

MINUTES

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY
OKLAHOMA HAZARDOUS MATERIALS EMERGENCY RESPONSE COMMISSION
DEQ Multi-Purpose Room
February 1, 2005

Mr. Larry Gales, Chairman, called the meeting to order at 1:35 p.m. Ms. Bruce called the roll. Members attending were: Larry Gales, Mike Grimes, Dale Magnin, Robert Doke, and Terry Bobo. Member(s) absent: Kary Cox. Non-members present included: Betty Reaties, Tom Bergman, Monty Elder, Myrna Bruce, and Christy Myers.

Mr. Gales called for a motion to approve the minutes of the August 10, 2004 meeting. Major Grimes made the motion and Mr. Bobo made the second. Roll call: Major Grimes - aye; Dale Magnin - aye; Robert Doke - aye; Terry Bobo - aye.

Mr. Gales called Mr. Tom Bergman to discuss the Data Management Report. A copy of his report is attached.

Mr. Dale Magnin provided the OEM Update. A copy of his report is attached.

Mr. Gales noted that there were no action items on the agenda and called for additional items of discussion and for updates relating to emergency response developments.

At 2:10 p.m., Mr. Gales called for a motion to adjourn. Major Grimes made the motion and Mr. Doke made the second.

Attachments: SARA III data management reports
OEM status report

Please note that the transcript and sign-in sheet are attached and become an official part of these Minutes.

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DEPARTMENT OF ENVIRONMENTAL QUALITY

STATE OF OKLAHOMA

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TRANSCRIPT OF PROCEEDINGS
OF THE OKLAHOMA HAZARDOUS MATERIALS
EMERGENCY RESPONSE COMMISSION
OF REGULAR MEETING ITEM NOS. 1-10
HELD ON FEBRUARY 1, 2005, AT 1:30 P.M.
IN OKLAHOMA CITY, OKLAHOMA

* * * * *

REPORTED BY: Christy A. Myers, CSR

MYERS REPORTING SERVICE
(405) 721-2882

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MEMBERS OF THE COUNCIL

LARRY GALES - MEMBER
MIKE GRIMES - MEMBER
KARY COX - MEMBER
DALE MAGNIN - MEMBER
ROBERT DOKE - MEMBER
TERRY BOBO - MEMBER

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STAFF MEMBERS

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MYRNA BRUCE - SECRETARY

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TOM BERGMAN - DEQ STAFF

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MONTY ELDER - DEQ STAFF

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PROCEEDINGS

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MR. GALES: Okay. It's 1:35. I

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call this meeting of the Oklahoma Hazardous

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Materials Emergency Response Commission to

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order. We'll start off here with a roll

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call.

9

MS. BRUCE: Major Grimes.

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MAJOR GRIMES: Present.

11

MS. BRUCE: Dale Magnin.

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13 MR. MAGNIN: Present.
14 MS. BRUCE: Robert Doke.
15 MR. DOKE: Here.
16 MS. BRUCE: And Terry Bobo.
17 MR. BOBO: Present.
18 MS. BRUCE: And absent, for the
19 record, is Kary Cox. We do have a quorum.
20 MR. GALES: You don't get to call
21 me?
22 MS. BRUCE: I don't call you?
23 MR. GALES: Sure you do.
24 MS. BRUCE: Larry Gales, are you
25 here?

4

1 MR. GALES: Yes, I'm here.
2 MS. BRUCE: Larry Gales. I'm
3 sorry.
4 MR. GALES: Not a problem. I'll
5 be obvious. Okay.
6 Item 3, Approval of Minutes from the
7 August 8th, 2004 meeting. Everyone, I
8 trust, has a copy. Any additions or
9 corrections? Additions or corrections? If
10 not, I entertain a motion to approve.
11 MAJOR GRIMES: So moved.
12 MR. GALES: I have got a motion.
13 Do I have a second?
14 MR. BOBO: Second.

15 MR. GALES: It s been moved and
16 seconded that the Minutes from the August
17 8th, 2004 meeting be approved as submitted.

18 MR. BOBO: Well, unless -- wait a
19 minute, this says August 10th, 2004.

20 MR. GALES: What is it?

21 MS. BRUCE: It was --

22 MR. BERGMAN: Was that because we
23 didn't have a quorum at the last --

24 MS. BRUCE: No, it was -- I'll go
25 backwards here, I think I've got a copy. I

5

1 don't know. August 10th. August 10th.

2 MR. GALES: Okay. I would amend
3 my request for a motion to approve the
4 Minutes from the August 10th meeting, 2004.

5 MAJOR GRIMES: So moved.

6 MR. GALES: All right. We ve got
7 a move. Okay, with the second?

8 MR. BOBO: Yes.

9 MR. GALES: It's moved and
10 seconded that the August 10th Minutes be
11 approved as submitted. Questions?

12 Discussion? Discussion? Hearing none, all
13 in favor signify by saying, aye. Same
14 sign, opposed. Approved.

15 Commission Reports. Data Management
16 Report. Mr. Bergman.

17 MR. BERGMAN: Well, since we're

18 getting picky about dates, I noticed that
19 the date is incorrect on this, as well. So
20 --

21 MS. BRUCE: What is it?

22 MR. BERGMAN: It's supposed to be
23 today, but it says November 9th. So we can
24 fix that up for the one we're using.

25 MS. BRUCE: November 9th was your

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1 last meeting.

2 MR. BERGMAN: Yes. We just made
3 copies on the last one.

4 MS. BRUCE: Okay.

5 MR. BERGMAN: So, obviously, we
6 didn't get the date altered. Okay. So
7 make a note for me to get you one that has
8 the correct date on it.

9 We're doing online Tier II filing.
10 It's working. It's working well. Right
11 now there is, as of yesterday, there were
12 69 companies that have filed and by the
13 time we have the next OHMERC meeting, we'll
14 be able to tell you exactly how many have
15 filed using that. I'm hopeful, maybe, in
16 the 600 or 700 neighborhood. It's early in
17 the Tier II filing season, so that number
18 will go up significantly.

19 We're doing a lot of Tier II

20 classes, went to some LEPC meetings. Dale
21 and I went to the mini-conference in
22 Woodward. That was the third year for
23 that. It's always good.

24 Dale and I went to the Emergency
25 Response Review in Visi, that's an

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1 interesting initiative by EPA. I talked to
2 most of you individually about that. If
3 you're interested, I brought some examples
4 of the output from those ERR meetings and
5 I've given some -- I've given one to Chief
6 Doke and to Terry. If that's something
7 that you want to receive, just let me know
8 and I'll be glad to forward the emails from
9 EPA as I get them.

10 MR. MAGNIN: The interesting
11 thing about that at Visi, that was an
12 hydrous ammonia spill, what they
13 determined, like 20 or 50 gallons of that
14 stuff?

15 MR. BERGMAN: I'm thinking more
16 like maybe two pounds. Not much at all.

17 MR. MAGNIN: Okay. And we had
18 EPA and FEMA, we had DEQ, and we had the
19 state and we had the locals. And then we
20 go down to south Texas and these guys, all
21 they talked about was 250,000 gallons of
22 oil or five -- you know, a half a million

23 gallons of oil. And it was interesting
24 that we had such a participation up in Visi
25 for that little bitty amount and, yet, when

8

1 you get down into the real world, they were
2 talking about all these hundreds of
3 thousands of gallons of spills.

4 MR. BERGMAN: Well, I think what
5 really came out of that meeting that was
6 good for everybody is they do have two-
7 30,000 gallon ammonia tanks on the east
8 side of town and the release was on the
9 north side of town from (inaudible) tank,
10 but it gave everyone an opportunity to
11 discuss, well, what's going to happen if we
12 ever have a release from the larger tanks.
13 And the locals said, well, the company is
14 going to take care of that. And the
15 company said, we're not going to take care
16 of anything, we're going to run. And so
17 that started initiating --

18 MR. MAGNIN: They had a plan
19 someplace.

20 MR. BERGMAN: -- a discussion
21 about who's actually going to take care of
22 it if something does happen. Obviously,
23 they have not communicated. So that's the
24 great thing about the ERR's, I think, is

25 that so many people come to the table and

9

1 communicate what the output is and
2 sometimes it's not all that relevant, but
3 the fact that everybody got together and
4 talked about planning was a good thing.

