

**SUSSEX COUNTY
LOCAL EMERGENCY PLANNING COMMITTEE
MEETING MINUTES
May 9, 2024**

There were twenty-eight 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
Bill Davis	DNREC-EPCRA
Bob Shinholt	ALOFT
John Thielemann	Sharp Energy
Danielle Breitreitz	Dentsply Sirona
Mindy Anthony	DNREC
Michael Kaupa	Mountaire Farms
Paul Becker	Perdue
Ed Hudson	Sharp Energy
Trevor Cantwell	DHS
Chris Mitchell	NRG
Omar Jackson	ICP Group
Kenneth Cenci	DNREC-ARP
Todd Wardwell	USCG
Ronald Verosko	Sussex County
Dave Irwin	New Castle County LEPC
R.L Hughes	Beebe Hospital
Antonio Bivins	DNREC
Andy Jones	Dentsply Sirona
Chris Ramos	DHS
Lisa Donaway	DHS
Adam Kooker	DNREC
Dan Genua	CISA
Tom Gagnon	CISA

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

The minutes of the March 14, 2024, meeting was approved.

Chairman Stevenson compiled the meeting attendance list.

A welcome was provided by Andy Jones and Danielle Breitreitz from Denstply-Sirona with a presentation on the history of the company.

REPORTS-

DNREC-EPCRA-Nicholas Butler

Department of Natural Resources and Environmental Control (DNREC)

EPCRA Reporting Program LEPC Report – May 2024

1. RY 2023 Reporting Summary

Delaware facilities submit their EPCRA Section 312 reports (often referred to as annual Tier II reports) online using the Tier II Manager™ (T2M) database. For Reporting Year (RY) 2023, over 98% facilities submitted 2633 Tier II reports by the March 1st, 2024, due date. As of May 1st, the annual Tier II reports grew to 2709 for RY 2023, which is an increase of ~2% compared to RY 2022 at this time last year.

Tables 1-3 summarize key points of reporting such as total number of annual Tier II reports, active facilities, fee paying & fee exempt facilities with the total fee collection in 2024. Table 4 shows changes in EPCRA reporting in the last 2 months between previous & current LEPC meetings. A list of facilities missing their annual report have also been summarized in Table 5.

The tables below contain Tier II reporting data according to a facilities 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

	1 Year Ago 5/02/2023 RY 2022	Last LEPC Meeting 03/04/2024 RY 2023	Current 5/01/2024 RY 2023
Sussex LEPC	963	989	1015
Kent LEPC	533	523	532
New Castle LEPC	1003	977	1010

Wilmington LEPC	147	144	152
State Total	2646	2633	2709

Note:

- Data sourced from T2M *Advanced Report*.
- LEPC designations as reported by facilities.

Table 2. Active Facilities in the T2M Database

	EPCRA 302 Facilities (EHS > TPQ)	Total Facilities 5/01/2024
Sussex LEPC	61	1014
Kent LEPC	52	531
New Castle LEPC	151	999
Wilmington LEPC	26	159
State Total	290	2703

Note:

- Data sourced from T2M Facilities tab.
- 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 5). Therefore, caution is advised when comparing Table 1 vs. Table 2.

Table 3. Calendar Year 2024 Fee Payments

Facility Status	Total Receipts
Fee-Paying facilities	1909 fee paying
Fee-Exempt facilities	714 government
Fee-Exempt facilities	86 non-profits
Total Fees Paid	\$ 484,233

Note:

- Data sourced from T2M *Advanced Report*
- A facility may have more than one invoice due to report revisions that may affect fee.

Table 4. Changes Since Last LEPC Meeting (03/04/2024 - 05/02/24)

	New	302	311	312	312	312 Annuals
--	------------	------------	------------	------------	------------	------------------------

	Facilities	submittals	submittals	Updates	Revisio	Due 3/1/24
Sussex LEPC	2	0	0	1	3	26
Kent LEPC	1	0	1	0	0	9
New Castle LEPC	0	1	0	5	6	33
Wilmington LEPC	0	1	1	0	2	8
State Total	3	2	2	6	11	76

Note: ¹ New Facilities are those that have been created within *TierII Manager™* and may not have

submitted a 312-Annual report yet; therefore, the number of New Facilities will not match.

the number of reports.

- Please refer to the DNREC EPCRA reporting requirements webpage for details of EPCRA sections 302, 311, & 312

[\(https://dnrec.delaware.gov/waste-hazardous/emergency-response/community-right-to-know/reporting-requirements/\)](https://dnrec.delaware.gov/waste-hazardous/emergency-response/community-right-to-know/reporting-requirements/)

2. Status of Missing Facility Reports

On May 1st, 2024, there were 32 active facilities listed in the TierII Manager™ database that have not reported for RY 2023 (due 3/1/2024). DNREC is in contact with 10 facilities to resolve their missing/late reports and will continue to pursue them. The list of 22 facilities listed below are being presented to LEPC's to determine if the facilities are still in operation, and if so, to acquire updated contact information.

