annotated Code of Delaware - Emergency Planning and Community Right-To-Know are on file and available upon request from the Department of Safety and Homeland Security, Delaware Emergency Management Agency (Steven Phillips, SERC Executive Director, Phone 302-659-2228). SERC information is also available on the DEMA website at <https://dema.delaware.gov/serc/>

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STATE EMERGENCY RESPONSE COMMISSION

Executive Summary

The following annual report details the SERC Fiscal Year 2022 (July 1, 2021 – June 30, 2022) activities in support of the federal “Superfund Amendments and Reauthorization Act (SARA) of 1986,” Title III “Emergency Planning and Community Right-to-Know Act” (EPCRA) and Title 16, Chapter 63 of the Delaware Code. The aid and assistance of the business community, emergency responders, planners, county commissioners and state agency personnel has been instrumental in developing and maintaining Delaware’s hazardous materials emergency preparedness.

SARA Title III and Title 16, Chapter 63

On October 17, 1986, President Reagan signed the Superfund Amendment and Reauthorization Act (SARA) into law. Title III of this Act (which is referred to separately as EPCRA) establishes requirements for Federal, State and local governments, and industry regarding emergency planning and community right-to-know reporting on hazardous chemicals. This legislation builds upon the Environmental Protection Agency’s (EPA’s) Chemical Emergency Preparedness Program and numerous state and local programs aimed at helping communities to meet their responsibilities concerning potential chemical emergencies.

The Act requires the governor of each state to designate a State Emergency Response Commission (SERC). On March 17, 1987, the Commission on Hazardous Materials was designated as the Delaware State Emergency Response Commission (SERC). Members of the SERC are listed in Attachment 6.

The Act has four major sections: emergency planning, emergency notification, hazardous chemical inventory reporting, and toxic chemical release reporting. The sections are interrelated in a way that unifies the emergency planning and community right-to-know provisions of SARA and Title III. An explanation of these sections follows.

Emergency Planning

The emergency planning sections are designed to develop state and local government emergency preparedness and response capabilities through better coordination and planning, especially at the local level.

The Act requires the establishment of Local Emergency Planning Districts and Committees. Four (4) Local Emergency Planning Districts and Committees (LEPCs) exist in Delaware and are designated as three (3) counties and the City of Wilmington.

LEPC membership includes elected county and municipal officials, state agency representatives, police, fire, civil defense, public health professionals, environmental, hospital, and transportation officials as well as representatives of facilities, community groups, and the media. A list of the LEPC Chairpersons, membership, and a summary of each committee’s activities are found in Attachment 3.

The Act also requires the LEPCs to develop hazardous materials emergency response plans. In developing a plan, the local committees evaluate available resources for preparing for and responding to a potential accident involving hazardous materials at the various sites within their jurisdiction.

The SERC is required to review the LEPC plans and make recommendations to the LEPCs on revisions that may be necessary. The SERC fulfilled this mandate and approved all initial plans for operational use by the LEPCs at its April 1993 meeting. In addition, a biannual review schedule of the LEPC plans was adopted, with the last review completed in FY21.

Emergency Notification

If a facility produces, uses, or stores one or more EPA-listed hazardous substances and there is a release that equals or exceeds the reportable quantity, the facility must immediately notify the Department of Natural Resources and Environmental Control (DNREC), the SERC, and the Community Emergency Coordinator (CEC). The notification must identify any area likely to be affected by the release.

In the Delaware Code, notification to DNREC serves as notification to the SERC. Previously, notification to the 911 Centers served as notification to the CEC. With legislation passed in 2003, however, this was changed. Notification to the CECs for the LEPCs is now fulfilled by notification to an “800” number established in 2004.

Hazardous Chemical Inventory Reporting

There are two Community Right-to-Know reporting obligations under the requirement:

- Facilities must prepare or have available safety data sheets (SDSs) (SDSs were formerly known as material safety data sheets MSDSs) under the Occupational Safety and Health Administration (OSHA) hazard communications regulations and Delaware Worker Right-to-Know requirements. For chemicals on-site above certain quantities, facilities shall submit either copies of the SDSs or a list of such substances to the SERC, the LEPC, and the local fire company that provides fire rescue service to the facility. In Delaware, these SDSs or lists are centrally collected and distributed for the SERC through DNREC.
- Chemical inventory forms must also be submitted annually by March 1 for the preceding calendar year. The form contains chemical type, quantities, storage locations, and emergency contact information.

A Delaware Emergency and Hazardous Chemical Inventory form is used for industry’s reporting purposes by the SERC Information and Technology Committee to improve facility reporting.

The form requires additional reporting elements that will further aid the first responder, community, and LEPCs. Originally, completed forms were submitted to DNREC, Division of Waste and Hazardous Substances (DWHS), where the information was entered into a database and made available to the LEPCs, 911 Centers, and other approved users for their purposes.

Beginning on March 1, 2006, a new online Web-based reporting system was implemented, Tier II Manager. This system allows facilities to register and report online through a secure website. Submitted data is immediately available online for access by approved emergency planning and response organizations. The system also allows facilities to pay reporting fees electronically online.

Between January and July 2022, approximately 2611 facilities reported on chemicals used/stored on site with 100% reporting online.

Details on online reporting is available at the following DNREC page <https://dnrec.alpha.delaware.gov/waste-hazardous/emergency-response/community-right-to-know/online-reporting/>.

Toxic Chemical Release Reporting

This section of the act requires EPA to establish an inventory of toxic chemical emissions from certain facilities. The purpose is to inform government officials and the public about releases of toxic chemicals into the environment. It also provides for assistance with research and in the development of regulations, guidelines, and standards.

The reporting requirement applies to owners and operators of manufacturing facilities that have ten or more full-time employees that are in Standard Industrial Classification (SIC) codes 20 through 39, and that manufacture (or import), process, 25,000 lbs., or otherwise use 10,000 lbs. of a listed toxic chemical. Subject facilities must report these emissions annually by July 1 for the preceding calendar year. Beginning with the 1998 reports due in 1999, seven additional industry categories were also added, including electric generation and bulk petroleum distribution facilities. Beginning with the 2000 calendar year reports due in 2001, substantially lower reporting thresholds were established for a number of chemicals classified as persistent, bio accumulative toxic (PBT) chemicals. The Federal Form R, Toxic Chemical Release Inventory (TRI) Reporting Form is used, and these are submitted to the EPA.

In earlier years, the EPA made software available for facilities to compile their TRI reports on computer and submit their reports on diskette. Beginning in 2006, Delaware implemented a process involving TRI reporting to EPA's Central Data Exchange (CDX). Rather than submitting disks, this process allows facilities to submit their electronic reports through the internet to EPA. EPA in turn provides data to the State via CDX. With this streamlined approach, facilities only need to submit reports once to EPA. Delaware then automatically receives the reports, instead of requiring the facility to submit their reports separately to the EPA and to the state. To access TRI data for any location, go to the EPA's Toxics Release Inventory (TRI) Program page at <https://www.epa.gov/toxics-release-inventory-tri-program>, and use the *TRI Toxics Tracker*.

Delaware's TRI data is also accessed through the EPA's search tool on the TRI Program page. For additional information and details on accessing the TRI data, go to the Toxic Release Inventory page of DNREC at <https://dnrec.alpha.delaware.gov/waste-hazardous/emergency-response/community-right-to-know/tri/>.

Although TRI reports are not emergency oriented, the data submitted is vital to analysis of situations and supports release prevention. It supports the community right-to-know principle by providing the public with essentially an “annual report card” on management of toxic chemicals by facilities.

Other sections of this law provide for confidentiality of trade secrets and public access to all reported information from facilities and emergency response plans.

Facilities

In 1991, the State of Delaware passed its own Emergency Planning and Community Right-to-Know Act (Title 16, Delaware Code, Chapter 63), which built upon the federal requirements and created a funding mechanism for emergency planning activities. These laws established a series of reporting requirements impacting facilities ranging from large industrial sites to small businesses. Facilities can be required to report a variety of information, ranging from chemicals used and stored at the site, to chemicals released to the environment. These requirements essentially mirror the Federal EPCRA requirements described previously, with some additional provisions added at the State level, such as lower reporting thresholds and reporting fees.

Exercises

An exercise program to review the capability of the staff and emergency response personnel to respond to hazardous material incidents continued. Hazardous material events are a regular part of natural and technological hazards exercise scenarios. Policy, training, and outreach efforts continue to expand in this area.

Training

The Hazardous Substance Incident Contingency, also known as the State Emergency Response Team (SERT) Plan, was developed to establish policy and emergency response organization for responding to a broad class of hazardous substance incidents. Safe and coordinated response requires the application of specialized techniques and organizational concepts. In general, individual organizations are responsible for tactical training in accordance with the assigned roles in the emergency organization. A state program has been developed to educate and train local and state response personnel. The program is administered by the Fire School and is structured to provide training in accordance with assigned roles in the emergency organization. All SERT responders receive Incident Management System Training.