5 MAJOR GRIMES: And the fact is
6 that we probably have more than two pounds
7 released every night over across the state
8 from all the methamphetamine cooks and the
9 stealing of anhydrous ammonia.

10 MR. BERGMAN: That's exactly
11 right. This particular incident was a leak
12 from an inerse (phonetic spelling) tank
13 that had been brought back and the valve
14 apparently popped. That initiated the
15 discussion amongst -- the one law
16 enforcement person in the town discovered
17 it as he was driving about and, of course,
18 they have no fire department, they have no
19 paid firemen at all.

20 So it gave them a really good
21 opportunity to talk about, this was no big
22 deal, which, of course, everybody wanted to
23 say, well, this is no big deal. True. But
24 now we have these two-30,000 gallon tanks,
25 that's a big deal and what are you going to

10

1 do if that happens? So it gave them an

2 opportunity to discuss that and that's what
3 I think the real purpose of these Emergency
4 Response Reviews are.

5 And again, if you're interested in
6 receiving this, you or somebody on your
7 staff or in your department, just let me
8 know. They email them up to us and we'll
9 forward that email right on to you.

10 Chief Doke was talking about CAMEO
11 training. Betty's group has scheduled
12 CAMEO training in March. There is about
13 four extra seats, we think, at present. So
14 if you know anybody that wants to
15 participate in that -- it's three days,
16 Monday, Tuesday, Wednesday -- get in touch
17 with me or with Betty and we'll see if we
18 can accommodate some extra folks.

19 MR. MAGNIN: The Central
20 Emergency Management Association is looking
21 at doing their mini-conference on the 17th,
22 18th, and 19th of March. David Grizzell,
23 he might be trying to get a hold of you.

24 MR. BERGMAN: Okay. Good. Well,
25 I guess that would work out very nicely

11

1 since Betty has me for three days before
2 that, so we should be able to accommodate
3 them, as well.

4 Let's see. TRI, I really don't know
5 that much about. That's Jamie's -- Monty,
6 do you have any comment on what TRI has
7 there?

8 MS. ELDER: The data that was
9 sent in in July, is all entered and she's
10 starting the analysis on that presently.

11 MR. BERGMAN: NASTPO is in
12 Seattle and I suppose Dale and Monty and I
13 all plan to go. Dale and I went to the
14 response team meeting and I put a summary
15 of the discussion items from the regional
16 response team meeting on the back, which
17 you're welcome to review. There were a
18 couple of things really -- Item Number One
19 might have some impact at some time in the
20 future, because EPA, the Region VI offices
21 are wanting to review the RQ's for some
22 specific amount of chemicals. Now, they
23 didn't mention any particular chemicals
24 yet, but if there comes a place in that
25 process for us to make comments, we'll

12

1 continue to track that and let the OHMERC
2 know that there is an opportunity to
3 comment on that.

4 EPA's basic stance was that the RQ s
5 are set too low for a lot of things. There
6 is no way they are going to set an OSC to

7 two pounds of Nitric Oxide or something
8 like that, so they're wanting to review
9 that.

10 Item Two, really is a DEQ function
11 probably, I don't know. They're wanting to
12 have a 24-hour phone number, so the OSC's
13 can call anybody in the state, the people
14 that they need to get a hold of here at DEQ
15 or ODCEM.

16 Number -- let's see. Number Four,
17 we were disappointed, Dale and I were
18 disappointed that CERCAP is officially
19 without funding at present.

20 MR. MAGNIN: Back up to number
21 three there.

22 MR. BERGMAN: Yes. Number Three.

23

24 MR. MAGNIN: Certain dangerous
25 chemicals.

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1 MR. BERGMAN: Yes.

2 MR. MAGNIN: This is on the
3 inland waterways and they're working on
4 tracking all barges that come up the
5 rivers. It was interesting that they had
6 this list of certain dangerous chemicals,
7 and yet they didn't have ammonia nitrate,
8 which was apparently 49 percent of the bad

9 stuff that people were voluntarily
10 reporting. So they were going to add that
11 ammonia nitrate to their list of these
12 certain dangerous chemicals and they're
13 working on some type of GPS or some type of
14 system to be able to track these -- not
15 the vehicles that are pushing the barges,
16 but the actual barges that are moving
17 through all of the inland waterways, which
18 would be kind of good for us at Catoosa, so
19 we would know what's going up and down that
20 river. The fact that they didn't have
21 ammonia nitrate on there was kind of --
22 that s kind of a big boom-type of thing.

23 MR. BERGMAN: Well, it would be
24 nice to know that. But what they're doing
25 actually is they're putting GPS

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1 transponders right on the barges, but
2 they're not able to release that
3 information. They just keep it to
4 themselves. So if we said, well, gee, we'd
5 like to -- could you provide that
6 information to the emergency managers that
7 are along the waterway, and they said, no.

8

9 MR. BOBO: Who is putting the
10 transponders on the barges?

11 MR. BERGMAN: The Coast Guard.

12 MR. BOBO: The Coast Guard is
13 putting them out?

14 MR. BERGMAN: Right. So they can
15 track any barge anywhere in the United
16 States on the navigatable waterways that
17 they have jurisdiction. They can tell you
18 right where it is, real time.

19 MR. MAGNIN: Any barges that have
20 Certain Dangerous Chemicals.

21 MR. BERGMAN: Right. The CDC's,
22 the certain dangerous chemicals.

23 MR. BOBO: Right.

24 MR. BERGMAN: Right. But I
25 expressed that, you know, if that

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1 information is available, those counties
2 that lie along them, the Catoosa waterway
3 would certainly benefit from having access
4 to it, but they said currently they would
5 not be able to provide that. It wasn't
6 their purpose to collect it and disseminate
7 it, their purpose was to collect it for
8 Homeland Security issues.

9 MR. BOBO: Well, there's been a -
10 - and all of you all may be aware, but
11 there has been -- in the last year, there's
12 been a big influx of foreign chemicals
13 being brought in at the -- because there

14 has been such a demand for certain chemical
15 compounds that the US markets are not able
16 to keep up with the output, is the
17 explanation that we're being given, but
18 some of our clients are bringing things in.

19 I know we've got one that brings in
20 large quantities of acrylic acid which is a
21 very highly reactive monomer and they're
22 shipping it in from Czechoslovakia now.
23 And there's a lot of other ones along those
24 lines that are coming in in ISOP, you know,
25 ISOP containers.

16

1 MR. BERGMAN: Are they bringing
2 those in to Catoosa?

3 MR. BOBO: Those are not coming
4 in to Catoosa.

5 MR. BERGMAN: Okay. Because
6 there is a facility in Pryor that uses a
7 lot of acrylic acid.

8 MR. BOBO: Right.

9 MR. BERGMAN: Okay.

10 MR. BOBO: So far, all of their s
11 are coming from Roman Hollis and going in
12 to that plant and some of the other
13 facilities are bringing it in from other
14 locations.

15 MR. BERGMAN: Well, you know,
16 when we meet again, I'll continue to track

17 that item, too, because I do think that
18 would be something that would be beneficial
19 for the emergency managers in Oklahoma out
20 there. If they can't get the information,
21 at least they could know a phone number to
22 call where they can get it, if and when
23 they ever need it.

24 The Coast Guard's opinion was
25 they're going to know first and I disagreed

17

1 with that, I think that they're probably --
2 (inaudible) guys are going to know first
3 or whoever is wondering around the river,
4 finding a barge upset or stuck or blown up
5 or whatever and if they get -- when the one
6 hit the highway bridge out there, it
7 certainly wasn't the Coast Guard that knew
8 about it first. It was the local
9 communities that knew about it first, so.
10 I think that -- yes, Betty.

