

# Commission on Emergency Planning & Response Minutes September 5, 2013

## Members Present:

- Oscar Thomasson, Regional Councils
- Martha Gabehart, Individuals with Disabilities
- Mark Willis, Emergency Services
- Jack Taylor, Firefighters / Chairman
- Angee Morgan, proxy for MG Lee Tafanelli, Adjutant General
- Mike McNulty, KDHE Health
- Danny Shanks, Law Enforcement
- Tim East, Energy / Vice-Chair
- Kent Cornish, Business and Industry – Broadcasters
- Ashley Goss, Public Health
- Eric Pippin, proxy for Col. Ernest Garcia, KHP
- Clay Adams, proxy for Mike King, KDOT
- Sandy Johnson, proxy for Dale Rodman, Dept. of Agriculture
- Scott Briggs, Counties
- Henry Hungerbeeler, Transportation, Trucking and Rail
- Frank Papish, proxy for Kirk Thompson, KBI
- Keith Meyers, proxy for Pat George, Dept. of Commerce
- Charles Keeton, Hospitals
- John Sweet, Cities
- Chris Howell, Tribes
- Doug Grauer, Business and Industry

## Members Not Present:

- Leo Henning, KDHE Environment
- Darryn Gillihan, Business and Industry
- Agriculture, Crop, or Livestock - Vacant

## Call to Order / Roll Call: Chairman

- Meeting was called to order at 1003 am.
- Roll Call was called by Tina Fike at 1003.

## Consent Agenda Review: Chairman

- Motion to accept Consent Agenda as presented made by Tim East, seconded by Oscar Thomasson. Motion carried.

## Presentations:

### State Training Advisory Team (STAT) Charter Update

Erin McGinnis, KDEM

- STAT was chartered by CEPR several years ago but existence has dwindled;

- Would be a great vehicle to bring together all state training partners to share information about upcoming trainings, and to coordinate efforts in trainings so efforts are not duplicated;
- Revised the STAT charter and sent to committee members, and is asking for committee to approve revised charter;
- Once charter is approved, will move forward with having group meet again on a regular basis;
- Q: What type of trainings are you wanting to coordinate through the STAT?
  - A: Right now, all of our agencies are responsible for specific trainings for the different departments; the STAT would bring those partners together instead of having each agency do the same type of training;
  - The concern is about using just the word “training”, think adding the words “Homeland Security Training” or whatever specific area that is being looked at should be used;
  - The idea is to make sure that there are seamless discussion as to what trainings are offered; STAT would be just an advisory, coordinating team;
  - Charter encompasses All-Hazard trainings;
  - The initial push for STAT was that in the very beginning of DHS dollars, there was a focus of 11 discipline types of training that needed to be coordinated; DHS terminology now is Core Capabilities. The STAT would verify that the entities that are within the Core Capabilities are receiving the types of trainings needed- still stays within the 11 DHS discipline types at a state level;
- Motion made by Martha Gabehart to approve charter; seconded by Tim East. Motion carries with 1 nay vote.
- Will provide commission with a final copy of charter.

#### **County Emergency Operations Plans (CEOP) Update**

**Brandt Haehn, KDEM**

- KS statute requires that each county have a county emergency operations plan, and that KDEM provide the standards by which those plans are written to and to review said plans;
- KDEM has approved 11 CEOPs from September 2012 to September 2013;
- Briefed last year that a series of workshops across the state would be done 18 sub-regions to brief on the new standards & to educate the regions about the planning process. At this time, those are completed;
- There are 40 plans are currently expired – meaning new plans have not been submitted to KDEM for review within the last 5 years;
- KDEM have identified 5 actions to try to remedy expired plans:
  - Monthly support webinars- done on KSPlanner.com (AKA SuperSystem). Was provided to the counties to give them an electronic template to be able to do these plans. Webinars are a facilitated discussion as Andrew Foster from KDEM goes over a specific standard each time;
  - Ongoing support provided by the SuperSystem contractor and Andrew Foster to counties anytime they need help; contractors has done specific webinars for a particular entity;
  - Starting to notify the county emergency managers one (1) year prior to plan expiration- an email is sent that advises them of the impending expiration as a heads-up for them;
  - Also, Andrew Foster is sending out a spreadsheet of expiration dates for all plans to county emergency managers quarterly- information included is when the plan was approved and when it expires;
  - Due to KS state law, KDEM has to notify the County Commissioners of where county is at. So, if no response is gotten from the county emergency manager, a letter will be mailed to the county commissioners that states their county’s plan expiration date & if county

becomes ineligible for Emergency Management Program Grant (EMPG) funds due to CEOP deficiencies;