Hazardous Material Response Capability

In Delaware, decontamination capability is provided by three Hazardous Material Decontamination Response (DECON) Teams. The teams are made up of a combination of Volunteer Fire Companies and Career Emergency Medical Service (EMS) agencies and fall under DNREC’s Hazardous Materials Branch Director for the incident. All the response teams are provided with the training and equipment necessary to provide specialized HazMat decontamination response throughout the State. Each team is equipped with a state of the art DECON trailer and tow vehicle, which contains specialized equipment for decontamination of HazMat responders and the public and containment of hazardous substances. New Castle County has an Industrial Hazardous Material Response Alliance (NCCIHMRA), which was formed

in cooperation with the local industry HazMat response teams and DNREC. The Alliance consist of approximately 38 volunteers, who are currently or previously members of an industrial HazMat Team. The NCCIHMRA team can be activated to enhance state HazMat response capabilities.

Revenues

The Commission collected approximately \$481,066.64 in reporting fees between January and the end of the 2022 fiscal year. Monies in the fund and the interest accrued are appropriated annually. The fiscal year 2022 financial status is reflected in Attachment 4.

The fees were originally established in 1991 and had remained unchanged for 26 years. With legislation passed in the 149th General Assembly and signed on 8/30/2018 (SB 68), the previous fee per hazardous substance was increased from \$40 to \$60, and per extremely hazardous substance from \$80 to \$100, starting in 2019.

Operation and Administration of the Commission

The Delaware SERC instituted bylaws to improve its operation. Regularly scheduled meetings and the establishment of standing committees are some highlights of the bylaws adopted by the Commission. The Standing Committees' members, functions, accomplishments, and goals are contained in Attachment 2.

Outreach and Public Education

The SERC Committees established a complete set of Emergency Planning and Community Right-to-Know web pages for Delaware. The pages provide SERC, LEPC, and Facility Compliance Information and detail the reporting requirements of the Act. The public information section contains a searchable online database of TRI data reported by facilities.

Following the September 11, 2001 terrorist attacks, the Tier II searchable database was removed from the public domain for security considerations. At the December 2008, meeting the SERC adopted formal procedures for handling public access to EPCRA information. However, the information is still available, as required by EPCRA. Request for Tier II data can be made using the "online" request form or through the Freedom of Information Act request process.

During FY 06, the EPCRA web pages for Delaware were converted to a new "common look and feel" format required for all Delaware government related sites. The pages were also moved from their previous location at the Department of Technology and Information (DTI), to a server at DNREC. During the latter half of 2011, DNREC updated their web servers, and migrated the SERC website to a new platform. In Fall 2021, the SERC webpages were transferred to the Delaware Emergency Management Agency's (DEMA's) website. As a result, the new SERC web address is now <https://dema.delaware.gov/serc/>.

Under Federal EPCRA, LEPCs are required to publish newspaper ads annually, informing the public of information available to them under the Act. In Delaware, these ads are developed with the LEPCs through the SERC Information and Technology Committee. The EPCRA ads describe the Emergency Planning and Community Right-to-Know Act, and include general information on the SERC, LEPCs, EPCRA Reporting and Risk Management programs. The ads are published in several Delaware

newspapers annually, typically in the August/September period. SERC and LEPC information and meeting dates are also provided. Interested citizens are encouraged to contact local LEPCs or the SERC and to attend the regularly scheduled meetings for further information.

Conclusion

Delaware's Emergency Planning and Community Right-to-Know Act continues to work well through the dedicated efforts of the partnership of citizens, local government, industry, and the public sector. The Act's implementation provides for public safety and public awareness about chemicals in communities statewide. The 2022 accomplishments of the SERC are in Attachment 1.

The SERC and LEPCs continue their efforts through training, planning, exercise, and community awareness. The support of the community and state partners is integral towards working forward in a comprehensive and effective manner.

Attachment 1

SERC Activities

- The Commission met on regularly scheduled meeting dates in March, June, September, and December. Business was conducted to support the Emergency Planning and Community Right-to-Know Act (EPCRA). Meetings included:
 - Reports from the five Standing Committees, which included updates on activities and items requiring action by the Commission.
 - Reports from the four LEPCs included updates on five key areas: Meetings, Facility Visits, HazMat Plans, Exercise Status, and Hazardous Material Responses.
 - Briefings from the DNREC/Division Waste and Hazardous Substances, which included detailed information on releases and responses.
- Funded DNREC and Delaware State Fire School (DSFS) HazMat training with Hazardous Material Emergency Preparedness (HMEP) Grant funds.
- Continued to maintain a publicly accessible SERC web page running on DTI servers to make EPCRA information available to the public. Due to security concerns and the Freedom of Information Act (FOIA), detailed information reported by facilities is no longer available on the website. Request for this information must be made in writing and be as specific as possible following FOIA procedures. Requests can also be submitted online at <https://dnrec.alpha.delaware.gov/foia/>
- Continued to support the Decontamination Trailer Committee by replenishing the DECON Trailer Maintenance and Equipment Account.
- Reviewed the allocations of Hazardous Material Emergency Preparedness (HMEP) Grant Budget projections for approved and pending Planning and Training funds.
- Reviewed and approved the application for FY 23 - 25 HMEP Grant cycle.
- Hazardous Material Emergency Preparedness (HMEP) funds were sub-granted to the four LEPCs, DSFS, and DNREC.
- The Commission approved a motion to provide funds for the 16th Annual HazMat Training Workshop in the amount of \$4,000.00. The funds were obligated to provide instructor and keynote speaker travel support for the Training Workshop.
- The Commission established the LEPC Oversight Committee to develop and provide maintenance of the Delaware LEPC Handbook, maintain administrative consistency between Delaware's LEPCs, and to ensure EPCRA requirements are being met by the SERC and LEPCs.
- The Commission directed the LEPC Oversight Committee to develop a Delaware LEPC Handbook. This Handbook is intended to outline the expectations for Delaware LEPCs to ensure

they are complying with Federal and State EPCRA requirements and to provide information to support LEPC activities.

SERC Standing Committees

Finance and Budget Committee

Voting Members

Chair SERC Member (DSFS)	Tucker Dempsey
DE Volunteer Firefighters Association (DVFA)	Sen. Bruce Ennis
Dept. Natural Resources & Env Control (DNREC)	Anuj Kumar
HazMat Emergency Preparedness Grant Admin	Steven Phillips
Private Sector	Vacant

Function

- Project probable revenues generated by fee system.
- Review and make recommendations to SERC regarding annual budgets from LEPCs, Information and Technology Committee, and Delaware Emergency Management Agency.
- Explore alternate funding sources.

Accomplishments for FY 2022

- Collected fees associated with the annual hazardous chemical inventory reports submitted by facilities.
 - Fees collected are appropriated to the State Emergency Response Commission (SERC) and are used primarily to support operation of Local Emergency Planning Committees (LEPCs). Funds are also used to support emergency response vehicles for decontamination.

Goals and Objectives for FY 2023

- Provide, through the SERC, fair and equitable distribution of monies, collected from Delaware Fee Reporting System and other sources, to the four LEPCs, and other eligible parties, so they may meet the requirements imposed by EPCRA and Title 16, Chapter 63 of the Delaware Code.
- To keep all SERC members advised of current revenues, balances, and projections.
- To provide budget preparation materials to all eligible parties in a timely fashion.
- To develop a handbook for the LEPCs Budget process and update the Performance Review document in addition to making necessary adjustments in submitted budgets to ensure equitable funds distribution.

- To recommend approval to SERC the distribution of funds to the LEPCs and other SERC funded entities.
- To maintain a contingency fund of monies.
- To work closely with the Secretary of Safety and Homeland Security, DEMA, and SERC members to ensure all potential and existing funding sources and requests are handled in a manner consistent with accepted practices of State Government.
- To work with the LEPC Oversight Committee on LEPC budgeting and LEPC performance measures.

Information and Technology (IT) Committee

Voting Members

Chair (SERC Member)	David Irwin
Vice (DNREC)	Anuj Kumar
DNREC	Bill Davis
DSFS	Tucker Dempsey
Division of Public Health (DPH)	Wayne Vogel
DEMA	Steven Phillips
City of Wilmington LEPC	Willie Patrick
New Castle County LEPC	Bill McCracken
Kent County LEPC	Brandon Olenik
Sussex County LEPC	Charles Stevenson
Industry	Lynn Cointot

Function

- Ensure hazardous material information is made available to emergency planners and responders.
- Oversee development, implementation and operation of information system(s) for collection and management of EPCRA-related facility information for use by emergency planning and response organizations. Coordinate selection and purchase of related software for emergency planning and response. Organize and conduct training on the information systems and software.
- Explore computer-based strategies for enhancing compliance.
- Develop materials to inform the public through community outreach and promote participation in **Emergency Planning and Community Right-to-know Act** matters.
- Oversee maintenance of SERC/LEPC/EPCRA web pages.