11 MS. REATIES: Before you leave
12 the meeting, our team meeting, did they
13 decide on any kind of guidelines for the
14 use of chemicals to break apart emulsified
15 hydrocarbons on waterways?

16 MR. BERGMAN: Yes. They made a
17 decision to expedite the process to gain
18 approval for that. That's what that

19 particular issue was about. They already
20 have the substances and they already have
21 them approved. The issue was how can you
22 get approval from the ROT to utilize those.
23 And so they came up with an expedited
24 system that they could get that approval
25 maybe in a day instead of a week or several

18

1 weeks that it has taken in the past.

2 MR. BOBO: And Tom, to clarify
3 something for me, when you're saying they,
4 are you talking about the Coast Guard or
5 EPA or what?

6 MR. BERGMAN: Both. They're both
7 part of the ROT, they co-chair that.

8 MR. BOBO: Okay. Because I know
9 there are a lot of states that will not
10 allow you to use any type of emulsifying
11 agents in addition to -- and the Coast
12 Guard and EPA reservations about using
13 those items.

14 MR. BERGMAN: Right. So Texas
15 and Louisiana, obviously, is where that
16 discussion is wrapped around Region VI.
17 And all of those people, including
18 representatives from DEQ-Louisiana and DEQ-
19 Texas and so forth, all have a piece of
20 that approval process. It did take them
21 weeks, sometimes, to get approval to do

22 something. What the ROT wanted to do was
23 set up, get all their agencies, member
24 agencies together and develop a methodology
25 for expediting or speeding up the approval

19

1 process.

2 If you're interested in that, I have
3 that document, upstairs. They did pass
4 that, by the way. So everybody still has
5 to sign-off on it. The idea was they can
6 now sign-off on it more quickly. They
7 didn't take any of the approval process
8 out, it still has to be approved.

9 MR. BOBO: Okay.

10 MR. BERGMAN: By all of those
11 various agencies. And there's, like, what,
12 16 or 18 of them that all have to sign-off
13 on it. So no wonder it took two to three
14 weeks.

15 MR. BOBO: Unless you've got a
16 long time frame, it's hopeless.

17 MR. BERGMAN: Right. So that was
18 the issue and they did pass the process for
19 doing that. And if you're interested, like
20 I said, I have that document upstairs,
21 you're welcome to get a copy of it.

22 Item Six, is strictly a DEQ issue
23 and we're working on that.

24 Seven. They did do the -- we
25 covered the expedited approval process.

20

1 ROT did approve some new bylaws. They were
2 operating on some 10-year-old bylaws they
3 wanted to update. The next meeting is
4 tentatively set for the El Paso area,
5 sometime in June of 2005. I'm sure we'll
6 have a meeting with the OHMERC before then
7 and be able to apprise you of the meeting
8 dates.

9 And that just leaves, on the front
10 page, Item Ten, which was the Region VI
11 LEPC conference. And as I understand right
12 now, Monty, myself, Dale, Jamie and Betty
13 are the five representatives from the
14 OHMERC that are going. And we'll need, as
15 in the past, to get a memo signed by you to
16 give to Steve with those names. And now
17 would be the time, I guess, if anybody else
18 is going that's not on our list to let us
19 know.

20 MR. MAGNIN: And in line with
21 that, two of the LEPC's that we re
22 providing that HBP grant to, I got a lot of
23 feedback that they are planning on
24 attending. So we should have a good
25 turnout from Oklahoma.

21

1 MR. BERGMAN: Yes, I've talked to
2 several. Enid is sending a couple,
3 Woodward is sending two, Oklahoma City,
4 last I heard, was sending two.

5 MR. MAGNIN: Texas County.

6 MR. BERGMAN: Texas has got one.

7 MR. MAGNIN: Stephens County.

8 MR. BERGMAN: Yes, several. So as far as
9 OHMERC is concerned, is that the official
10 list, as far as we know? Is anybody else
11 interested in attending the LEPC meeting in
12 Houston?

13 MR. GALES: That's fine with me.
14 Any problems? Get me a memo or whatever I
15 need.

16 MR. BERGMAN: I sure will.

17 MR. GALES: Okay. OEM Report.

18 Mr. Magnin.

19 MR. MAGNIN: Okay. Does everyone
20 have a copy of this? Same thing, 19 grant
21 applications we're working for the LEPC s.
22 I received three reports so far. The
23 reports are due February the 1st and I
24 talked to Harold Tyson today and Mordel
25 Trammell to remind them about the reports,

22

1 and he said, report? I don't know what
2 you ve got to do with these people? So

3 anyway, I'll be beating up the other 16
4 LEPC s in the next couple of days, saying,
5 where is your report?

6 HBP training, OSU, 453 people
7 trained so far in 26 classes, so that's
8 going well. The guidebooks, we've issued
9 out -- there's still Sequoyah County, I ve
10 not got feedback that they got theirs and
11 US Department of Transportation were
12 advertising that they were going to get
13 more, but they haven't come back. They
14 were going to do another printing, but they
15 haven't come back and said how many or
16 when. Tom talked about the Regional
17 Response Team, we talked about the LEPC
18 conference in Houston, that should be a
19 good one.

20 Other things that are cooking with
21 Emergency Management that pertains to us in
22 the state, the Catastrophic Emergency
23 Powers Act Plan was provided to the
24 Governor on 31 of December. That was a
25 requirement from the law with that, to come

23

1 up with a plan and probably about 90
2 percent of the plan was already addressed
3 in the State EOP, so that's okay.

4 We're working, I've got STS, it
5 should be National Strategic Stockpile

6 Exercise in July. As it stands right now,
7 Oklahoma, Tulsa and Lawton will be
8 planning on that and actually bringing in
9 the push pack in to Oklahoma City. We're
10 working with the National Guard, and
11 Department of Transportation to distribute
12 these things. We're going to be working
13 with DPS to provide security for the
14 simulated drugs that are to be going to the
15 MIMS sites, Mass Inoculation --

16 MR. BOBO: Mass immunization.

17 MR. MAGNIN: Immunization.

18 MR. BOBO: Immunization

19 stockpile.

20 MR. MAGNIN: So the hard drugs
21 are going there and then they're also going
22 to be providing items out of the push pack
23 to the hospitals in the area. I think
24 they've got five signed up in Tulsa and two
25 or three in Oklahoma City and a couple in

24

1 Lawton. We're actually going to put to the
2 test of moving this stuff. And I think
3 we've got FedEx, we'll use them for a
4 couple of the shipments. We've got an
5 agreement with them, so they're already
6 bonded and ID'd and all that stuff, so
7 we'll see how that works. I think that's

8 where the escort from DPS will come in.

9 Paul, we'll be working with you on that.

10 MAJOR GRIMES: I ll be working
11 with -- I can't think of her name right
12 now.

13 MR. MAGNIN: Lynette.

14 MAJOR GRIMES: Yes.

15 MR. MAGNIN: We'll be activating
16 an EOC probably the afternoon of the 12th
17 of July and through the 13th of July to do
18 that, so that should be good.

19 Foreign animal disease, we've been
20 working with Dr. Cole, Leslie Cole, on
21 that. We were about ready to pass that out
22 to the state, and then we had a meeting
23 last week, and it was the week before with
24 the USDA lady that showed up, and basically
25 said that she or them would be in charge of

25

1 the foreign animal disease in Oklahoma.
2 They would step in and they would be in
3 charge. And we had several people explain
4 to her there were real nasty jails in
5 Oklahoma and that the local people would be
6 in charge. That didn't go over too well,
7 but it was a fun discussion.