- May not get 100% compliance with the above steps, but is our best roadmap to get more counties with approved plans;
- Q: If counties are ineligible for EMPG, does that also make them ineligible for Hazardous Materials Emergency Preparedness Grant (HMEP) or to do burn bans without an approved plan?
  - A: Technically, the county still has an approved plan but they are not compliant under the KS Planning Standards requirement;
- Q: So can the county issue burn bans & are they eligible for HMEP?
  - A: Not sure about HMEP, but if county is not compliant in one program, they will either not get funds or they will get only a portion (50% reduction the first year, 100% reduction the following year if still non-compliant);
- Q: Will this also Homeland Security (HLS) grant funds?
  - A: KDEM does not administer the HLS funds; that would be KHP's decision;
- Q: Are the CEOPs for official use only?
  - A: Yes. However, some counties put theirs on their websites or make them available at their local libraries for the public;
- Q: Does the state have a website that the municipalities that are part of the counties can access the county plans?
  - A: The plans belong to the county & all they have to provide is the basic plan to the public; if you are part of that plan, then you have the right to that plan as signatory;
- So the municipalities' planners to coordinate with the county planners to obtain copies of the plans?
  - A: Yes; they have roles & responsibilities that are legal obligations;
- Q: Are the reasons that the counties aren't up to date due to lack of education on the part of the county emergency manager or the county commissioners? Are they dragging their feet on some of this?
  - A: Can't speak to any reasons why someone else is not getting something done, but a lot of counties have part-time emergency managers or they wear a lot of hats & these plans take a lot of time & devotion to get done, especially if they wait until the last minute to get it done; if they attend / listen to the monthly webinars, it is broken down piece by piece & is easier to accomplish;
- Would it be wise to have KDEM present to the KS Association of Counties' annual meeting?
  - A: Yes, we have done that every year; last year we talked to them & one of the messages was that you get the amount of emergency management that you're willing to pay for; if the county only wants to pay for a minimal amount of time for an emergency manager, it becomes very difficult for them to meet all the requirements that they have;
- Q: How many expired counties choose not to participate in EMPG?
  - Don't know exact count right now, but there are about 72 counties statewide that are EMPG funded;
- Q: If they aren't participating in EMPG, how successful can you be getting them in the SuperSystem or compliant with EOP standards?
  - A: If they are not a participant in EMPG, then the letter that we send to the county commissioners would be tailored to that fact – it would state something like “You are currently not a participant in the EMPG program; if you were to elect to become a participant, this planning issue would make you ineligible for the percentage of funds that would be reduced”;
  - KDEM wants counties to have all the information of what is to come, rather than wait for it

to come for them to be an applicant. This way the county has a better chance of meeting all standards;

- Q: What's due, all ESF plans or just the base plan?
  - A: The counties have to meet the KS Planning Standards; the base plan with all 15 ESF;
- Q: What is the ultimate goal?
  - A: The goal is to be compliant with KS statute;
- Does the statute provide for multiple jurisdictions to develop one plan?
  - A: No; the plan needs to be specific to each county;
- Q: To the counties that are non-compliant, is there a way to send them a sample plan & send it to them?
  - A: Within the SuperSystem, a template has been written as best as possible things that are going to meet the standards; have taken the planning standards and have pre-written parts & color-coded them, ones that fit "everyone" are colored green, the ones that will need a bit of tweaking are colored yellow, the ones that are colored red are the ones that only the county can write;
- Q: Have you coordinated through the emergency districts to try & get these counties compliant?
  - A: Right now, our method is to coordinate with the county emergency manager as they are KDEM's direct customer; have also went to the KS Association of Counties to make sure that the leadership understands that these are the requirements; are seeing more plans expire, so will be taking actions & speaking to the county leadership;
  - A: It helps to keep plans local instead of regional since you lose some of the county specifics;
- Q: How many plans are expected to expire by the end of the year?
  - A: Approximately 24 will expire before the end of the year, and within a six month period there are approximately 35 that will need to take action on;
- Q: Can you provide a list of counties that are expired?
  - A: Yes, we can provide you a list; also, a list has been provided to the county emergency managers;
- Q: Have you thought about having some of the counties that are compliant help those counties that are non-compliant?
  - A: No, we have not;
- Would it be a good partnership for the compliant counties to reach out to the non-compliant counties to help them out?
  - A: It's a good idea, however some of the compliant counties have only a part time emergency manager, so they would not have the time or resources to be able to do so; also, there is the Kansas Emergency Management Association (KEMA) that brings those emergency managers together on quarterly meetings;
- Q: When do you plan to send the letter out to the commissioners compared to when the plan expired?
  - We have not gotten to that part yet; however once we do get to that part, the letter would go out once the plan expires as the emergency manager has already been notified about the expiration date; our experience has been that once the county commissioners receive that letter, the county emergency manager loses their position;
- Q: Should the professional groups like the KS Association of Fire Chiefs, Association of Police Chiefs, the KS Sheriff's Association, etc. be notified to help?
  - A: For those that have statutory authority to do something, they should already be part of the CEOP;