Accomplishments for FY 2022 and Continuing Projects

- The last in person meeting was conducted on November 6, 2019; given the Covid -19 restrictions all business has been conducted via email. There were no meetings in FY22.
- In January 2022, DNREC hosted four online training workshops on EPCRA reporting for reporting facilities (<https://dnrec.alpha.delaware.gov/waste-hazardous/emergency-response/community-right-to-know/online-reporting>). The workshops covered both the regulatory background and the on-line reporting software, with specific emphasis on Tier II reports due March 1st. A total of 184 people attended these workshops, which is nearly 4x the number from past in-person years. Post-event surveys indicate that the workshops were overwhelmingly well received, and future workshops can be continued virtually to have increased participation.

- The DNREC EPCRA Reporting Program continued overall implementation & routine upgrading of the Delaware *TierIIManager*TM system. Throughout the year, multiple updates and upgrades were tested off-line and then integrated into the system. This has been and will continue as an ongoing process as a part of continuous improvement.
- The federal EPCRA Statute requires each LEPC to publish an annual notice to the public in local newspapers about the availability of various information under EPCRA. During the Fall of 2022, each LEPC ran newspaper advertisements within their district.
- Web page management was transferred to each LEPCs and DEMA per the agreement that each agency would take over their respective pages.
- Managed and tracked the SERC approved IT Committee FY 2022 budget. Prepared and submitted FY 2023 budget request.

Goals and Objectives for FY 2023

- Continue working to deliver FY 2022 open projects for full implementation by the end of FY 2022. This may include ongoing development of the SERC IT “Living Document” to describe and designate all tasks associated with Tier II MangerTM, as well as other EPCRA related information management issues (like public info policy, procedures and documentation for 304 notifications to LEPC mailboxes, etc.) so that (1) all roles are understood and executed, and (2) to aid succession planning.
- Continue working with the contractor to implement updates/upgrades to the system as needed.
- DNREC EPCRA Reporting Program staff will organize and present another series of training workshops for Tier II Manager users in January 2023.
- Continue efforts with the LEPCs and 911 Fire Dispatch Centers to ensure all State Approved Admin Fields are completed as needed for reporting facilities in Tier II Manager System.
- Provide guidance and assistance to the LEPCs to ensure the required EPCRA annual informational advertisements are published.
- Continue maintenance of the toll-free Community Coordinator emergency release notification number.
- Prepare annual budget request for SERC and manage funds.
- Complete other tasks as requested by the SERC.

Planning and Training Committee

Voting Members

DEMA	A.J. Schall Jr.
DSFS	Tucker Dempsey
DNREC Response	Vacant
DPH	Wayne Vogel
NCCIHMR	Mark Dolan
DeDOT	Dwayne Day
New Castle County	David Irwin
Kent County	Brandon Olenik
Sussex County	Charles Stevenson
City of Wilmington	Willie Patrick

Function

- Perform planning functions and provide oversight of training activities.
- Provide EPCRA policy and direction to the LEPCs with SERC approval.
- Establish goals and objectives that support state and Federal EPCRA mandates.
- Review LEPC plans and revisions to ensure compliance with Federal requirements and consistency with SERT Plan.
- Monitor issues related to transportation of hazardous materials in the State of Delaware.
- Examine strategies used by other states and make improvements and/or recommendations.

Accomplishments for FY 2022

- The Committee provided support for the 15th Annual Hazardous Materials Training Workshop conducted on May 6-7, 2022.
- The Committee provided oversight and guidance for the expenditure of the HMEP Grant.
- The Committee approved and submitted the application for the FY 23 – 25 HMEP Grant cycle.

Goals and Objectives for FY 2023

- Continuing review and as necessary update all LEPC plans for compliance with state and Federal EPCRA requirements.
- Continue to assist the LEPCs with planning and training efforts.
- Provide ongoing oversight of the HMEP Grant Program.
- Continue providing oversight and support for planning and coordination of the State of Delaware Annual Hazardous Material Training Workshop scheduled for May 2022.
- Study and analyze real-world incidents and events related to hazmat incident response, and share lessons learned with the SERC community.
- Complete the Statewide Hazardous Materials Commodity Flow Study with Tetra Tech which will analyze the types, volume, and routes of hazardous materials traveling within the State.
- Apply findings from the Statewide Hazardous Materials Commodity Flow Study to state and local planning initiatives.
- Review and revise the SERT Plan based on findings from the 2019 Hazardous Materials Emergency Response Functional Exercise and from real world incident findings.

DECON Trailer User's Group Committee

Voting Members

Chair DSFS	Tucker Dempsey
Co-Chair Kent County, LEPC, Decon	Brandon Olenik
New Castle County LEPC	David Irwin
New Castle County Decon	Joseph Leonetti
Sussex County Decon	Charles Stevenson
City of Wilmington	Willie Patrick
DNREC	Vacant
DPH	Wayne Vogel
DEMA	Steven Phillips
DVFA	Vacant

Function

- Oversee the operation, training, and maintenance of the three Decon units that the State funded for each county.
- Provide decontamination to emergency service personnel and victims of HazMat incidents.
- Monitor and report on decon operations and activities.

Accomplishments for FY 2022

- The Decon Trailer maintenance and equipment account was replenished to operational level.
- Developed a policy to ensure the timely and efficient method of authorizing repairs and equipment updates with Chairman and DNREC approval.

Goals and Objectives for FY 2023

- Based on the long-range goals and missions developed by the Team Leaders continue to determine equipment and training needs and to pursue these needs through the Department of Safety and Homeland Security funding.
- Continue to provide timely decontamination services to emergency personnel and facility workers when needed.
- Continue the training of the team members on the equipment acquired through Homeland Security funding programs.
- Seek adequate funding for equipment, maintenance, training, and physicals for those needing them to better protect the DECON team members.
- Continuing to budget with available funding for the replacement of Kent DECON unit.

- Develop specifications, proceed to bid and accept delivery of a replacement DECON unit.
- Promote the availability of the DECON teams to emergency responders, facility operators, and the public.
- To be recognized as an “all hazards” emergency response decontamination team.

LEPC Oversight Committee

Voting Members

Water Transportation Commissioner (Chair)	Lynn Cointot
DEMA	Steven Phillips
Consignees Commissioner	James Lee
DNREC	Anuj Kumar
LEPC Representative (Rotating Annually)	Willie Patrick – CoW LEPC

Function

- Evaluate the need for an LEPC Oversight Committee.
- Advocate for the Adoption of the Delaware LEPC Handbook.
- Maintain administrative consistency between Delaware’s LEPCs.
- Ensure all roles are understood and executed.
- Aid the Finance and Budget Committee of the SERC in reviewing LEPC budget requests.
- Aid in succession planning.
- Ensure the SERC understands the duties and responsibilities of Delaware’s LEPCs.

Accomplishments for FY 2022

- Evaluated EPRCA state and federal requirements for LEPCs.
- Conducted twelve meetings of the committee.
- Produced a draft the Delaware LEPC Handbook.
- Conducted education in the form of presentations of the draft Handbook to the SERC.
- Held a workshop to further discuss and answer questions related to the draft Handbook.
- Conducted meetings with LEPC chairmen to further explain and answer questions regarding the LEPC Handbook.
- Prepared responses to LEPC written questions on the draft Handbook.
- Prepared a detailed list of reasons for the need of the LEPC Handbook.

- Briefed the Chair and Vice Chair of the SERC regarding the LEPC Handbook and need for evaluation and oversight of Delaware LEPCs.

Goals and Objectives for FY 2023

- Continue to educate the SERC and LEPCs of the state and Federal EPCRA requirements.
- Continue efforts to formally adopt the LEPC Handbook.
- Create performance measures to be used to aid the Finance and Budget Committee.
- Work with the Finance and Budget Committee to implement the performance measures for the LEPCs.
- Continue providing oversight and support to the LEPCs and SERC.

Attachment 2

LEPC Committees

LEPC for New Castle County FY 2022 Performance Report (July 1, 2021 - June 30, 2022)

Accomplishments:

- Seven LEPC meetings were conducted:
 - July 12, 2021- hybrid meeting hosted by Lewis Environmental; 33 individuals participated
 - September 13, 2021 – hybrid meeting hosted by Delaware City Refining Company; 39 individuals participated.
 - November 8, 2021 – hybrid meeting hosted by Energy Transfer; 31 individuals participated.
 - February 7, 2022 – hybrid meeting hosted by Rogers Corporation; 40 individuals participated.
 - February 7, 2022 – LEPC Steering Committee hybrid meeting hosted by Rogers Corporation.
 - March 14, 2022 – hybrid meeting hosted by Lewis Environmental; 35 individuals participated
 - May 9, 2022 – remote meeting hosted by Croda; 36 individuals participated

- The LEPC for NCC, DSFS, DEMA, DNREC, 31st CST and the Mill Creek Fire Company sponsored the 15th Annual Hazardous Materials Training Workshop on May 6th & 7th, 2022 at the DSFS Dover location. Once again, the theme for the workshop was “Educating Responders for Today and Tomorrow”. Although attendance was down due to low Volunteer Fire Services personnel turnout almost of 200 individuals participated in the free two-day training workshop. The event had twenty-four corporate sponsors. The SERC has approved sponsoring a 16th Annual Hazardous Material Training Workshop and planning efforts are underway.