8 MR. BOBO: Dale, does your agency
9 have -- are you going to be the stockpile
10 location for the different drug types that

11 are going to be coming in, or is it going
12 to be --

13 MR. MAGNIN: The Health
14 Department is in charge.

15 MR. BOBO: -- okay.

16 MR. MAGNIN: The Health
17 Department is in charge of that and they
18 have some vaccines and stuff already --

19 MR. BOBO: Right.

20 MR. MAGNIN: -- on site and the
21 push pack would be that additional stuff.
22 But it's strictly up to the Health
23 Department to know when you've got to
24 determine there's a problem. And then Dr.
25 Crutcher has got to request the push pack

26

1 to the Governor and ask the Governor to
2 request the push pack. And then the Health
3 Department has got to figure out, you know,
4 where they are going to send this, what
5 dispersing sites are set up and VOAD are
6 volunteer organization assisting in
7 disaster. Linda Souse is working with
8 helping get people, volunteers, to assist
9 in that distribution process. You're
10 talking thousands, tens of thousands, you
11 know, that's going to be a real people
12 issue of getting the people there to do all

13 the right things to get it issued out. But
14 it's a Health Department problem.

15 MR. BOBO: And the reason I asked
16 the question about it is, because I know
17 the Health Department was supposed to be
18 the central agency and then there was some
19 discussion at one of the meetings -- there
20 is going to be a drill, the same type of
21 drill in March in Guthrie and for a MIP
22 site, setup, and there was discussion as to
23 where they were going to house the -- it.

24 MR. MAGNIN: Lynette is -- I
25 think she's identified 29 sites, 29 sites

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1 throughout the state where they're going to
2 be doing this stuff. But what we keep
3 stressing with the Health Department is,
4 yes, you're in charge, but you're going to
5 need the rest of us, you know, for port-a-
6 potties, containing the incident and things
7 like that. So that's starting to sink in
8 that they can't do it by themselves.

9 MR. BOBO: Mark Schultz, I don't
10 know if you've met with him.

11 MR. MAGNIN: Mark, yes. Yes, and
12 Mark works for Mary Hopkins and Ed
13 apparently has moved up to a different job.
14 We're working that.

15 The other key things that we all

16 need to be aware of, too, is the National
17 Response Plan came out in November, signed
18 off by everybody, and that replaces the
19 Federal Response Plan. Okay. And all the
20 states approved the September letter from
21 Governor Riggs. We're all required to
22 adopt the National Response Plan, and the
23 NIMS, National Incident Management System,
24 so that's coming on board. We've got to
25 figure out how to incorporate that into our

28

1 day-to-day business, use ICS on all on-
2 scene management. And one of the side
3 issues we had, we had an assessment done by
4 the National Emergency Management
5 Association and they found a lot of things
6 that we need to fix internally in our
7 agency, but a lot of fixes to the EOP. So
8 the National Response Plan and NIMS and the
9 NEMA assessment, there is going to be
10 changes coming out in the State EOP. So
11 we'll be working on that diligently. But
12 everyone needs to be thinking NIMS and ICS.

13 MS. ELDER: Right. Isn't it true
14 that the state, county and communities have
15 to have, in some way, adopted or certified
16 NIMS in order to receive emergency
17 management money?

18 MR. MAGNIN: The whole thing is
19 starting in FY 2006, in order for any
20 communities who receive preparedness
21 grants, they have to demonstrate that they
22 have institutionalized NIMS and are using
23 ICS. And the best way to demonstrate that
24 is by having some type of an executive
25 order saying invariably that this is the way

29

1 we do it and incorporating it into their
2 plans and procedures.

3 MS. ELDER: And my understanding
4 is that the new National Response Plan does
5 indicate that LEPCs coordinate at the local
6 level. I think it's --

7 MR. MAGNIN: It's 424 pages. I
8 haven't read it yet.

9 MS. ELDER: -- I think it
10 specifically mentions the LEPCs.

11 MR. MAGNIN: But it's a national
12 --

13 MS. ELDER: Right.

14 MR. MAGNIN: -- response plan,
15 not a federal response plan and it includes
16 national, state, local and tribes.

17 MS. ELDER: Right. My
18 understanding is that it specifically
19 mentions LEPCs as the coordinating entity
20 for locals.

21 MS. REATIES: But what do the
22 LEPCs have to do specifically to
23 (inaudible) respond to the NIMS
24 requirements?

25 MR. MAGNIN: They should be the

30

1 local emergency planning committee that
2 plan for disasters.

3 MR. BERGMAN: I don't know if
4 it's changed since the last time I read it,
5 but all it said was that they are the
6 coordinating agency.

7 MS. ELDER: Right.

8 MR. BERGMAN: It didn't give any
9 direction on how to accomplish being a
10 direct coordinating agency.

11 MR. GALES: I'll tell you what,
12 if somebody has finally decided that LEPCs
13 are good for something, then we better
14 figure out what it says, because we've been
15 rocking along for how many years, taking a
16 back seat to everything that comes down the
17 pike in terms of LEPCs just kind of, you
18 know, no reason to be there unless somebody
19 can help them with money and whatever, all
20 these other issues we've seen for 15 years
21 or however many. Now, if all of a sudden
22 somebody decided they're of value and

23 they're going to charge them to do
24 something, even if we don't know for sure
25 what it is, we better see what it says. So

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1 I need to see --

2 MR. BERGMAN: That's what I read
3 in it, it says that they are the
4 coordinating agency without any direction
5 or guidance on what that means. It just
6 says they are.

7 MR. MAGNIN: Why don't you shoot
8 me a note, a page and paragraph for that
9 one. Because, you know, Woodward, for
10 instance, has got the Citizens Corp
11 Council, the LEPC, and the Regional
12 Council, it's all the same group of people
13 and makes perfect sense, that group of
14 people.

15 MS. ELDER: Yes, it makes perfect
16 sense.

17 MR. GALES: Well, it made perfect
18 sense 15 years ago, too.

19 MS. ELDER: Right. I mean, there
20 is no reason to have a separate --
21 Cleveland County LEPC, of which I am a
22 member in good standing, the Citizens Corp
23 and LEPC are the same entity.

24 MR. BOBO: And Larry, my
25 understanding is the same basic thing that

1 the LEPC was supposed to be when it was
2 established whenever, 15 years ago, as the
3 coordinating agency. But getting everybody
4 else to understand that, I think, is where
5 the problem is.

6 MR. BERGMAN: Logan County, for
7 example, you know, I mean, have one,
8 really.

9 MR. MAGNIN: A big wrench in this
10 whole thing right now is the Homeland
11 Security Regional Councils. You know, 18
12 counties represented by one Council.

13 MR. BOBO: Right. Well, and in
14 Logan County we now have a Citizens Corp
15 that's doing the NIMS development and I'm
16 trying to get all of the people that are
17 supposed to be involved with the LEPC to be
18 involved in that. It worked for the first
19 three, meetings and then the last three the
20 law enforcement and other people haven't
21 shown up. So it's -- but it's kind of out
22 of his agency area there.

23 MR. MAGNIN: It just makes so
24 much sense in everything we do if you have
25 that group of people, you know, Fred

1 Calley's STP, same 10 people. If you can

2 get that committee together working --
3 everything to do with disasters, to include
4 Citizens Corp and hazardous materials,
5 floods, fires and tornados, and homeland
6 security all together. We're preaching to
7 the choir here.

8 MR. BOBO: But small regional
9 areas getting over that, you know, the fire
10 department -- the fire chief doesn't like
11 the police chief because his granddad did
12 something.

13 MR. MAGNIN: Well, they're
14 fighting for the same budget.

15 MR. BOBO: And, I mean, all those
16 same things are trying to get the groups
17 together, so.

18 MR. MAGNIN: Okay. Any questions?
19 NIMS and ICS.

20 And by the way, if you haven't done
21 your ICS or NIMS IS700 on the FEMA website,
22 you need to do it, all responders in the
23 state should take the IS700.

24 MS. REATIES: Is that a computer-
25 driven training?

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1 MR. MAGNIN: Yes. With a
2 virtual classroom. IS700, it's on the FEMA
3 website. The FEMA -- it's under training
4 and exercises, I believe, and you go to --

5 I think it's R courses, courses that they
6 have and it lists courses that you can take
7 on the net, it's IS100, IS195, IS200, and
8 IS700, which we're requiring everyone in
9 our agency to take. That's basically three
10 versions of ICS and then NIMS. There is
11 also IS800 on the National Response Plan.

