

**DEPARTMENT OF PUBLIC SAFETY
EMERGENCY MANAGEMENT**

TIMOTHY R. COOPER
DEPUTY DIRECTOR



Sussex County

DELAWARE
sussexcountype.gov

(302) 855-1000 T
(302) 855-7805 F

**SUSSEX COUNTY
LOCAL EMERGENCY PLANNING COMMITTEE
MEETING MINUTES
September 12, 2024**

There were twenty-four members/guests in attendance.

Charles Stevenson, IV	Sussex County LEPC
Kelly Kruger	Sussex County, EOC
Steven Phillips	DEMA
Mark Dolan	DNREC-ARP
Nicholas Butler	DNREC-EPCRA
John Thielemann	Sharp Energy
Mindy Anthony	DNREC
Ed Hudson	Sharp Energy
Chris Mitchell	NRG
Omar Jackson	ICP Group
Tim Cooper	Sussex EMA
Anuj Kumar	DNREC
James A. Smith, Jr.	Delmarva Power
Kristin Deno	Trinity Logistics
Kenneth Cenci	DNREC-ARP
Dave Irwin	New Castle County, LEPC
Sharon Jefferson-Hawkins	Red Cross
Mike Kaupa	Mountaire Farms
Bill Davis	DNREC-EPCRA
Alexandria Lundberg	Invista
Wayne Vogel	DPH
RL Hughes	Beebe Hospital
Brittany Mazzetti	Beebe Hospital
Dave Seip	Beebe Hospital

Chairman Stevenson called the meeting to order at 10:00 a.m.

The minutes of the July 11, 2024, meeting were approved.

Chairman Stevenson compiled the meeting attendance list.

REPORTS-

DNREC-EPCRA-Nicholas Butler

Department of Natural Resources and Environmental Control (DNREC)

Emergency Planning and Community Right-to-Know Act (EPCRA) Reporting Program

Local Emergency Planning Committee (LEPC) Report – September 2024

1. Reporting Year (RY) 2023 Reporting Summary

Delaware facilities submit their EPCRA Section 312 reports (also known as Annual Tier II reports) using the *Tier II Manager™* (T2M) database. For Reporting Year (RY) 2023, covering Jan. 1 – Dec. 31, 2024, over 98% facilities submitted 2,633 Tier II reports by the due date, March 1st. As of September 3rd, the annual Tier II reports now increased to 2,715 for RY 2023. The program has received \$485,386.24 to date in annual fees. Currently 12,006 chemical entries have been reported for RY 2023, compared to 12,024 total chemical entries for RY 2022.

Tables 1-3 summarize key reporting metrics such as submitted annual Tier II reports, active facilities in the database, and other EPCRA facility updates since the last LEPC meeting. Chart 1 shows the trend of facilities submitting annual reports within the state throughout the past 5 years. A list of facilities missing their annual report is summarized in Table 4. The tables below contain Tier II reporting data according to a facility's LEPC designation. Facilities usually determine their own LEPC, but these determinations should be verified by each LEPC. LEPC's can access and view the reports through the T2M system.

Table 1 - RY 2023 Submitted EPCRA 312 (Tier II) Reports

LEPC	1 Year Ago 09/05/2023 RY 2022	Last LEPC Meeting 07/01/2024 RY 2023	Current 09/03/2024 RY 2023	Annual Change Submitted Reports
Sussex LEPC	969	1018	1019	+50 (+5%)
Kent LEPC	533	533	533	0 (0%)
New Castle LEPC	1004	1011	1011	+7 (+1%)
Wilmington LEPC	147	152	152	+5 (+3%)
State Total	2653	2714	2715	+62 (+2%)

Notes:

- Data sourced from T2M *Advanced Report*. LEPC designations as reported by facilities.
- Facilities report Annual Hazardous Chemical Inventory under EPCRA 312 section.

Table 2 - Active Facilities in the T2M Database

LEPC	EPCRA 302 Facilities 09/03/2024	Total EPCRA Facilities 09/03/2024
Sussex LEPC	61	1014
Kent LEPC	52	532
New Castle LEPC	151	999
Wilmington LEPC	26	159
State Total	290	2704

Notes:

- Data sourced from T2M Facilities tab.
- For emergency planning purposes, facilities containing Extremely Hazardous Substances (EHS) above Threshold Planning Quantity (TPQ) are required to submit EPCRA 302 reports.
- Caution is advised when comparing Tables 1 & 2. New facilities added since 1/1/24 may not have been subject to RY 23 Tier II reporting, while some facilities that reported for 2023 may have been deactivated, and there remains other facilities whose status is unknown (Table 4).