- The LEPC continues to co-sponsor along with DNREC the New Castle County Industrial Hazardous Materials Response alliance (NCCIHMRRA).

- **LEPC for NCC Chairman (David Irwin) Accomplishments:**
 - Continue to serve as the Chairman of the LEPC for NCC
 - Continue to serve as the Chairman of the SERC Information & Technology (IT) Committee.
 - Participated in all SERC meetings and provided quarterly and annual performance reports.
 - Continue to participate as a member of the SERC Planning & Training Committee.
 - Continue to participate as a member of the SERC DECON Committee.
 - Continue to serve as co-chair of the NCCIHMRRA (New Castle County Industrial Hazardous Material Response Alliance) Steering/Training Committee.

- In accordance with SARA Title III Section 303 [42 U.S.C. 11003 (a)] completed the LEPC for NCC's 2021 annual review of the LEPC for NCC Hazardous Material Response Plan
- Prepared, managed and tracked the SERC approved FY 2022 LEPC for NCC budget.
- Prepared, managed and tracked the FY 2022 LEPC for NCC Work Plan
- Prepared the LEPC for NCC FY 2023 Work Plan and Budget
- Prepared and submitted in a timely manner the LEPC for NCC FY 2021 Annual Performance report
- Prepared and submitted in a timely manner the SERC IT Committee FY 2021 Annual Performance report
- Composed and delivered SGT. C. Ennis Appreciation Plaque for presentation by Col. Zebley at the September SERC meeting.
- Worked with vendor to design and produce twenty-four perpetual Workshop sponsor recognition plaques
- Provided a copy of the LEPC Site Assessment Checklist and two examples of reports to the SERC LEPC Oversight Committee
- Provided SERC LEPC Oversight Committee with an explanation of the process for exercising the LEPC for NCC Hazardous Materials Response Plan
- Reviewed the draft SERC LEPC Oversight Committee Handbook
- Participated in DEMA sponsored NCCIHMR survey
- Serving as a committee member in the SERC sponsored Hazardous Materials Flow Study Management Team
- The LEPC is participating in the SERC sponsored Statewide Flow Study
- Prepared and submitted in a timely manner the three quarterly FY 2022 PHMSA HMEP Activity Reports as well the Q4 FY 2021 activity report
- Submitted DEMA FY 2019 HMEP Grant accountability questionnaire
- Prepared and submitted in a timely manner the LEPC Quarterly Performance Reports
- Submitted LEPC approved FY 2023 proposed Budget, FY 2023 Work Plan and CY 2021 Performance Report in a timely manner to the SERC Finance Committee
- Submitted the SERC IT Committee FY 2023 Budget request in a timely manner to the SERC Finance Committee
- Received SERC approval to conduct 16th Annual HazMat Training Workshop Due to COVID – 19 restrictions all Annual HazMat Training Workshop Planning Committee workshop activities/business were conducted as hybrid meetings hosted by the DSFS – New Castle Division
- Assumed responsibility for, wrote and published the annual publication and handled the payment of the federally required annual LEPC advertisement in local newspapers
- Working with the Chair of the LEPC for NCC Steering Committee and the New Castle County Emergency Management Coordinator developed and launched through the County IT Department an LEPC website as part of the NCC-OEM website.
- Developed and launched the 15th Annual Hazardous Material Training Workshop “Save the Date” notice
- Developed and finalized the Workshop Registration, Session Program, Friday and Saturday session descriptions and speaker bios.

- Represented the LEPC at the Burriss Annual Emergency Responders Facility Plan Review and facility walkthrough
- Represented the LEPC at nineteen (19) Community Advisory Panel (CAP) remote/hybrid/in-person meetings. The CAP meetings were sponsored by seven companies, Croda, Solvay Specialty Polymers, DuPont Nutrition & Health/IFF, Reviewed I-95 Peroxide incident reports
- Represented the LEPC for NCC at a total of twelve (12) remote LEPC meetings (Kent, Sussex and Wilmington).
- Represented the LEPC at two (2) DC CAER quarterly meetings
- Represented the LEPC at one virtual US Coast Guard Sector Delaware Bay Area Committee meeting
- Documented nine (9) Hazardous Material reportable release reports in accordance with EPA regulations
- Reviewed July 2020 to June 2021 LEPC meeting attendance and developed CY 2022 LEPC voting/non-voting membership list for Steering Committee/membership approval
- Monitored Veolia Olefin/Sulfuric Acid rail cars Hazardous Material incident
- Reviewed Phillip's Sulfur Dioxide release reports
- Participated in DNREC's -ARP RMP inspections at Delaware City Refinery, Sharp Energy and Braskem
- Coordinated NCCIHMRHA HazMat Operations Meeting and HazMat Apparatus 101 Overview
- Reviewed I-95 Peroxide incident reports
- Reviewed GE Edison Works Advanced Material Center Integrated Contingency Plan
- Reviewed DNREC's ARP Tri-annual Graver RMP inspection report
- Reviewed DNREC's ARP Tri-annual GE Edison Works Advanced Material Center RMP inspection report
- Reviewed DNREC's ARP Tri-annual Aearo Technologies Newark Facility inspection report
- Reviewed DNREC's ARP Tri-annual Sovereign Properties Village of Canterbury Newark Bulk Propane Storage Facility inspection report
- Reviewed DNREC Emergency Response Incident Response reports for New Castle County
- Met with NCC Public Safety Director V. Bond to discuss role and structure of LEPC
- Updated LEPC PowerPoint presentation
- Assisted one member Company in securing a Narcan supply

➤ **LEPC for NCC Vice Chairman (Elizabeth Neumane) Accomplishments:**

- Prepared and recorded the minutes for the July 12th, 2021 NCC LEPC meeting.
- Prepared and recorded the minutes for the September 13th, 2021 NCC LEPC meeting.
- Updated the NCC LEPC electronic distribution list
- Prepared and recorded the minutes for the February 7th, 2022 NCC LEPC meeting.
- Prepared and recorded the minutes for the February 7th, 2022 NCC LEPC Steering Committee meeting.

- Prepared and recorded the minutes for the May 9th ,2022 NCC LEPC meeting

➤ **ERP Liaison (William McCracken) Accomplishments:**

- Completed thirteen (13) Emergency Response Plan Reviews:

<u>Facility Name</u>	<u>Date</u>
Patriot Ice Center	11/16/21
Siemens	11/16/21
Clarios	12/20/21
D&S Warehouse	02/08/22
Rogers Corp.	02/10/22
Calpine	02/12/22
Fuji Film	02/24/22
MTC Logistics	03/08/22
Croda	03/09/22
Middletown Water	04/27/22
Ecolab	05/24/22
Dupont Chestnut Run	05/25/22
Bloom Energy	06/09/22

➤ **Goals and Objectives FY 2023:**

- Prepare, manage and track the SERC approved FY 2023 LEPC for NCC budget.
- Prepare, manage and implement the DEMA/PHMSA approved FY 2022 LEPC for NCC HMEP Grant projects. As required by SARA Title III Section 303 [42 U.S.C. 11003 (a)] federal statute review and update as appropriate the Hazardous Substance Response Plan
- Continue to work with DNREC EPCRA personnel to maintain and update the TIER II Manager database and work with DNREC EPCRA section and the DSFS personnel to encourage training of identified emergency services personnel in the use of TIER II Manager program to ensure competency in the defined needs as agreed by the LEPCs and the SERC IT Committee.
- Accompany DNREC ARP personnel on at least one ARP inspection
- Continue to encourage the NCC Volunteer Fire Chiefs to identify and enroll key stakeholders for the TIER II Manager training program.
- Continue to serve as the sponsor of NCCIHMRA
- Work with the NCCIHMRA Training and Steering Committee to develop, sponsor, facilitate and coordinate NCCIHMRA training initiatives.