12 MR. DOKE: What did Paul teach a
13 few months ago to a lot of the state
14 agencies? Paul taught something there at -
15 - for several of the state agencies there
16 at your facility.

17 MR. MAGNIN: That was on -- that
18 was just a basic ICS class.

19 MR. DOKE: Okay.

20 MR. MAGNIN: But per the Homeland
21 Security Presidential Directive 5 and the
22 President and Homeland Security basically
23 expanded the definition of responders to
24 cover about one out of four people in the
25 state. You've got police, fire, emergency

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1 management, EMS, hospital, public works,
2 volunteers, VOAD, they're all considered
3 first responders and they all need to have
4 that ICS and NIMS training.

5 MR. BERGMAN: Correct me if I'm
6 wrong, but you just have to do -- I thought

7 in Oklahoma you just had to do the 700.

8 MR. MAGNIN: Initially, yes.

9 Initially you have got to do the 700, but
10 everyone has to be using ICS.

11 MR. BERGMAN: Right. But if you
12 do the 700 then you've met the requirement
13 for the state.

14 MR. MAGNIN: I think it's IS --
15 ICS or IS100 is the basic, you know, you're
16 covered, because they're all very similar.
17 I think the only differences in them, it
18 would be the exercises, where they -- if
19 you take a particular position as a chief,
20 perhaps, of one of the sections, you know,
21 if you're public works, you would have a
22 different exercise than if you were law
23 enforcement or if you were a fire
24 department guy. But they're all basically
25 the same concept of one person in charge,

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1 delegate down to operations planning,
2 logistics, finance, and safety. I just
3 gave you the class.

4 MR. MAGNIN: No.

5 MR. BOBO: It may be my density
6 here, but have you found a major difference
7 in IMS and ICS?

8 MR. MAGNIN: They just like the
9 word management better than command. The

10 trick is with the emergency management
11 performance grant, which is now pulling
12 from the Office of Domestic Preparedness
13 down through the State Homeland Security to
14 us, which is our bread and butter money
15 grant, the requirements in order to do the
16 training and it specifically points out
17 that it's got to be the classes, any type
18 of training has got to be related to
19 classes provided by FEMA or the National
20 Fire Academy, I believe. And there is a
21 lot of other off-the-wall courses out
22 there. But the trick is, it's got to be a
23 recognized institution, FEMA or the Fire
24 Academy. Like, the class up in Woodward, I
25 gave the NIMS class. It took about three

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1 hours, it was a stand up version of the
2 computer course, and basically you
3 downloaded the instructor manual and the
4 student manuals. The test, you have to get
5 a test -- computerized form from EMI,
6 Emergency Management Institute. I gave the
7 class and everyone took the test, we filled
8 out the computerized form, and we mailed
9 those off to EMI. EMI will grade them and
10 then provide that FEMA certificate back to
11 the people who took the test. So it's

12 verified that it's a good class and
13 institutionalized and all that stuff.

14 And it appears that the bean
15 counters are coming out on this when
16 they're talking about training, they're
17 going to want to know exactly who was
18 trained and when they were trained and
19 wanted these numbers to justify the money
20 that's coming in to the state.

21 MR. BOBO: We actually set up two
22 of those in Logan County. We had two of
23 those classes.

24 MR. MAGNIN: Yes. Anybody --
25 basically, anybody that is capable of

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1 doing, you know, of standing up in front of
2 a bunch of people and knowledgeable about
3 the subject, can give that class. You can
4 download most of the -- I think at least
5 for IS100 and IS700, you can download
6 everything you need from the website and
7 you can call EMI for the computerized
8 forms.

9 I'm stressing to our emergency
10 managers, hey, you guys can do all this and
11 you can train, get everyone in your
12 community to come in, police, fire and
13 public works, local elected officials, all
14 those guys and do the training right there.

15 And you guys can spread it out to an hour
16 here, an hour here, and an hour here,
17 that's fine, but it's going to be real
18 tough to get a million some-odd people
19 trained in a year. That's all I have.

20 MR. GALES: All right. Any other
21 comments or questions on the Oklahoma
22 Emergency Management Report? We have no
23 action items before the OHMERC at this
24 time. So moving on to the discussion
25 items.

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1 Mr. Bergman, LEPC conference, we've
2 -- you've already covered that.

3 MR. BERGMAN: Yes.

4 MR. GALES: Anything in terms of
5 roundtable discussion, recent pending
6 developments relating to emergency
7 response, we've already talked about quite
8 a number of things that --

9 MR. MAGNIN: Is EPA going to do
10 anything about Muskogee?

11 MR. BERGMAN: No. They were
12 inquired of the emergency manager there --
13 the name escapes me.

14 MR. GALES: Eugene.

15 MR. BERGMAN: Eugene. And Eugene
16 said we've really taken care of it, we

17 don't need any EPA help. So they've been
18 rebuffed like that, they're just leaving it
19 alone. Now that's from Steve Mason. I
20 don't know if any of the other EPA arms are
21 investigating.

22 MS. ELDER: I don't know but
23 there would be no reason for them to.

24 MR. MAGNIN: At the Regional
25 Response Team meeting, Tom mentioned how we

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1 had a real spike in HAZMAT incidents. We
2 were up to seven for the year or something
3 like that, and everyone else at the table
4 were laughing because they were having that
5 much a day.

6 MR. BERGMAN: Well, not
7 everybody, just Texas and Louisiana. A
8 lady from New Mexico was sympathetic.

9 MS. ELDER: Well, obviously, we
10 have a lot more hazmat incidents than that,
11 we have that many a day in Oklahoma City in
12 gasoline spills. But I think what we were
13 really concerned about is, you know, over
14 the past few months we've had more places
15 explode than we normally do in that time
16 period. And, you know, it occurs to me
17 that, you know, I wonder if that's just a
18 coincidence or if there is some process,
19 safety management that's not being

20 disseminated to facilities in Oklahoma, if
21 there is education or outreach that could
22 be done or if it's just one of those
23 things.

24 MR. MAGNIN: From Visi, nobody
25 had any hazmat training.

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1 MR. BERGMAN: Right, neither in
2 Wewoka. Certainly, one thing that comes
3 out of all the ERR s that I've read, is the
4 need for training. Even if they have had
5 training, it's eight hour awareness
6 training, which does not qualify anybody to
7 take any action whatsoever. In Visi, I
8 think only two people in the entire town
9 had even that much training.

10 MS. ELDER: My concern is really
11 prior to needing the training to respond.
12 My concern is that there's something that
13 we're missing in prevention or planning,
14 you know, for facilities.

15 MR. BERGMAN: In casual
16 conversations, not part of the meeting, I
17 talked with Texas -- Arkansas was not
18 represented at all this time at the ERT and
19 Louisiana. And the lady from New Mexico
20 was simply sitting in for the guy that
21 usually comes, Don Shana. But Texas is

22 experiencing an increase in the number of
23 events, as well. At least that's their
24 general feeling. Louisiana is not.

25 But in visiting with the guys from

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1 their DEQ Department, his explanation is
2 that they really have taken over all of the
3 federal functions involved with the
4 community planning that's done in the risk
5 management program. They have three full-
6 time staff people out there every day going
7 around to facilities and doing inspections
8 and issuing enforcement actions. As far as
9 he knows, and as far as I know, there is no
10 other state that has that active of an
11 outreach program. They are not
12 experiencing any general increase. In
13 fact, he said their incidents are going
14 down, yearly.