- Q: Do all the counties have a plan or do some of them not even have a plan?
  - A: Yes, all counties have a plan, most of them are over 5 years old & a couple of them are over 13 years old; needed to come up with a time frame as to when the plan is no longer valid;
  - A: Also, requirements have changed that need to be included in plan- the Americans with Disabilities Act, pet shelters, etc.;
- Q: Is there some way to tie grants together so that counties are more liable to be compliant?
  - That is not known at this time;
- Chairman: looks to me like you've formulated a pretty reasonable plan; have done everything except take people by the hand and lead them forward; don't know what else other forceful means you have other than what has been put out there; think you've got a pretty good process going forward here;
- Q: Are there implications for CEPR?
  - A: No, CEPR would just make recommendations; in the end, it is the county's responsibility to prioritize what it is important;

### **Regional Hazard Mitigation Plan Update**

**Brandt Haehn, KDEM**

- The purpose of the Regional Hazard Mitigation plans is to identify risks in each county or region & actions that will be taken to reduce those risks;
- After Greensburg tornado & Southeast Region flooding in 2007, there were very few hazard mitigation plans; the state had hazard mitigation monies but were not able to spend it; the state legislature provide maps for regional plans;
- Plans are federally required to be updated every 5 years to qualify for Federal Hazard Mitigation Grant Program;
- KDEM decided to do regional plans due to funding issues; original cost was \$ 4million, doing regional plans saved approximately \$3.5 million;
- Have 3 regions that have plans that will be completed by the end of the year;
- Have 2 regions that have started having kick-off meetings; they & 2 other regions will have their plans completed in 2014;
- Have 5 regions that will have their plans completed in 2015;
- The counties are to send in a paper stating whether they want to participate in project or not;
- Q: From cities perspective, this is a great program; how many sub-jurisdictions have dropped out as compared to the previous hazard mitigation program?
  - A: Have had more participate than before, may be because they realize what grant funds can do for them;

### **Kansas Response Plan (KRP) Update**

**Brandt Haehn, KDEM**

- The KRP is the state level Emergency Operations Plan;
- KRP is updated every 3 years; last updated January 2011;
- Starting working on updates in 2012, sent all different parts to each subject matter leads;
- All components for 2014 plan are in draft status & proofread edits;
- Expected promulgation date January 2014;
- Q: what local governments participated in the review of the 2011 response plan?
  - No, there were no local governments that were involved;
- Q: Is there a way that local governments can see those changes that are proposed? Asking question as there are statutory requirements for local governments within the 2011 Response Plan.
  - A: We can take the edit & send it out; will be sent to the county to review; the draft plan

can be sent to those municipalities / local governments that want to offer ideas;

## **Continuity of Operations Plans (COOP) Update**

**Brandt Haehn, KDEM**

- Approximately five years ago, a COOP sub-committee was created under CEPR & 5 things needed to be accomplished:
  - Evaluate COOP planning efforts status in all state agencies;
    - Completed in August 2008 & evaluation is ongoing;
  - Work with consultants to create statewide COOP planning template & integrate statewide;
    - Completed December 2008 – is the Bold Planning System, and is the same system used for the counties; was recognized as one of the Kansas Emergency Management program’s best practices by EMAP;
    - A permanent source of funding is not identified; has been funded in the past by getting other state agencies to pitch in; sustainment needed: \$32, 290;
      - Q: What does the \$32,290 comprise of?
        - Provides unlimited access to any state agency that wants to do a COOP plan, provides monthly webinars by Bold Planning consultants, along with conference calls, etc.;
      - Q: How many state agencies have plans?
        - A: approximately 50 state agencies have plans in this system;
  - Manage implementation of statewide COOP plan;
    - Completed July 2009; currently in draft status for inclusion in 2014 KRP;
  - Create best practices, policies, procedures, and protocols for COOP, including human resources:
    - Completed; have a state-level COOP guide; Operations guide, etc.
  - Ensure COOP training opportunities available statewide:
    - Completed; strategy for trainings revolve around the following:
      - COOP 101;
      - Multi-year training and exercise planning;
      - Targeted COOP training;
      - Annual tabletop exercise;
      - Annual exercise;
      - Overall recommendations presented to CEPR;
    - Trainings provided so far:
      - Mission Essential Functions Course: 17 participants from 12 agencies;
      - FEMA Resilient Accord Workshop: 21 participants from 9 agencies;
      - COOP 101: 22 participants from 9 agencies;
      - Beginners Tabletop Exercises: 37 participants from 8 agencies;
      - State-wide Alternate Facility Drill: 41 participants from 10 agencies;
    - Q: How many agencies are there that should have COOP plans?
      - A: Can’t tell how many total agencies have participated in the Mission Essentials, COOP 101, and the tabletop trainings as there are beginners, intermediate, and advanced level trainings, but the amount of participation shows a need for training; if you are asking about the alternate facility training, it would be about 50 agencies;