- Work with Industry, Local Government and Community Organizations to identify and pursue opportunities to promote and implement LEPC mission and message at community meetings, public outreach events, open houses and other special events as appropriate and provide reports at LEPC meetings
- Serve as an active member of industry sponsored Community Advisory Panels.
- Given the changing landscape of industry in NCC continue to work with DNREC personnel to develop an accurate NCC EHS facility list and schedule for EHS Chemical Facility Emergency Response Plan/Procedure reviews and site visits in accordance with the rolling 3year cycle schedule.
- Serve as Chairman of the Delaware State Hazardous Materials Training Workshop Planning Committee.
- If conditions warrant sponsor, facilitate, arrange or participate in at least one hazardous materials drill, tabletop or field exercise.
- Serve as an active member of the SERC Planning & Training Committee.
- Serve as the Chair of the SERC Information Technology Committee.
- Serve as an active member of the SERC DECON Committee.
- Attend the Regional Emergency Preparedness and Hazardous Materials Conference.
- Provide bi-monthly activity reports to the LEPC.
- Provide quarterly and annual activity reports to the SERC.
- As requested, serve as a subject matter expert to LEPC members as well as other entities.
- Perform other duties as requested by the SERC.

New Castle County LEPC Membership (as of June 2022)

Voting Members - 42	
Name	Representation
Baldinger, Dave	Chesapeake Utilities
Barnett, Chris (proxies C. Cornelius, S. Bell)	Croda
Barrish, Bob	Community At-Large
Bethard, Jamie (proxy Tara Chambers)	DNREC
Brennan, Jerry (proxy Chad Ingram)	DSFS
Cartier, John, Councilman	NCC Council, District 8
Cenci, Ken	DNREC -ARP
Cochran, Joseph	NCC Emergency Management
Cointot, Lynn	Maritime / Philadelphia Barge Company
Davis, Russ	Honeywell
Dietrick, Ron (proxy John Deemer)	Delaware City Refining Company
Dolan, Mark	DNREC -ARP
Ennis, David	LEPC
Fox, Robert	State Fire Marshall
Golgolab, Babak	Claymont Community Coalition/LEPC
Grueio, Anthony	Smyrna
Haslinsky, Gregg	Moran Environmental
Hopkins, Wayne	FMC - Stine
Irwin, David	NCC LEPC
Jack, William	DuPont ESL
Kelly, William	Energy Transfer/Delaware State Fire Prevention Commission
Klinger, Kevin	IFF
Kovach, Tom	NCC LEPC
Leonetti Sr., Joseph	Saint Francis Healthcare
Logemann, Mark, Asst. Chief	NCC EMS
Love, Tim (proxy Kathy Baily)	Sun Chemical
McCracken, William	Public Member/LEPC
McDonough, Brian	Amtrak
McGrath, John	DRBA
McDowell III, Harris, Senator	Former Senator
Neumane, Beth	Rogers Corporation/Vice -chairman
Patrick, Willie	Wilmington LEPC
Phillips, Mike	Radio - WDEL

Phillips, Steve	DEMA
Pierce, Terry	American Red Cross
Potter, Dave (proxy A. Vanamon)	Noramco
Scheibe, Jon	Ashland
Stein, Al	EMRES Ltd.
Stevenson, Charles	Sussex County LEPC
Strupczewski, William	FAA/US DOT
Verdi, John (proxy Kevin McSweeney)	University of Delaware
Vogel, Wayne	Public Health
Whitemarsh, Dan (proxy David Tench)	Buckeye
Wicklund, Brandon (proxy Dustin Critchfield)	DOT Foods
Non-Voting Members - 12	
Name	Representation
Armstrong, Rob (proxy P. Sebastian)	Miller Environmental
Dunaway, Lisa	CR PAP
Eicher, Scott (proxy Robert Aldi)	
Farrell, Joe	Moran Environmental
Gaudiosi, Rich	DRBC
Hearnstedt, Bill	ESNG
Oswald, Brian	Solvay
Pelna, Stephan	Lewis
Reynolds, Philip	Miller Environmental Group
Ross, Rich	Eastern Shore Natural Gas
Rubin, Joe	WSFS
Shively, Edwin	Hologic

LEPC for City of Wilmington FY 2021 Performance Report (July 1, 2020 - June 30, 2021)

Accomplishments for 2022

- Met with Wilmington LEPC every sixty days via in person and zoom.
- Worked with all agencies to improve the response capabilities to hazardous material incidents.
- Continue working with all City Corporations on any exercise or drill.
- Participated in Preparedness Night at the Blue Rocks in May.
- Participated in the COOP Exercise, with critical Wilmington Departments.
- Participated in the annual hazmat workshop with the State and County.
- Attended all planning meetings for the hazmat workshop.
- Distributed LEPC information throughout Wilmington, through community, business and city organizations.
- Increased the number of LEPC presentations to schools, neighborhood planning councils and businesses.
- Continued to reach out to businesses in Wilmington to encourage them to be participants in the Wilmington LEPC.
- Continue to work with New Castle County LEPC to improve all identified HazMat sites within the City of Wilmington limits and update information needed by the emergency responders.
- Continue to test the DENS System on a quarterly basis.
- Work with local companies on requirements of reporting non-emergencies to the local emergency coordinator.
- Continued to provide to all extremely hazardous material sites, large employers and public buildings notification alert radios.
- Test City monitor radios and emergency notification systems on a semi-annual basis.
- Continue to review the Hazardous Substance Plan for Wilmington.
- Participated in the Emergency Preparedness & Hazmat Conference in October.
- Continue to use our City TV station channel 22 and Public Safety radio station 1640 AM for public safety announcements.
- Assisted in providing proper equipment and will try to update equipment and meters for the Hazmat units.

- Participate in Local, County and State drills.
- Worked with DEMA and other LEPC's in planning annual Delaware HazMat Training Workshop held in May.
- Supported other LEPC's by attending quarterly meetings.
- Strive to increase LEPC membership and participation.
- Completed 1 inspections via telephone as voted on to do by the state.
- Completed the annual LEPC and HMPG Work Plan and Budget.
- Ran newspaper ad for the Community Right to Know information.
- Served on SERC LEPC Oversight Committee

Goals for 2023

- Hold LEPC meetings every 60 days in person and via virtual.
- Maintained City of Wilmington LEPC membership with a regular attendance of a small group of members.
- Attend SERC meetings and other county LEPC meetings via zoom.
- Work on and submit the annual LEPC and HMPG Work Plan and Budget.
- Continue to review and updated if necessary the Hazardous Substance Response Plan for Wilmington.
- Continue with Shelter-in-Place and Evacuation presentations to neighborhood groups and senior citizens. We have also worked with the City on and business partners on Lock down Shelter in place plans of preparedness. Sent out preparedness for pandemic precautions such as masks, hand sanitizing, separation and where to receive testing then shots.
- Serve on the planning and preparation committee for the annual Hazmat Conference.
- Attend all meetings of the planning committee for the workshop.
- Participate with the Wilmington OEM and other agencies in any exercises.
- Conduct SERT response training for Wilmington Fire Department if needed or requested by the Department
- Meet with all Emergency Responder Staff, Police and HazMat on a quarterly basis.
- Meet with the Wilmington Fire Department Operational Personnel monthly.

- Participate and attended the State All Hazards Conference and the Hazmat conference.
- Distribute copies of the updated and reprinted “Resident Awareness and Emergency Preparedness Guide” to area businesses, industry and Community groups.
- Worked with the WFD Emergency Responders on the EPCRA reporting information available to them.
- Provided monthly Partners in Public Safety messages to the City residents via Chanel 22.
- Reviewed SERT Response Guide Book.

City of Wilmington LEPC Membership (as of June 2022)

Name	Organization	Representation
Allen Ecker	Dana Transportation	Transportation
Andrew Zaun	Bucheye	Industry/Chemical
Bob Schroeder	Noramco	Industry Facilities
Carole Dougherty	EPA	Environmental
Chris Young	American Red Cross	Emergency Services
Danny F. Miller	Allied Signal Inc.	Industry/Chemical
Dave Irwin	NCC LEPC	
David Hodas	Widener University/Env. Law	Community Representatives
David McFadden	Quip Laboratories, Inc.	Industry
	Wilmington Police Dept	Law Enforcement
Doug Dillon	Tri-State Maritime Safety	Industry
Ed Gerhart	EPA Region III	Environmental
Nadira Alston	Delmarva Power	Utilities Rep
George B. Giles	Citizen	Community
George Evans	Vice President, Community Council	Community Representative
Glen Schmiesing	Environmental Engineer	Environmental
Helene Stolker	EPA	Environmental
Gabe Pabone	Dep. Chief WFD	WFD FMO
James Rhodes	Licenses & Inspections Dept.	Local Official
Jamie Bethard	DNREC	Environmental
Jeff Kreb	Christiana Hospital	Hospital Representative
Kelly Williams	Commissioner, Public Works	Public Works
Jerry Custis	Port of Wilmington	Industry/Chemical
John Hoban	Dep Chief Operations	Fire Department
Joe Kalinowski	Citizen	Fire Department
Joe Leonetti	St. Francis Hospital	Hospital Representative
Joe Rubin	WSFS	Industry
John Gillespie	Pennoni Associates, Inc.	Industry/ Chemical
John Looney	WFD Chief	Fire Department
Joseph DiPinto	City of Wilmington	LEPC Chairman
Kara Coats	City Solicitor	Local Government
Kevin Senseny	Citrosuco Corporation	Industry/Chemical
Loretta Walsh	Wilmington City Council	Elected Official Government
Luke Mette	City Solicitor	Executive Committee
Lynn Cointot	Philadelphia Barge Company	Environmental
Margie Williams	LEPC Clerical Staff	Executive Committee
	Wilmington City Council	Elected Official
Vacant		Fire Department
Michael Hackett	DART	Transportation
Michael Purzycki	Mayor	Elected Official
Mikal Shabazz	EPA	Environmental
Gabe Pabone	Dep Chief WFD Fire Marshall	Fire Department