15 But Texas has gone up. I wanted to
16 talk to Arkansas and New Mexico, but they
17 just weren't there to see what -- Steve
18 Mason of EPA said region-wide the number of
19 incidents appears to be on the increase,
20 too. And one of the possible explanations
21 that he offered was that the facilities,
22 there's so much economic pressure on the
23 bottom line, and when you've got all this
24 pressure on your bottom line and all this

25 just in time shipment and just get

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1 everything done perfectly, that the first
2 thing that goes out the window are safety
3 and health and preventative maintenance and
4 all those things. And that was his own
5 feeling, as to why the number of incidents
6 are on the increase, is the simple economic
7 pressures and lack of inspection and
8 enforcements from even his office, they
9 just don't do much of that, they don't have
10 a budget to go do it right now.

11 MR. BOBO: Monty, from an
12 industrial perspective, we're seeing very
13 much what Tom was stating, that Steve had
14 said, that it's a larger volume of
15 production, less staff in almost all of the
16 facilities. And one facility in the
17 Houston area, they were shipping -- at the
18 beginning of last year, they were shipping
19 about 30 loads a day of product. And by
20 December, their goal was 60 loads a day and
21 they had reached their production level but
22 they couldn't get the transportation
23 equipment to move it. So, you're seeing
24 that the output because of the demand for
25 chemicals is going up drastically and --

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1 but also the demand for higher profits and
2 lower number of people involved.

3 MR. BERGMAN: Well, we're kind of
4 -- I know Monty and I have talked about it,
5 you know, and we're just kind of concerned
6 that we've had a couple of incidents that
7 involved injuries, one that involved a
8 couple of fatalities. And there seems to
9 be a rash for us, a much higher number of
10 significant hazmat events than I've ever
11 observed in the ten years I've been doing
12 this. I just haven't seen that many of
13 them that close together.

14 MR. BOBO: Well, one of the
15 things that, from our side of things, from
16 being a responder for a lot of the
17 manufacturers and transporters, we got a
18 call Friday morning from one of the large
19 chemical companies telling us that their
20 first shipment of acrylic acid was coming
21 in from Czechlovakia.

22 MR. BERGMAN: Yes.

23 MR. BOBO: And it was arriving
24 today and that you are prepared to respond
25 in the event that this material starts

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1 plumerizing. Well, it's coming off of a
2 boat in the Port of New Orleans. When
3 you're called on Friday to be prepared for

4 that, yes, we're prepared for that here,
5 we're not prepared for it in New Orleans
6 and, you know, having PTZ, which is the
7 inhibitor, having that material on hand,
8 it's about \$40.00 a gallon and stored and
9 it's also used -- PTZ is an inhibitor, it's
10 also used in treating depression, so it's
11 considered a pharmaceutical chemical. It
12 has to go through all kinds of rigmarole to
13 get it shipped or moved. It's not
14 something that you just call down to the
15 hardware store and go get, you know, 20
16 gallons of it to go put into an ISO tank.
17 And those are the kinds of things that
18 we're being hit with and we're saying, no,
19 we're not prepared for this. You know, you
20 need to give us a couple of weeks notice
21 instead of a weekend's notice to get the --
22 all the chemicals and all the different
23 units. We could build the addition
24 material that we needed, as far as the
25 piping system, to go into the bottom of an

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1 ISO tank, stainless steel fans and units
2 that you can couple up and insert the
3 material, but the inhibitors is not
4 available on that kind of notice, it's just
5 not there.

6 MR. BERGMAN: The one thing I've
7 been doing is bringing this up at all the
8 LEPC meetings that I go to and I've got
9 another big round of them coming up over
10 the next couple of weeks, hopefully to just
11 heighten awareness, you know, sometimes
12 when it's at a local level, you don't
13 notice that it takes -- you know, you need
14 to be looking at a bigger picture to see
15 this is really on the increase. I don't
16 know what the OHMERC or what we can
17 undertake, if anything, to address it, but
18 I m certainly trying to make people aware
19 of it. You might want to be more aware,
20 than usual, of these facilities in your
21 community that really have the potential,
22 because it seems to be going on more
23 regularly now than I've ever seen.

24 Now, whether or not that translates
25 into any action by the local community, I

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1 don't know. But they seemed to take it
2 fairly seriously in Kay County, but you
3 know that's Kay County and they do take
4 things pretty seriously up there always.

5 MR. BOBO: Well, Tom, I think a
6 lot of that is just the volume of material
7 that if you look at the volume of chemicals
8 that are moving and the number of incidents

9 to volume ratio, I don't think we're having
10 any more.

11 MR. BERGMAN: You think? Just
12 the simple statistics.

13 MR. BOBO: Right. It's just that
14 the volume is increasing. You know, five
15 years ago we were moving, what, 53 million
16 tons of chemicals across the country and
17 now we're moving 100 million tons on a
18 daily basis?

19 MR. BERGMAN: Yes.

20 MR. BOBO: I mean, it's almost
21 doubled in five years. When you start
22 looking at those kind of numbers, you know,
23 your numbers of incidents aren't really --
24 you know, it's just because of the volume
25 of chemicals that are being handled.

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1 MR. BERGMAN: Do you think that
2 translates into double the amount of
3 chemicals moved through Oklahoma, though?
4 I wouldn't think we've moved quite that
5 much more in this state than we used to.

6 MR. BOBO: I wouldn't think that
7 we've doubled it, but I bet it's gone up at
8 least 30 or 40 percent.

9 MR. BERGMAN: Really?

10 MR. BOBO: Yes.

11 MR. BERGMAN: Just because of
12 UPBM?

13 MR. BOBO: No. But look at the
14 highway systems.

15 MR. BERGMAN: The highways, huh?
16 Okay.

17 MR. BOBO: I mean, I think that's
18 -- I think there's -- I mean, the railroads
19 are moving huge numbers of chemicals, but I
20 don't think the railroad movements have
21 increased nearly as much as the trucking
22 industry movements have, because the
23 railroads can only move so much material
24 and they -- I don't think the railroads
25 have been adding that much volume to what

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1 they can handle over the last, you know,
2 five to six years. I think they've pretty
3 much been at a maximum volume and other
4 people may have different information on
5 that, but that's what we're seeing. But
6 the transportation -- the numbers of trucks
7 that are on the highway that are moving
8 different chemical components, and
9 especially, you know, we're seeing trucks
10 from Mexico coming through Oklahoma on
11 almost a daily basis.

12 MS. ELDER: Yes, but some of the
13 incidents that we're really talking about

14 are fixed facility incidences, such as the
15 explosion at Seminole, the explosion over
16 in Midwest City, the explosion at
17 (inaudible). There was a fire at what used
18 to be Advanced Chemicals, which just
19 luckily was contained.

20 MR. BERGMAN: The sulfuric acid
21 spill at Catoosa.

22 MS. ELDER: Right.

23 MR. BERGMAN: That's another
24 fixed -- all of those are fixed facilities.

25 MR. BOBO: But that fixed

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1 facility is pushing material through there.

2 MR. BERGMAN: They very well may
3 be.

4 MR. BOBO: Right. And it's not -
5 - it's --

6 MR. MAGNIN: What can we at the
7 OHMERC level do to make those facilities be
8 better trained or better prepared?

9 MR. BOBO: Well, you know, the
10 training and preparedness is the only thing
11 that we can do. I mean, I don't think
12 there's anything --

13 MR. MAGNIN: It s internal to
14 that facility, the HAZWOPER type of stuff.

15 MR. BOBO: -- to make people

16 aware and see what's going on. Some of the
17 things, and I don't know the root causes of
18 all these different, you know, the
19 different incidents of things that are
20 there, I've heard rumors where some of them
21 came from and a lot of them are human
22 error. I know a lot of the things that we
23 respond to and clean up is just, you know,
24 it's a human error situation. And some of
25 it is a true accident that, you know, that

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1 something -- and some of it is the guy
2 driving the truck drops his cell phone and
3 leans down to the floorboard to pick it up.
4 That's what rolled a tanker just, you know,
5 a gasoline tanker just a few days ago.

6 So training and awareness and having
7 people concentrate on what their job is,
8 but I don't know how well we can do
9 anything about that. I think we need to be
10 prepared through the agencies to know where
11 those entities can get assistance from the
12 response community.