Table 3 - Other EPCRA Facility Updates Since Last LEPC Meeting (07/01/24 - 09/03/24)

LEPC	New EPCRA Facilities	EPCRA 302 Reports	EPCRA 311 Reports	EPCRA 312 Report Updates	EPCRA 312 Report Revisions
Sussex LEPC	0	0	0	0	0
Kent LEPC	1	0	1	1	0
New Castle LEPC	0	0	3	0	0
Wilmington LEPC	0	0	0	1	0
State Total	1	0	4	2	0

Notes:

- New EPCRA Facilities are those that have been created within T2M and may not have submitted a 312-Annual report yet; the number of New Facilities will not match the number of reports.
- EPCRA Sections 311-312 require facilities to provide initial notification and report hazardous chemicals that are used or stored. Please refer to the DNREC EPCRA reporting requirements webpage for details of EPCRA sections 302, 311, & 312 (<https://dnrec.delaware.gov/waste-hazardous/emergency-response/community-right-to-know/reporting-requirements/>)
- 312 Updates reflect new data introduced after Jan 1st, while 312 Revisions are corrections to old data.

Chart 1 - EPCRA 312 (Tier II) Annual Facility Reporting Historical Trend

Notes:

- Data sourced from T2M *Advanced Report* as June 2024.
- Realignment of LEPC facilities in New Castle County and City of Wilmington occurred in RY 2022.

2. Status of Missing Facility Reports

As of September 3rd, 2024, there were 26 active facilities (compared to 32 on May 1st) listed in the *Tier II Manager™* database that have not reported for RY 2023.

- 3 government/nonprofit facilities from May 2024 list have been resolved. DNREC will continue to pursue the remaining 7 government/nonprofit facilities on its list.
- 3 facilities from LEPC’s May 2024 list have been resolved. The remaining 19 facilities listed below continue to need a determination by the LEPCs if the facilities are still in operation, and if so, acquire current contact information.

Table 4 - List of Facilities with Missing Reports

	Company Name	FID	Facility Name /Site No	Location	Latest Submitted Report	Status
Sussex County LEPC						
1	Georgetown Air Services LLC	292	Fuel Farm	Georgeto	2022	Reported
2	James Thompson Co.	302	James Thompson	Greenwo	2022	Pending Clos
3	YRC Inc. d/b/a YRC Freight	120	YRC Inc. d/b/a/ YRC Freight (177)	Seaford	2022	<i>De-activated</i>
4	National Concrete Products	136	National Concrete Products	Greenwo	2012	New Ownersh
Kent County LEPC						
1	Mills Bros Mkts Inc	560	Mills Bros Mkts #1	Milford	2016	
2	Gill & Deol LLC	984	South Little Creek Fu	Dover	2008	
New Castle County LEPC						
1	Builders FirstSour (BFS LLC)	330	Stanton LBM	Newark	2022	
2	Komal Associates	275	Star Gas and Diesel	Wilmington	2022	
3	YRC Inc. d/b/a YRC Freight	121	YRC Inc. d/b/a YRC Freight (184)	New Cas	2022	
4	Moran Foods	235	Save-A-Lot #294	New Cas	2021	

5	PHC MeadowWood	969	MeadowWood Behav Health System	New Cas	2021	
6	Tesla Industries, Ir	217	Main Facility	New Cas	2021	
7	SimplexGrinnell	198	SimplexGrinnell,557	New Cas	2020	
8	Newark Country C	197	Maintenance Building	Newark	2015	
9	Goodman Distribu	219	Newark # 284	Newark	2010	
Wilmington LEPC						
1	Barclay Bank	240	Dryrock	Wilming	2021	Awaiting Feedback
2	Barclay Bank	240	Juniper	Wilming	2021	
3	St. Francis Hospita	350	St. Francis Hospital	Wilming	2021	
4	Elwyn Inc	951	Delaware Elwyn	Wilming	2021	<i>De-activated</i>
5	Ingleside Homes Ir	103	Ingleside Retirement Apartments	Wilming	2020	Awaiting Feedback
6	Chiquita Brands International	654	Chiquita Fresh, N.A.	Wilming	2017	
7	Edgemoor Materia	949	Edgemoor Materials	Wilming	2014	Awaiting Feedback

Note:

- This list does not include government facilities or those facilities with known contacts, which DNREC continues to pursue.
- FID = Facility Identification Number

3. EPCRA Public Portal & Other Program Updates

- Kelly Barr completed her summer internship with DNREC's EPCRA program on August 9th. We thank her for her assistance with our Community Right-to-know outreach campaign during June, July, and August.
- DNREC identified the following events to participate in promoting community Right-to-Know. LEPC's are encouraged to join these events and suggest other outreach activities.
 - The Delaware State Fair in Harrington from July 18th – July 27th
 - National Night Out in Cheswold on August 6th
 - The upcoming Family Emergency Preparedness Day in Camden on Sept 14th
 - The upcoming Hispanic Heritage Community Health Fair in New Castle on Sept 21st

- The program has updated the *TierIIManager*TM platform by incorporating Environment Justice (EJ) related GIS layers into the mapping modules. Users will now be able to see EJ related metrics, such as DeIDOT Equity Focus Areas.
- The Public Portal Insight Log has also been added into to the platform, allowing for analysis of queries in the Public Portal.