Mike McLean	Amtrak, Safety Department	Transportation
<i>Position Vacant</i>	Planning, Community Projects	Local Official
<i>Position Vacant</i>	Christiana Care	Hospital Representative
<i>Position Vacant</i>	International Petroleum Corp.	Industry/Chemical Industry
<i>Position Vacant</i>	Mayor's Office	Local Official
	Planner DE Emergency Mgmt	State of Delaware
Robert Tracy	Police Chief, Wilmington	Law Enforcement
Sally Hawkins	Delaware Broadcasting Company	Publicity/Public Information
Scott Turner	Transport Technology Co. Inc	Industry
Sid Sharma	Environmental Compliance	Environmental
Steve Pelna	Lewis Environmental	Emergency Services
Tom Born	Atlantic City Electric	Utilities Representative
Kelly Williams	Public Works	City of Wilmington
Vacant	Wilmington City Council	Elected Official Government
Vacant	Courts	State of Delaware
Vince Jacono	Delmarva Power- Public Affairs	Utilities Representative
Wayne Hopkins	DuPont Company	Industry/Chemical
William Hornung	WSFS	Industry
Willie Patrick	Director Emergency Management	City of Wilmington

LEPC for Kent County FY 2022 Performance Report (July 1, 2021 - June 30, 2022)

The Kent County LEPC normally meets the second Tuesday of every odd-numbered month at 10:00 a.m. in the Kent County Public Safety Building. Special programs/events may dictate changing the time and/or location of the meetings. The LEPC consists of over 40 members who represent about 30 plus organizations or facilities in the County. The average attendance at the six meetings was 18 members. All 13 categories of members listed in our bylaws are represented.

The Kent County Department of Public Safety Chief Colin Faulkner serves as Chairman of the LEPC and Assistant Director Brandon Olenik serves as Co-Chairman. The Co-Chairman serves on the IT Committee and Planning and Training Committee of the SERC. Both Director Faulkner and Assistant Director Brandon Olenik participate in the Delmarva Emergency Task Force.

Accomplishments for FY 2022

- Developed an Annual Work Plan and Budget for FY 2023.
- Continued to hold a combination of in person meetings and virtual meetings on the 2nd Tuesday of every odd month to allow for better in person discussion on topics
- Participate and attended all SERC and SERC Committee Meetings
- Reviewed the Kent County HAZMAT plan in June 2022.
- Maintained current HMEP Grant. Also developed the next 3 year cycle to be submitted to DEMA and PHMSA.
- Supported and assisted with the training on the DECON trailer, including the local fire companies.
- Continued support of the Tier II Manager reporting system.
- Assisted late and non-reporting facilities in filing Tier II reports
- Members of the LEPC participated in several exercises during the year, including a full scale radiological drill with DEMA.
- Hosted a TTX at Garrison Energy involving ammonia release.
- Provided programs at several of the LEPC meetings.
- Worked with facilities in Kent County to identify hazardous and extremely hazardous substances and insure they are meeting reporting requirements.
- Assisted first responders and facilities in pre-planning, drills, and facility compliance.
- Promoted the Delaware Emergency Notification System to be used in the case of accidental releases at chemical facilities or other emergencies.

- Continue to learn and become proficient with new Rave Alert and Kent County is now IPAWS capable.
- Continued site visits for facilities that have EHS materials.

Goals and Objectives for FY 2023

- Continue to support the Tier II Manager reporting system.
- Continue to work with local fire companies that need access to TIER II.
- Continue work with the facilities in Kent County to identify hazardous and extremely hazardous substances and insure they are meeting reporting requirements.
- Continue 3-year review of emergency response plans for selected Kent County facilities that maintain an inventory of hazardous and extremely hazardous substances.
- Assist first responders and facilities in pre-planning, drills, and facility compliance.
- Hold bi-monthly LEPC meetings with a program for each meeting.
- Meet the performance measures established by SERC for LEPC's.
- Review and update, as needed, the Kent County HAZMAT plan.
- Attend SERC meetings and give activity reports for the Kent County LEPC.
- Attend conferences and training programs to become more knowledgeable in the areas of responsibility for LEPC's.
- Promote the Delaware Emergency Notification System to be used in the case of accidental releases at chemical facilities or other emergencies.
- Continue to support DECON 3.
- Participate in investigations by DNREC or the EPA when called upon.
- Participate in planning and completing tabletop, functional and full-scale exercises in Kent County in accordance with the Statewide Homeland Security Exercise Plan.
- Identify, publicize, and promote opportunities for improvement in emergency responses to hazardous situations in Kent County.
- Promote the Kent County LEPC through the media and static displays.

Kent County LEPC Membership (as of June 2022)

Member	Organization	Representation
Antonio Haigler	Dentsply Caulk	Facility Operator
Steve Phillips	DEMA	Emergency Management
Barry Laise	Station 54	Firefighting
Bill Davis	DNREC	Environmental
Bob Barrish	Retired.	Community Group
Brandon Olenik	KCDPS	Vice Chairman
Anthony Grueiro	Town of Smyrna	Local Official
Charles Stevenson	Sussex LEPC	Community Group
Jeffrey Baggett	American Red Cross	Community Group
Colin Faulkner	KCDPS	Chairman
David Irwin	New Castle LEPC	Community Group
Ed Strouse	Dept of Veteran Affairs	Hospital
Wayne Vogel	Dept of Public Health	Public Health
Willie Patrick	Wilmington LEPC	Emergency Management
Joshua Bushweller	DSP	Law Enforcement
Hon. P. Brooks Banta	Kent County Levy Court	Local Official
Jeff Vadakin	Magnum Electronics	Facility Operator
Joe Tyler	US Cold Storage	Facility Operator
John Griscovey	Perdue	Facility Operator
John Melvin	DAFB	Firefighting
Kenneth Cenci	DNREC	Environmental
Mark Dolan	DNREC	Environmental
Mark Lucy	Miller Environmental	Facility Operator
Michael Layton	SERC	Transportation
Arnie Maas	DAFB	Emergency Management
Nicole Vautard	KCDPS	Emergency Management
Jerry Kissel	Garrison Energy	Facility Operator
Jim Atkins	Bayhealth	Hospital
Ron Dukes	Perdue	Facility Operator
Elizabeth Charleton	Perdue	Facility Operator
Sen. Bruce Ennis	State of Delaware	State Official
Sand Hoffman	Chesapeake Utilities	Facility Operator
Matthew Higgins	DNREC	Environmental
Kelly Pitts	Kent County PIO	Media

LEPC for Sussex County FY 2022 Performance Report (July 1, 2021 - June 30, 2022)

Accomplishments FY 2022

- Six LEPC meetings were held with presentations on the following topics:
 - Chairman Stevenson provided a video presentation of the Chemical Safety Board's investigation of the explosion at AB Specialty Silicones in Waukegan, Illinois.
- Provided access to Tier II facility database for each Sussex County fire company Chief about the use and storage of chemicals in their district
- Continued an active membership in the SERC Planning and Training committee
- Continued an active membership in the SERC Information Technology committee
- Continued an active membership in the HazMat Conference Planning Committee
- Continued to work long range plan of visits to EHS facilities
- Attended scheduled SERC meetings with printed and verbal report of Sussex County LEPC activities
- Facilitated the placement of the required yearly EPCRA advertisement in the local newspaper.
- Coordinated with Sussex County's IT department the development and activation of a website for the Sussex County LEPC.
- Provided DEMA with timely reports on Sussex County LEPC HMEP Grant activity
- Participated in a functional exercise at the NRG Power Plant in Dagsboro

Goals and Objectives for FY 2023

- Review/revise Sussex County Hazardous Material Response Plan
- Continue to follow plan of facility visits to review emergency response plans, as well as assist with reporting procedures, if needed
- Attend SERC meetings and provide activity reports for Sussex County LEPC
- Continue to build membership in the LEPC
- Conduct regular meetings with informative presentations
- Continue to actively participate as a member of the Planning and Training Committee
- Continue to actively participate as a member of the Information Technology committee