13 MR. MAGNIN: Well, OSHA requires
14 HAZWOPER training for anyone that's using
15 and messing with that stuff in the facility
16 on a daily basis, right?

17 MR. BOBO: Yes. But how many
18 sites -- did B&M Oil have anybody trained?

19 I mean, yes, you look -- I mean, that's --
20 but there's nobody around the state that's
21 really going out and doing anything. OSHA,
22 from what I see, the only time they go do
23 something is if somebody files a complaint.
24 And I may be wrong about that statement,
25 but that's what I see, is that they go to

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1 facilities where someone has filed a
2 complaint about that facility. And trying
3 to get more information out is great, but
4 no matter how much information we have
5 available, you can't force the people to
6 take it. I mean, we're in the same thing
7 we've seen for years.

8 MR. BERGMAN: Well, the other
9 part of it for the OHMERC, these ERRs that
10 we see all the time, constantly you don't
11 have the level of training at the local
12 level that is sufficient. Dale has an HMEP
13 grant that we administer, I don't know if
14 there is any other ways to promote and get
15 these folks at the local level trained.
16 Right now, what do you spend, about
17 \$100,000.00 with OSU to get that done? And
18 most of those turn out to be the eight
19 hours, I would guess.

20 MR. MAGNIN: Yes. Most of it is

21 the HAZMAT awareness and there's a couple
22 of operations courses. What is the other
23 one?

24 MR. BERGMAN: If anybody has
25 anything that they could communicate to me

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1 -- I'm out there going to all these LEPC
2 meetings, to let folks out there know some
3 avenues to get training for their county -
4 - I would be glad to pass that along.

5 MR. MAGNIN: The focus on the
6 training with the HMEP grant is on fire
7 fighters, LEPCs, law enforcement, EMS.

8 MR. BERGMAN: They know about
9 that, but that's still not, obviously, not
10 meeting all the needs that they have out
11 there for training, it's just that simple.

12 MR. BOBO: But if you can get,
13 by putting more emphasis to the local
14 communities and getting those people
15 trained, they can provide the information
16 to the employers to get -- to try to get
17 their people trained.

18 MR. BERGMAN: Yes, I was just
19 talking about the communities don't have
20 people trained themselves.

21 MR. BOBO: Right.

22 MR. BERGMAN: I mean, that's
23 obvious. I've been to three meetings and

24 nobody had anything past THE eight-hour
25 awareness.

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1 MR. BOBO: Well, but the eight-
2 hour awareness is all that those people
3 need, Tom.

4 MR. BERGMAN: Right, but they're
5 undertaking offensive -- they're doing
6 defensive on section actions and it's not
7 -- it's not legal.

8 MR. BOBO: I agree. I
9 understand that. But when you take a guy,
10 and I'll use Visi, and Visi police
11 officers because they don't -- do they
12 even have a volunteer fire department?

13 MR. BERGMAN: Yes.

14 MR. BOBO: Okay. But you take
15 that guy from the volunteer fire
16 department, you put him through a 40 hour
17 or an 80-hour class and four years down
18 the road he needs to use it, he's more
19 dangerous than if you trained him on
20 awareness. You need to train them on
21 awareness to have them (inaudible).

22 MR. BERGMAN: I understand all
23 that, I'm just inviting the various member
24 agencies here, if you have any other ideas
25 or streams or ways to get information to

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1 the LEPCs about training, funding or
2 grants or opportunities, I would be glad
3 to -- because I'm going to be seeing all
4 of them regularly over the next couple of
5 months.

6 MR. BOBO: Getting them to call
7 the -- getting them to set up mutual aid
8 agreements with the larger departments
9 that they could call and get support,
10 that's the thing that they need.

11 MR. BERGMAN: That's a problem,
12 too.

13 MR. MAGNIN: Speaking of mutual
14 aid. Senate Bill -- I think it's Senate
15 Bill 242, we're attempting to have
16 statewide mutual aid, basically, where
17 everyone is automatically part of the
18 mutual aid compact as opposed to the
19 jurisdiction -- jurisdiction signing
20 stuff. Hopefully, that will fly. I still
21 have -- one of the big caveats we've got
22 in there is on reimbursement. Everyone
23 wants -- you know, FEMA shows up for a
24 disaster, you know, everybody wants that
25 money. But if it's not a disaster and

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1 FEMA is not around, nobody wants the money
2 and, oh, we're just going to help out.

3 And FEMA s position is, well, wait a
4 minute, you help out with this day-to-day
5 stuff, how come we want money when FEMA
6 shows up? Because there's money
7 available, we kind of fight through that
8 issue. But if we get that statewide
9 compact and we work this all out, that
10 would be good and no jurisdictions will
11 have to sign up for anything. It's based
12 on the fact that the jurisdiction has a
13 problem, and the chief elected official
14 states that he's got a problem by
15 declaring an emergency or a disaster and
16 then he specifically has to ask for what
17 he needs from the surrounding
18 jurisdictions, as opposed to everyone just
19 showing up.

20 MR. BOBO: Right.

21 MR. MAGNIN: So, hopefully that
22 will work out. I think it's Senate Bill
23 242.

24 CHIEF DOKE: As soon as they get
25 that through, they're going to ask for an

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1 AG's opinion. Hopefully, They ll see that
2 is the mutual aid agreement that keeps all
3 the municipal attorneys out of it, from
4 mixing it up, and the AG says this is it

5 and so be it.

6 MR. MAGNIN: The FEMA policy on
7 mutual aid and reimbursement changed
8 September 22nd of '04, that basically
9 says if you have a mutual aid agreement,
10 then you're covered from the get-go for
11 the disaster, if you don't have a mutual
12 aid agreement, then you might not be
13 covered for the first eight hours,
14 depending. But all the coverage will be
15 in accordance with the normal allowable
16 cost that FEMA has -- sets the standards
17 on. You might think a dumptruck is
18 \$1,000.00 and FEMA might say it's \$400.00,
19 but it's all driven by that FEMA policy on
20 what they're going to reimburse.
21 But, you know, if we can get all those
22 different city attorneys out of the mix,
23 on these mutual aid agreements and try and
24 get those signatures every time you get a
25 new leadership in a town or county, that

1 would be a good thing.

2 The mutual aid agreement basically
3 says that if I take people to help you, I
4 am responsible for the liability issues,
5 the compensation issues, you know, all
6 that stuff. They're still my people.

7 MR. BOBO: And that's the way it

8 should be.

9 MR. MAGNIN: And by the way, if
10 I come to help you and there's a problem
11 at home, I can say time out, I've got to
12 take my people and go, we're out of here.

13 MR. GALES: Okay. Anything
14 else?

15 MR. BERGMAN: I brought two
16 handouts, just if anybody is interested.
17 This is an article. Somebody has
18 published a new book called Disaster
19 Dictionary and Kary Cox -- okay, you know
20 about it. If you're interested in it,
21 Kary Cox is actually quoted in the article
22 as saying it's a great thing. So if
23 you're interested in it, there is a
24 handout on that. It does sound like a
25 good thing. There's a handout at the far

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1 end of the table about the upcoming Health
2 and Safety Fair, if anybody is interested
3 in that. That was from Jamie. The
4 Governor's Conference on Safety and
5 Health, May 24th through 26th, so there s
6 some information on that.

7 MR. GALES: Okay. Any new
8 business to come before OHMERC? No new
9 business.

10 How about miscellaneous discussion?

11 We've been having quite a bit of
12 discussion.

13 MS. REATIES: I've got a
14 thought. Could DEQ -- if you're concerned
15 about the rise in the number of incidents,
16 could DEQ host or have a going forth on
17 the road eight-hour awareness, chemical
18 awareness class? And I understand you
19 guys used to do that and you went out to
20 volunteer fire departments many, many
21 years ago, because I attended one. It was
22 great. It was only four hours long one
23 night, and four hours the next night.