-DEMA UPDATES- Steven Phillips

SERC Report

- The next Planning and Training Committee meeting is on November 21.
- The Planning and Training Committee approved modifying the SERT Plan TTX to instead support a New Castle County Hazmat Train Derailment Exercise. That will still allow testing of the SERT Plan along with County Plans and local responder tactics.
- The next SERC meeting is on September 11. The following meeting is on December 11.
- The SERT Plan, SERC Annual Report, and SERC Public Information Policy will be reviewed for approval at the September 11 SERC meeting.

HMEP Report

- Currently in Year 2 of the HMEP three-year grant period. \$179,752.00 Total Grant Amount for Year 2. For Year 2 we have spent \$60,197.08.
- Year 2 Q4 Quarterly Reports from HMEP Subgrantees will be requested on October 1 with a return date of October 15.
- Year 3 of the HMEP Grant is expected to open October 1.

DEMA Report

- DEMA will be participating in re-accreditation in the Emergency Management Accreditation Program (EMAP) in late October. DEMA was accredited back in 2019, and we are up for our 4-year renewal. This requires DEMA staff to review EMAP program standards such as Hazard Mitigation, Continuity Planning, Resource Management, and Communications and provide documentation and examples of how DEMA meets those standards. There are more than 70 standards that must be met in order to achieve accreditation.

SCEMS-Glen Marshall-
No Report

DECON Trailer Updates-
No Updates

Kent County LEPC-Brandon Olenik-
No Report

New Castle County LEPC-Dave Irwin-
The LEPC Meeting for New Castle County was held on Monday, September 9, 2024, at DSFS- New Castle County Division.
The HazMat Training Workshop Committee held a meeting on September 30, 2024.

Wilmington LEPC- Willie Patrick-
No Report

Mark Dolan-DNREC
Finish Propane Inspections.

Wayne Vogel-DPH-

DPH LEPC Report – September 2024

- A staff member from Office of Preparedness attended the annual International Radiation Protection Association (IRPA) and the Health Physics Society (HPS) meeting on July 7-12. Speakers from 11 countries gave presentations on a wide range of topics in four separate sessions: on standards, directives, and regulations; on industrial, veterinary, and space applications; on military applications; and on safety and security of radioactive sources.
- A Heat Emergency Concept of Operations (CONOPS) was drafted to spell out DPH roles and responsibilities during a response to instances of extreme heat in Delaware. The first DPH Extreme Heat Situational Report (SITREP) was produced in July to share information with partners regarding forecasted temperatures and air quality risks and raise awareness of potential public health implications.
- Staff from DPH participated in the DEMA Radiological Emergency Plan exercise on August 13. DPH staff in the Technical Assessment Center conducted dose assessment and provided protective action recommendations to the Incident Command Staff during the exercise.

- On August 13-14, Emergency Medical Services and Preparedness Section staff attended the Crim-Epi workshop jointly conducted by the FBI and CDC. The purpose of this training is to bring together law enforcement and public health entities to work together during a possible infectious disease outbreak of criminal origin.

Upcoming Plans and Projects

- Mass Care Tabletop Exercise (TTX) and a Mass Care Drill are in the planning stages, no dates set.

Red Cross-Tony Susi-

The Red Cross is monitoring active storms and hurricanes.

Delmarva Power-Jim Smith –

Delmarva Power's display trailer will be here on 911 day.

Emergency Management-Tim Cooper

CERT Classes will be held on September 20,21, & 22, 2024.

Beebe Hospital- RL Hughes

Director Hughes briefed the group on the new emergency management structure for Beebe HealthCare.

Sussex County LEPC-Chip Stevenson-

- Attended the DEMA GIS Site Visit & Development Workshop on August 15th.
- Attended the SERC Planning & Training Committee meeting on August 15th.
- Attended the Shelter Working Group meeting on August 15th.
- Attended the New Castle County LEPC meeting on September 9th.
- Attended the Kent County LEPC meeting on September 9th.
- Attended the SERC meeting on September 11th.
- Participated in Shelter Working Group's site visits on August 1st.
- Attended virtually the CISA Security Summit on July 11th & July 18th.
- Completed the HMEP Q3 Workplan report
- Completed the Sussex County LEPC section of the SERC Annual Report.

-PRESENTATIONS-

None

**NEXT MEETING- Thursday November 14, 2024, 10 A.M.-Sussex County
Emergency Operations Center, 21911 Rudder Lane, Georgetown, DE.**