- Locate and include new facilities in the chemical reporting program for Sussex County and State of Delaware
- Meet with first responders to discuss concerns and facility emergency response plans, as well as ensuring all designated representatives of Sussex County fire companies have access to and understand the use of Tier II for planning purposes
- Coordinate and participate in planned exercises
- Continue to participate as a member of the DECON User's Group
- Continue to attend and support other counties LEPC meetings
- Coordinate use of training funds through the HMEP Grant
- Participate as a member of the HazMat Training Workshop Training committee

Sussex County LEPC Membership (as of June 2022)

Name	Organization	Representation
Charles Stevenson	Sussex County EOC	LEPC Chairperson
Joseph Thomas	Sussex County	Emergency Management
Anuj Kumar	DNREC	Government
Brandon Olenick	Kent County LEPC	Emergency Management
David Irwin	Chairman, NCC LEPC	Emergency Management
Bob Shinholt	ALOFT AeroArchitects	Industry
Steve Phillips	DEMA	Emergency Management
Willie Patrick, Jr.	City of Wilmington LEPC	Emergency Management
Todd Lawson	Sussex County	Government
Bill Davis	DNREC-EPCRA	Government
Bob Barrish	Citizen/SERC	SERC
Robert Murray	Director, Paramedic Office	Emergency Medical Svcs.
Glenn Marshall	Sussex County EMS	Emergency Medical Svcs.
Kort Dickson	Perdue Farms	Industry
Bill Duveneck	Amateur Radio	Emergency Services
Kevin Burdette	Artesian	Industry
Thomas Hicks	Schering-Plough	Industry
Michael Layton	Growmark FS	Industry
Thomas Stowe	Invista	Industry
Brad Ebaugh	Delaware Electric Coop.	Industry
Tom Saufley	Mountaire	Industry
John Ward	Mountaire	Industry
Mike Kaupa	Mountaire	Industry
Eric Seward	Merck	Industry
Randy Dell	Suburban Propane	Industry
Bill Ridenour	Magnum Electronics	Industry
Mary Whalen	Magnum Electronics	Industry
Milt Warren	Delmarva Two-Way	Industry
Chris Martinez	Nanticoke Hospital	Hospital
Jim Mooney	Long Neck Water Co.	Industry
Sand Hoffman	Chesapeake	Industry
Jim Smith	Delmarva Power	Industry
Toni Susi	Red Cross	Industry
Tony Milbut	Dogfish Head Brewery	Industry
Chip Guy	Sussex County	Government/Media
Heather Hudson	DNREC/ERB	Environmental
Matthew Higgins	DNREC/ERB	Environmental
Colleen Casey	Verizon Wireless	Industry
Rick Hoppes	Chesapeake Utilities	Industry

Mark Dolan	DNREC/ARP	Environmental
Chatham Marsch	City of Lewes	Law Enforcement
Michael Welch	US EPA	Environmental
Ken Cenci	DNREC-ARP	Environmental
Alistair Probst	DelDOT Southern Division	Transportation
Brian Pepper	Pep Up Incorporated	Industry
Ken Greeson	DHS	Government
Lisa Dunaway	DHS	Government
Christy Snyder	Allen Harim	Industry
Scott Bossert	DRBC	Environmental Response
Rich Gaudiosi	DRBC	Environmental Response
Steve Farkas	Chesapeake Utilities	Industry
Carl Davis	Sussex Citizen Corps	Community Group
Terry Hastings	Amateur Radio	Emergency Services
Chris Mitchell	NRG	Industry
Anthony Paratore	Miller Environmental	Environmental
Andrew Vahey	Pepco Holdings	Industry
Craig Stephens	DSFS	Fire Service
R.L. Hughes	Beebe Hospital	Hospital
Bernard Carter	U.S. Army CST	Military
Beth Sise	Mountaire	Industry
Ed Strouse	USVA	Government
Andy Jones	Dentsply Sirona	Industry
Fred Haas	SCEMS	Government
Dave Baldinger	Chesapeake	Industry
Mike Lucey	Dentsply Sirona	Industry
Wayne Vogel	DHSS	Government
Frank Cruice	Perdue	Industry
Anthony Zarello	SUNDelaware	Hospital

Attachment 3

DNREC Emergency Response State Fiscal Year 2022 Summary of Activities

DNREC is responsible for activities related to hazardous materials Emergency Response, Accidental Release Prevention, and Emergency Planning & Community Right to Know. Statistics for state fiscal year (SFY) 2022 show DNREC's Emergency Response Team (ERT) responded to 369 (just two more than last year and approximately 50 less than pre-Covid) incidents. This is compared to 388 responses in SFY 2020. As with previous years, DNREC's highest percentage of responses (40%) continue to be transportation related spills and releases primarily from motor vehicle accidents. The second highest responses in SFY 2022 were to residential heating fuel spills and other non-classified petroleum releases equaling 18%. These types of responses made up 45% of DNREC total responses in SFY 2021. In SFY 2021, there were 14 declared SERT responses, which are listed on the DNREC HazMat Response Summary Table. DNREC has also had a long-standing "60% Rule" with 60% of the incidents being petroleum and 60% being in New Castle County. Last year the results were 66% petroleum and 53% New Castle incidents. Kent County had 21% of the incidents while Sussex had 26% respectively. A breakdown of the numbers is on the following pages.

Due to COVID-19 many additional trainings were placed on hold or cancelled, and responses significantly decreased. ER has restarted in person training and has been utilizing HMEP and State Homeland Security Grant Funds to fulfill our training needs.

DNREC ERT HazMat Response Summary
FY 2022
July 1, 2021 to June 30, 2022

TYPE OF RESPONSE	Quarter 1	Quarter 2	Quarter 3	Quarter 4	TOTAL	PERCENT
Abandoned drums & containers	9	4	4	10	27	7%
Abestos	0	0	1	1	2	1%
AST	0	0	2	0	2	1%
BIOA	0	1	1	1	3	1%
Dumping	0	2	0	1	3	1%
EOD Assists/Special Duty	4	6	6	7	23	6%
Exercise	0	0	0	1	1	0%
Fires	4	0	1	3	8	2%
Fish kills	4	0	1	2	7	2%
Indoor air quality	3	8	2	1	14	4%
Marina/waterway sheen/spills	3	3	2	2	10	3%
Medical waste	0	0	0	1	1	0%
Mercury spill	0	1	0	1	2	1%
Meth lab	1	0	0	0	1	0%
Mineral oil	1	1	0	1	3	1%
Non-petroleum	0	0	1	0	1	0%
Odors	1	1	0	1	3	1%
Other	8	4	3	2	17	5%
Other petroleum	2	1	0	0	3	1%
Petroleum	8	10	9	8	35	9%
Radiation	1	0	0	1	2	1%
Residential oil spills	10	7	12	3	32	9%
Sheen	1	0	0	0	1	0%
Storage tank releases	0	0	2	1	3	1%
Sunken vessel	1	0	1	0	2	1%
Tar balls	1	1	0	0	2	1%
Transportation	45	33	29	39	146	40%
UST	2	0	1	1	4	1%
Vessel releases	0	0	1	0	1	0%
Waste oil	1	1	0	0	2	1%
Water quality complaint	2	3	2	1	8	2%
Total Number of Responses	112	87	81	89	369	100%

RESPONSES BY COUNTY						
TYPE OF RESPONSE	Quarter 1	Quarter 2	Quarter 3	Quarter 4	TOTAL	PERCENT
Kent County	26	17	12	22	77	21%
New Castle County	62	44	47	41	194	53%
Sussex County	23	26	22	26	97	26%
Maryland	0	0	0	0	0	0%
Pennsylvania	1	0	0	0	1	0%
TOTAL	112	87	81	89	369	100%

PETROLEUM AND NON-PETROLEUM RESPONSES						
TYPE OF RESPONSE	Quarter 1	Quarter 2	Quarter 3	Quarter 4	TOTAL	PERCENT
Petroleum	82	30	65	66	243	66%
Non-Petroleum	30	57	16	23	126	34%
TOTAL	112	87	81	89	369	100%

