Introduction

Annually, each regional planning council is asked to enter into a contract agreement with the Florida Division of Emergency Management (FDEM) for hazardous materials technical assistance to the region. The contract agreement is administered by the FDEM and implemented by the Treasure Coast Regional Planning Council staff and Emergency Programs/Local Emergency Planning Committee (TCLEPC) Coordinator. Council ensures quarterly meetings of the TCLEPC; updates to the Regional Hazardous Materials Response Plan; technical assistance to the region’s facilities that store, generate, use, and transport Extremely Hazardous Substances; and provision of hazardous materials training, planning and exercises in support of preparedness and operational readiness of the region’s first responders, facilities and community populations.

Background

Funding for the 2018-2019 Hazardous Materials Local Emergency Planning Committee Technical Assistance Grant is $80,000 to carry out the scope of work. The scope of work has been expanded this year to include education and outreach for shelter-in-place, evacuation workshops, Emergency Community Right-To-Know Act, and the TCLEPC mission. Exhibit A contains the scope of work for the current contract agreement.

Recommendation

Council should authorize the Chairman to execute the contract agreement and the Executive Director to execute minor modifications to the agreement on behalf of Council.

Attachment
EXHIBIT A

Scope of Work

This attachment forms an integral part of the Agreement between the State of Florida, Division of Emergency Management and the Treasure Coast Regional Planning Council. On October 17, 1986, Congress enacted the Emergency Planning and Community Right to Know Act (EPCRA), also known as Title III of the Superfund Amendments and Reauthorization Act (SARA). EPCRA requires hazardous chemical emergency planning by Federal, State and local governments, Indian Tribes, and industry. Additionally, EPCRA requires industry to report on the storage, use and releases of certain hazardous materials. At the Federal level, the U.S. Department of Environmental Protection Agency (EPA) administers EPCRA.

At the state level, the Florida Division of Emergency Management (DEM) serves as the lead agency responsible for oversight and coordination of the local planning efforts required by EPCRA. Created by Governors Executive Order and chaired by the Director of DEM, the State Emergency Response Commission on Hazardous Materials (SERC) serves as a technical advisor and information clearinghouse for state and federal hazardous materials programs. Additionally, the SERC conducts quarterly public meetings in varying locations throughout the state. Currently, SERC membership consists of 27 Governor-appointed individuals who represent the interests of state and local government, emergency services, industry and the environment.

At the local level, the ten Regional Planning Councils (RPCs) each oversee a Local Emergency Planning Committee (LEPC) that: (1) performs outreach functions to increase hazardous materials awareness; (2) collects data on hazardous materials stored within the geographical boundaries of the RPC; (3) develops hazardous materials emergency plans for use in responding to, and recovering from, a release or spill of hazardous or toxic substances; (4) submits hazardous materials emergency plans to the SERC for review; and (5) provides public with hazardous materials information upon request. LEPC membership consists of local professionals representing occupational categories such as firefighting, law enforcement, emergency management, health, environment, and/or transportation. This Agreement provides funding so that the Recipient, as an RPC, can maintain the staff capability necessary to perform the duties and responsibilities required by EPCRA.

This Scope of Work provides for the accomplishment of the duties and responsibilities of the Local Emergency Planning Committee as set forth in s. 301 of the federal Emergency Planning and Community Right To Know Act, 42 U.S.C. ss. 11001 et seq., including Division policies. The project period will begin on July 1, 2018 and will end on June 30, 2019.

Allowable Activities

This is a fixed-fee grant to accomplish the tasks identified in the law, rule, and the agreement. It is not subject to adjustment due to the actual cost experience of the recipient in the performance of the grant agreement. The amount paid is based on the weighted value of the tasks and deliverables listed below that have been accomplished for the invoiced period. Prior to payment, the tasks performed and deliverables are subject to review and acceptance by Florida Division of Emergency Management. The criteria for acceptance of completed tasks and deliverables are based on the most recent regulations, guidelines or directives related to the particular task and deliverable. Specific required tasks are as follows:

TASK 1: LEPC Meeting Support
Designate at least one employee to support the quarterly LEPC meetings. The support for the LEPC meetings shall include the following: developing agendas and preparing minutes of the meetings in
accordance with Section 252.90, Florida Statutes; providing timely notice to LEPC members and the
general public of meeting dates and locations and other LEPC activities; publishing meeting dates in the
Florida Administrative Register in accordance with Chapter 120, Florida Statutes; posting meeting
agendas on the Recipient’s website at least seven days prior to the meeting in accordance with Chapter
120.525, Florida Statutes; providing timely notice of meetings to local newspapers, other appropriate
media, and interested parties; providing pertinent documents and materials for distribution at the
meetings; attending the meetings; and, conducting presentations as requested by the Division;
Deliverable due dates September 30, 2018, December 31, 2018, March 31, 2019, June 30, 2019: LEPC
Meeting Agenda (Proof of submission to Division 7 days prior to each meeting), Approved Meeting
Minutes (Proof of submission to Division within 7 days following each meeting), Draft Meeting Minutes,
Proof of Publication from the Florida Administrative Register, Proof of Meeting Agenda posted on
Recipient’s website

TASK 2: SERC Meetings & Conference
Attend the quarterly LEPC Chairpersons and Staff and State Emergency Response Commission meetings.
When unable to attend, arrange for an appropriate designee such as the LEPC Chair or Vice Chair to
attend. Attend all hazardous materials training courses, workshops, and conferences conducted by the
Division within the District. When possible, attend national conferences (e.g., E-Plan, NASTTPO, etc.) as
approved by the Division.

TASK 3: EPCRA Presentations
Per fiscal year, conduct a minimum of two (2) public presentations for interested parties within the district
on the EPCRA program, including an overview of Florida’s LEPC program.

TASK 4: Public Availability/Notification
In newspapers of general circulation within the Recipient’s geographical boundaries, publish a minimum
of one (1) public availability of information notification pursuant to Section 324(b) of EPCRA per fiscal
year.

TASK 5: LEPC Emergency Response Plan
Prepare and update the LEPC Hazardous Materials Emergency Response Plan. The LEPC plan shall
include and address each of the planning provisions outlined in Section 303(c) of EPCRA and shall
consist of the following:

1. Identification of facilities, within the counties in the district that are subject to the requirements of
   Section 302 of EPCRA.
2. Hazards and Vulnerability Analyses of the chemicals covered under Section 302 of EPCRA consistent
   with Section 303 of EPCRA, and the provisions of NRT-1 and "Technical Guidance for Hazards
   Analysis."

3. A Risk Analysis of the chemicals covered under Section 302 of EPCRA, consistent with Section 303 of
   EPCRA, and with the provisions of NRT-1 and "Technical Guidance for Hazards Analysis."

4. The work product submitted by the Recipient to fulfill this plan development task is not required to
   include Hazards, Vulnerability and Risk Analyses appearing verbatim in the county information;
   however, the work product shall include a complete listing of sites for which Hazards, Vulnerability and
   Risk Analyses have been performed. This listing must include, at a minimum, facility name, facility
   physical address and the county where the facility is located.

TASK 6: Technical Assistance
Proactively provide hazardous materials-related technical assistance within the district. Technical assistance shall include the following:

1. Assist in county hazards analysis development within the LEPC district by providing technical assistance when requested in the development of chemical identity, vulnerability, risk and hazards analyses of the chemicals covered under Section 302 of EPCRA.
2. Distribute SERC-developed hazardous materials training course information.
3. Assist the Division in scheduling and conducting hazardous materials workshops and training, including the Annual Hazardous Materials Training Symposium.
4. Assist facilities with Tier 2 filing and E-Plan within the LEPC district by providing technical assistance when requested.
5. Assist local emergency managers and fire departments with installation and use of CAMEO and E-Plan, including how to access their corresponding Hazards Analysis data.

**TASK 7: Hazmat Exercise**
Assist local emergency managers, hazmat facilities and other organizations (e.g., schools, hospitals, local governments, etc.) with planning, conduct and evaluation activities for hazardous materials-related exercises. In this capacity, assist with a minimum of one (1) hazmat-related exercise OR facilitate a minimum of one (1) hazmat tabletop exercise per fiscal year within the district.

**TASK 8: SIP and Evacuation**
Provide shelter-in-place and evacuation technical assistance to the public and critical facilities as it relates to hazardous material releases/spills. Assistance includes presentations, development of educational materials and dissemination of information. Provide a minimum of one (1) shelter-in-place presentation and one (1) evacuation workshop per fiscal year within the district.

**TASK 9: Training Coordination**
Provide for the planning and coordination of Hazardous Materials Emergency Preparedness (HMEP) training as well as Transportation and Community Awareness and Emergency Response (TRANSCAER) training within the district.

**TASK 10: Quarterly Progress Report**
Provide the Division with a report each quarter, due by the 30th day following the end of the quarter, to include all accomplishments for the LEPC program.