24 MR. MAGNIN: Emergency
25 Management went out and did that?

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1 MS. REATIES: Yes, it was great.
2 I just wonder if DEQ --

3 MS. ELDER: Well, we don't have
4 any trainers to do chemical awareness that
5 I know of, nor do we have the manpower.
6 You know, you have to be -- you can't just
7 go out and do training?

8 MS. REATIES: OSHA says if you
9 have an incident, someone has an accident,
10 that they are to be trained before they
11 are set loose again to cause more havoc.

12 MS. ELDER: Right.

13 MS. REATIES: And I just wonder
14 if that same incident, if Joe Blow's
15 company had a fire or explosion and before
16 they -- we would try to give some kind of
17 training.

18 MR. MAGNIN: We're outnumbered.

19 MS. REATIES: You're
20 outnumbered?

21 MR. MAGNIN: Too many of them.

22 MS. REATIES: Okay.

23 MR. GALES: Okay. Miscellaneous
24 discussion.

25 MR. DOKE: A few things are just

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1 kind of FYI. The Chief of Fire and Safety
2 out there in Chickasha has been awarded
3 the bid for our communication vehicle
4 that's 28 foot -- it looks like a 28 foot
5 horse trailer on purpose, being pulled by
6 a towed vehicle, that way if we accumulate
7 other trailers and equipment later on,
8 then that vehicle can be used for that.
9 And Gene Bax over at DPS is helping us
10 with the communications itself, the radios
11 and switches and such, so we appreciate
12 that. They said three or four months, but
13 if it's on the road by July 1, we'll be
14 doing pretty good on that one.

15 MR. MAGNIN: Interoperable?

16 MR. DOKE: Yes, sir.

17 MR. MAGNIN: That's a key part
18 of NIMS is interoperable communications.

19 MR. DOKE: And with it coming
20 through a Homeland Security grant, they
21 are to be -- this was to be used for
22 weapons of mass destruction and such.
23 However, if there is a natural occurrence
24 or a natural emergency, we can take it
25 there and that would be our training time,

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1 using that vehicle there. There is a way
2 around it somehow, so we are going to say,
3 if it's an ice storm or whatever, if it's
4 needed anywhere, we'll get it there. And
5 if it's not weapons of mass destruction,
6 then that's our training time with it. So
7 that's how we're working around that one.

8 MR. BERGMAN: Is there a process
9 for requesting it and who has the
10 authority to release that?

11 MR. DOKE: We'll provide
12 somebody to help get it started and if
13 there is a person of expertise there to
14 utilize it, we may just leave the trailer
15 with them.

16 MR. BERGMAN: Okay.

17 MR. DOKE: It's kind of a -- if

18 you've got a warm fuzzy feeling with those
19 who are using it, we'll just drop the
20 trailer and bring the tow vehicle back.
21 The diesel generators is self-contained.
22 There is enough room for two dispatchers
23 comfortably and another person in that
24 area, the little meeting room in the back,
25 two comfortably, we can squeeze three in.

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1 We purposefully kept it small because you
2 get too many people in there, it's better
3 to keep your communications as less as
4 possible. But operational decision
5 makers, two or three, if you need more
6 than that, you need to find another place
7 to meet and keep that small so we're not
8 interfering with each other.

9 MR. MAGNIN: Do you have any
10 type of a flyer or information paper or
11 anything on that?

12 MR. DOKE: Not yet. We're still
13 keeping it --

14 MR. MAGNIN: Once you get that
15 put together, we'll share that with our
16 network.

17 MR. DOKE: We d love to do that.
18 Then on the getting people trained in
19 weapons of mass destruction and hazardous

20 material and such, there was a newly
21 formed state group, it's COFFT, Council on
22 Fire Fighter Training, we're having
23 problems visiting with Major Penningill on
24 getting the fire fighters trained in these
25 areas. So a group got together last year,

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1 the Governor put it over in Title 74,
2 Section 325, that would be the last
3 statute in what I call the Fire Marshal
4 statutes. This is a 12, and I believe a
5 30-hour training. Those who already have
6 particular training that meets that
7 criteria, next year they can receive
8 either a \$200.00 or a \$400.00 tax credit.
9 So our carrot to try to entice the
10 volunteers to go for specialized training
11 is the tax incentive on it.

12 So the first group, if they've
13 already had that, it's kind of waved a
14 wand over them, they have had that. After
15 that, then they'll have to provide
16 documentation to COFFT or OSU Fire Service
17 Training, if they want to do that
18 annually. And it pretty much spells out
19 basically what those courses have to be
20 and it is weapons of mass destruction and
21 hazardous materials. So that was a
22 success for us, also.

23 We had a funding stream, I believe a
24 couple of you might remember Colonel
25 (Inaudible) Pendrick from the Pentagon, I

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1 think (inaudible) he provided a stream of
2 28 computers to us from the Pentagon to us
3 and delivered those to the volunteer fire
4 departments to use for fire reporting. I
5 was just visiting with Tom a while ago and
6 hopefully once they get everything in
7 gear, they can use the CAMEO.

8 But I also visited this past week
9 with Representative Roan from Tishomingo
10 and also with the Career Tech, as they
11 purchase new computers, the other ones go
12 to public schools, we want to see if we
13 can visit with Career Tech, for those go
14 to the volunteer departments and we'll
15 provide them with the fire reporting
16 software and we'll meet with Tom and the
17 group and see if we can get them in CAMEO.
18 That's probably going to be about four
19 years before we can actually start getting
20 our arms around them and getting them
21 trained and such, but we'll try to get
22 that equipment to them.

23 And I was visiting with one of the
24 Division's Deputy Directors from the

25 Department of Homeland Security last

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1 Wednesday and Thursday. The feds are
2 going to take about an 80 billion dollar
3 cut; so DHS, which would be fire
4 administration, and EMI, they're going to
5 be giving up some of that money to meet
6 that 80 billion dollars. DOJ is going to
7 be giving up some money. He said anything
8 that you can apply for grants now and get
9 tacked in, he said put it in high gear and
10 do that now because they're going to try
11 and go after the worker bees and the
12 agency itself, is what they're doing. But
13 he says he sees eventually that some of
14 the grants will be caught in that. That
15 was Charlie Dickinson out of Washington,
16 D.C. So I wished I had good news, but
17 other than that, things are looking great.

18 MR. GALES: Good to hear. Other
19 miscellaneous discussion?

20 MAJOR GRIMES: I'll just throw
21 one thing in. Since we're talking about
22 command posts, we're presently
23 refurbishing all of our command posts and
24 hopefully by the end of the year, we'll
25 have a gigantic command post on-line that

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1 Homeland Security is paying for.

2 MR. GALES: Okay. All right.

3 Any other miscellaneous discussion?

4 Hearing none, I'll entertain a motion to

5 adjourn.

6 MAJOR GRIMES: So made.

7 MR. GALES: Got a motion, do I

8 have a second?

9 MR. DOKE: I'll second.

10 MR. GALES: Okay. I've got a

11 motion and a second to adjourn. No

12 discussion. All in favor, signify by

13 saying aye.

14 ALL MEMBERS: (Unanimously) Aye.

15

16 MR. GALES: Opposed same sign.

17 (No verbal response)

18 MR. GALES: Thank you all, very

19 much.

20

21 (END OF PROCEEDINGS)

22

23

24

25

1 C E R T I F I C A T E

2 STATE OF OKLAHOMA)

) ss:

3 COUNTY OF OKLAHOMA)

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I, CHRISTY A. MYERS, Certified
Shorthand Reporter in and for the State of
Oklahoma, do hereby certify that the above
proceedings is the truth, the whole truth,
and nothing but the truth; that the
foregoing proceedings were tape recorded
by me taken down in shorthand and
thereafter transcribed under my direction;
that said proceedings were taken on the
1st day of February, 2005, at Oklahoma
City, Oklahoma; and that I am neither
attorney for nor relative of any of said
parties, nor otherwise interested in said
action.

IN WITNESS WHEREOF, I have hereunto
set my hand and official seal on this, the
29th day of March, 2005.

CHRISTY A. MYERS, C.S.R.
Certificate No. 00310