SFY 21-22 SERT INCIDENTS	INCID. #	SERT Level	SERT Date
John Collins Circle LE Assist	210824-01-1NK	1	8/24/2021
Marabou Drive Suspected Meth Lab Assist	210831-01-1NN	1	8/31/2021
NRG No. 2 Oil Spill	210908-01-4PS	4	9/8/2021
2021 Firefly Special Duty	210923-01-1NK	1	9/23/2021
Harbor Drive Chemical Suicide	211109-04-1NN	1	11/9/2021
Naamans Road Acme IAQ	211116-01-1NN	1	11/16/2021
Dollar General Noxious Nail Acrylic	211123-01-1NN	1	11/23/2021
Sudlersville Road Level 1 SERT	211203-01-1NK	1	12/3/2021
Fourth Ave. Chemical Odor Level 1 SERT	211203-02-1NN	1	12/3/2021
Hampstead Court IAQ Complaint	211213-01-1NN	1	12/3/2021
Cadia Health Care Pike Creek Bleach incident	220127-01-1NN	1	1/27/2022
Sea Watch Chemical Round Level 1 SERT	220211-01-1NS	1	2/11/2022
Venting Nitrogen Tanker Level 1 SERT	220406-01-1NN	1	4/6/2022
Milford Hampton Inn IAQ Level 1 SERT	220502-02-1NK	1	5/2/2022
Fed Ex Leaking Cargo	220509-01-1NK	1	5/9/2022
Delaware Bay Barge Fire	220523-01-1PK	1	5/23/2022
POTUS UD Graduation 2022	220528-01-1NN	1	5/28/2022
Delaware Army National Guard Mercury Spill	220621-01-1NN	1	6/21/2022
Sea Watch Chemical Round Level 1 SERT	220628-01-1NS	1	6/28/2022

Attachment 4

SERC Funds – 2022 Fiscal Year Summary

(Based on figures from January 1, 2022 through end of fiscal year)

SERC Fee Holding Account:

Carryover from 2021 calendar year	+ \$ 291,871
Fees received in 2022	+ \$ 481,066.64 (a)
Annual disbursements for FY 2023	- \$ <u>408,969.31</u> (b)
Account balance	+ \$ 363,968.33

Decon Trailer Replacement Account:

Carryover from 2021 calendar year	+ \$ 56,380.44
Deposit as part of SERC FY 2022 disbursements	+ \$ 100,000 (b)
Interest received thus far in 2022 calendar year (1 st 4 months)	+ \$ <u>00</u> (c)
Account balance	+ \$ 156,380.44

Notes:

- a) Reports and fees from facilities covering calendar year 2021 were due 3/1/2022. Efforts to review submitted reports and fees, and follow-up on delinquent reporters, are ongoing.
- b) FY 2022 Allocations Approved for Distribution:

Agency/Organization	FY 2023 Approved Allocation
City of Wilmington LEPC	\$ 63,877.63
New Castle County LEPC (account maintained at DSFS)	\$ 46,804.66
Kent County LEPC	\$ 71,912.83
Sussex County LEPC	\$ 74,496.19
SERC IT Committee (account maintained at DSFS)	\$ 27,117.00
Transfer to decon. trailer equipment and maintenance account	\$ 2,200.00
Transfer to decon. trailer replacement account	\$ 100,000.00
DNREC Emergency Response & Strategic Services Section	\$ 16,561.00
Mill Creek Fire Company for utility expenses at Old Fire Station 21, for housing SERC Decon/hazmat apparatus	\$ 6,000.00
Total	\$ 408,969.31

- c) Interest will continue to accumulate. Effective July 2008, interest from both the Fee Holding Account and Decon Trailer Replacement Account are to be jointly deposited into the Decon Trailer Replacement Account. This is an ongoing policy decision by the SERC, with the interest to be transferred on a yearly basis from the main Fee Holding Account.

Attachment 5

DELAWARE STATE EMERGENCY RESPONSE COMMISSION			
Member List as of June 30, 2022			
Chairperson	Mr. Nathaniel McQueen Secretary Department of Safety & Homeland Security	Public Safety Building P.O. Box 818 Dover, DE 19903	Phone: (302) 744-2665 Fax: (302) 739-7003
DeIDOT	Mrs. Nicole Majeski Secretary Department of Transportation	Highway Administration Blvd P.O. Box 778 Dover, DE 19903	Phone: (302) 760-2303 Fax: (302) 739-4329
<i>Designated Proxy</i>	Mr. Gene Donaldson Operations Manager Transportation Management Ctr.	169 Brick Store Landing Rd. Smyrna, DE 19977	Phone: (302) 659-4601 Fax: (302) 659-6128
DSP	Col. Melissa Zebley Superintendent Delaware State Police	Headquarters Bld., Rt. 13 P.O. Box 430 Dover, DE 19903	Phone: (302) 739-5911 Fax: (302) 739-5966
<i>Designated Proxy</i>	Lt. Col. Daniel Meadows		
DEMA	Mr. A.J. Schall Jr. Director DE Emergency Management Agency	Emergency Operations Ctr. 165 Brick Store Landing Rd. Smyrna, DE 19977	Phone: (302) 659-3362 Fax: (302) 659-6855
<i>Designated Proxy</i>	Mr. Christopher Murtha Deputy Director		Phone: (302) 659-2202
DNREC Vice-Chair	Mr. Tim Ratsep Director DNREC Division of Waste and Hazardous Substances	89 Kings Highway Dover, DE 19901	Phone: (302) 739-9449 Fax: (302) 739-2466
Fire Marshal (FMO)	Mr. Grover P. Ingle State Fire Marshal	DE State Fire Service Center 1537 Chestnut Grove Road Dover, DE 19904	Phone: (302) 739-5665 Fax: (302) 739-3696
<i>Designated Proxy</i>	Mr. Michael G. Chionchio, Assistant State Fire Marshal		Phone: (302) 323-5375 Fax: (302) 323-5366
Public Health	<i>VACANT</i> Director Division of Public Health	Jesse Cooper Building 417 Federal Street Dover, DE 19901	Phone: (302) 744-4818 Fax: (302) 739-6659
<i>Designated Proxy</i>	Wayne Vogel Environmental Health		Phone: (302) 223-2999 Fax: (302) 223-1724
Fire School (DSFS)	Mr. Tucker Dempsey Director DE State Fire School	1461 Chestnut Grove Road Dover, DE 19904	Phone: (302) 739-4773 Fax: (302) 739-6245
<i>Designated Proxy</i>	Mr. William H. Baker		

DELAWARE STATE EMERGENCY RESPONSE COMMISSION

Fire Prevention Commission	Mr. Dave Roberts Fire Prevention Commission	35 Yeates Drive New Castle, DE 19720	Phone: (302) 528-9039 Fax: (302) 739-4436
Rail Transportation	Mr. Robert Byrd Industry Representing Rail	Wilmington Trust Center 2 Penns Way, Suite 305 New Castle, DE 19703	Phone: (302) 757-6300
Air Transportation	Mr. Ben Clendaniel Industry Representing Air	129 Mary Ella Court Smyrna, DE 19977	Phone: (302) 535-1989 Fax: (302) 335-3922
Highway Transportation	Michael Layton Industry Representing Highway	308 NE Front St. Milford, DE 19963	Phone: (302) 424-2841
Water Transportation	Lynn Cointot Industry Representing Water	296 Llewellyn Road. Chester Heights, PA 19017	Phone: (302)547-3405
Shippers	Capt. Brian Wong Industry Representing Shippers	1308 Riverview Avenue Wilmington, DE 19806	Phone: (302) 463-6370
Chemical Users	Mr. John Verdi Industry Representing Users BASF Corporation	205 S. James Street Newport, DE 19804	Office: (302) 992-5660 Fax: (302) 992-9371
Consignees	Mr. James Lee Industry Representing Consignees DE City Refinery Co.	4550 Wrangle Hill Road Delaware City , DE 19706	Phone: (302) 834-6404
DE Volunteer Firefighters Association <i>Designated Proxy</i>	Senator Bruce C. Ennis Director DE Volunteer Fireman's Association Mr. Warren Jones, Executive Secretary	522 Clayton Road Smyrna, DE 19977 PO Box 1849 Dover, DE 19903	Phone: (302) 744-4351 Fax: (302) 739-2313 Phone: (302) 734-9390 Fax: (302) 734-9404
City of Wilmington	Mr. Willie Patrick Director City of Wilmington Office of Emergency Management	Public Safety Blvd 22 South Heald Street Wilmington, DE 19801	Phone: (302) 576-3915
New Castle County <i>Vice Chair</i>	Mr. David H. Irwin Chair, New Castle County LEPC Beth Neumane	LEPC for NCC P.O. 2998 Wilmington, DE 19805-0998 Rogers Corporation 1100 Governor Lea Road, Bear, DE 19701	Phone: (302) 383-1307 Fax: (302) 323-4573 Phone: (302) 595-1218 Phone: (302) 834-2100
Kent County <i>Co-Chair</i>	Chief Colin Faulkner Chair, Kent County LEPC Brandon Olenik	Kent County Department of Public Safety 911 Public Safety Blvd. Dover, DE 19901	Phone: (302) 735-3461 Fax: (302) 735-3473

DELAWARE STATE EMERGENCY RESPONSE COMMISSION

Sussex County	Mr. Charles B. Stevenson, IV Chair, Sussex County LEPC	Sussex County EOC P.O. Box 589 (21911 Rudder Lane) Georgetown, DE 19947	Phone: (302) 855-7810 Fax: (302) 855-7805
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