Table 5. List of Facilities with Missing Reports

	Company Name	FID	Facility Name / Site Name	Location	Latest Submitted Report
New Castle County LEPC					
1	Builders FirstSource (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 Castle	2022
4	Moran Foods	235	Save-A-Lot #294	New Castle	2021
5	PHC MeadowWood	969	MeadowWood Behavioral Health System	New Castle	2021
6	Tesla Industries, Inc.	217	Main Facility	New Castle	2021
7	SimplexGrinnell	198	SimplexGrinnell, 557	New Castle	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
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
5	Ingleside Homes I	103	Ingleside Retirement Apartments	Wilming	2020
6	Chiquita Brands International	654	Chiquita Fresh, N.A.	Wilming	2017
7	Edgemoor Materia	949	Edgemoor Materials	Wilming	2014
Sussex County LEPC					
1	Georgetown Air Services LLC	292	Fuel Farm	George	2022
2	James Thompson Co.	302	James Thompson	Greenw	2022
3	YRC Inc. d/b/a YRC Freight	120	YRC Inc. d/b/a/ YRC Freight (177)	Seaford	2022
4	National Concrete Products	136	National Concrete Products	Greenw	2012
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

Note: This list does not include government facilities or those facilities with known contacts, which DNREC continues to pursue.

3. Additional Program Updates

- **DNREC is working with the Department of Technology & Information (DTI) and the Tier II Manager™ vendor Hazconnect™ to update the Public Portal module of Tier II database. The module has been prepared with the coordination and feedback of the SERC IT committee. We plan to present the module at the upcoming SERC meeting in June and at the July LEPC Meetings. DNREC's EPCRA group is also hiring a summer intern to assist us with promotional events throughout the summer in the spirit of community right to know.**
- **Nicholas Butler from the DNREC EPCRA Team attended the 2024 NASTTPO Annual Meeting in Charlotte, North Carolina. The workshop allows attendees to remain current on federal regulations and industry best practices. It also serves as a collaborative forum for state, local, federal, and private sector peers from across**

the country to review case studies and discuss solutions to challenges pertaining to chemical safety.

-DEMA UPDATES- Steven Phillips

DEMA Report for LEPC Meeting-May 2024

SERC Report

- The next Planning and Training Committee meeting is on May 16. The following meeting is on August 15.
- The next SERC meeting is on June 12.
- Reports for the FY24 SERC Annual Report will be requested on June 30. The period of performance to cover is July 1, 2023, to June 30, 2024.
- Representatives from Kent County LEPC, Sussex County LEPC, DNREC, and DEMA attended the annual NASTTPO Workshop in Charlotte, North Carolina from April 22 to 25. This was a great Workshop to learn the latest information from federal agencies and industry partners. There was plenty of great networking between the represented SERCs, TERCs, and LEPCs. Sussex County LEPC's Chairman, Charles Stevenson, gave a great panel presentation about the LEPC. Presentations from the Workshop can be found on their website www.NASTTPO.com.

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 spent \$7,267.15.
- The HMEP Grant Year 3 allocations were approved at the March SERC meeting. The Application was submitted to PHMSA ahead of their April 1 deadline. Year 3 is expected to open on October 1, 2024.

DEMA Report

- FEMA will be in-state for a federally evaluated radiological exercise on May 14. Evaluators will be at the State EOC and other locations throughout New Castle and Kent counties.
- DEMA participated in the DHSS Medical Response and Surge Exercise on April 4 and FAC Exercise on April 18. These were great opportunities for DEMA staff to integrate with the SHOC and the medical response and hospital communities.

SCEMS-Glen Marshall-
No Report

DECON Trailer Updates-
No Updates

Kent County LEPC-Brandon Olenik-
LEPC Meeting will be held on Tuesday May 14, 2024, in Kent County.

New Castle County LEPC-Dave Irwin-
LEPC Meeting will be held on Monday May 13, 2024, in New Castle County.

Wilmington LEPC- Willie Patrick-
No Report

Mark Dolan-DNREC
No report

Wayne Vogel-DPH-
No report

Red Cross-Tony Susi-
No Report

Delmarva Power-Jim Smith –
No report

Sussex County LEPC-Chip Stevenson-
-Attended the Kent County LEPC meeting March 19th.
-Attended the Annual Emergency Preparedness meeting at Dentsply Sirona on March 21st.
-Participated in the Family Assistance Center Full Scale Exercise on April 14th.
-Participated in the DelDot Debris Management TTX on April 30th.
-Attended the NASTTPO Conference in Charlotte, N.C. from April 22nd-April 25th, where I provided a 15-minute panel presentation about the Sussex County LEPC.

-PRESENTATIONS-
Trevor Cantwell and the team from CISA provided a presentation on the cybersecurity and infrastructure partnership with Delaware agencies and facilities.

NEXT MEETING- Thursday July 11, 2024, 10 A.M.-Sussex County Emergency Operations Center, 21911 Rudder Lane, Georgetown, DE.