## **State Mitigation Plan Update**

**Brandt Haehn, KDEM**

- Required by Federal law to be updated every 3 years; was last updated in November 2010, the updated version has been sent to FEMA for approval and will be promulgated in November 2013;

- Targeted improvements:
  - Consequence Analysis;
  - Regional Mitigation Plans: the State Mitigation Plan was used to set up the foundation for the Regional Mitigation Plans; state plan will be broke down by HLS Regions;
  - Refreshing hazard ranking and assessment;
- Top 10 hazards in Kansas:
  1. Flood;
  2. Tornado;
  3. Windstorm;
  4. Winter storm;
  5. Wildfire;
  6. Agricultural infestation;
  7. Hailstorm;
  8. Hazardous materials;
  9. Utility / infrastructure failure;
  10. Drought;

#### **THIRA Update**

**Brandt Haehn, KDEM**

- THIRA: Threat and Hazard Identification and Risk Assessments;
- Is required to be updated annually;
- Identifies what measures what goes into the State Preparedness Report;
- Cyber security threat scenario was added to the 2013 THIRA;
- Capability estimation component added in accordance to DHS guidelines;
- Estimated completion for 2013 THIRA is October 15<sup>th</sup>;

#### **State Hazard Mitigation Program Report**

**Brandt Haehn, KDEM**

- Completed 5 projects in 2013, totaling \$4.5 million;
- Project monitoring:
  - Currently monitoring projects totaling \$47.27 million in 13 open disasters with 29 total open disasters;
- Changes to Hazard Mitigation program:
  - Pre-Disaster Mitigation Grant Program:
    - A federal program that is available annually, sometimes receives funds, sometimes not;
    - In 2013, program received funds;
    - 1% of funding is presented to state if they provide an eligible project;
    - Kansas received \$250,000 from program;
    - KDEM Mitigation staff are working with the Kickapoo Tribe to get a safe room;
    - Program has small time frame to get application put together & submitted – 90 days;
  - Flood Mitigation Assistance:
    - The Biggert-Waters Flood Insurance Reform Act of 2012 consolidated 3 different flood mitigation grant programs;
    - Program funds are from the Federal government; sometimes the program is funded, sometimes not;
    - Requires 90 days to get full application put together & submitted;
    - Reduces restrictions on flood plain buyouts;
    - Q: For funding, does CEPR need to lobby administration for funding sources?

- A: Suggestion is that when we provide recommendation letters for administration, one of the recommendations is to allot funds for programs; every year KDEM puts in an enhancement for the state budget that states we would like funds for projects & provide results that those projects would bring to the state if funds were provided; have a couple of options: can be fully funded at the state level or can charge each individual agency what they use;
- Q: Due to the Biggert-Waters Act, approximately 50% of the flood insurance premiums for commercial & residential policyholders in the State of Kansas will be affected, has anyone saw the impact to entities that cancel their insurance, what will this do to commercial & residential entities?
  - A: We have considered that & can speak about it offline as will take a long time to discuss;

### **State Emergency Alert System (EAS) Update**

**Jonathan York, KDEM**

- EAS committee is chartered under CEPR; is responsible for developing the State Emergency Alert System plan which includes procedures for implementation of emergency alert system at the state and local levels;
- Current revision of the State EAS plan began in June 2011 & was completed in July 2013;
  - Delay was due to the federal government delaying the implementation of IPAWS – Integrated Public Alert and Warning System; original implementation was scheduled for March 2011, was pushed back to June 2012;
- EAS plan was promulgated on August 5, 2013; last week received final concurrent signatures so will have plan put on KDEM’s website, as well as a local operational area planning template for counties to utilize if they would like to access IPAWS & disseminate those messages; messages can be disseminated through the EAS as well as the NOAA weather service radios, wireless emergency alerts, and any local third party software system that a county utilizes for reverse 911 or any other mass notification systems;
- Currently 2 applications that have been completed for local use of IPAWS – Johnson County and Sedgwick County; have 1 pending application from Ft. Riley; the Federal Government is an eligible entity to access IPAWS and is doing 2 test sites for use of emergency alert system messages; one is Ft. Riley and the other is Ft. Belvior, Virginia;
- 2 states have had conference calls with FEMA, FCC, & local government officials;
  - Concerns came up in regards to the Alert Messaging and once those are disseminated from each fort; each fort has control over their own property, but the property still reside in a particular county or counties;
  - Disseminated messages can’t be targeted to those residing on the forts, will go out over the county that the fort is a part of as well as adjacent counties;
  - Will meet with counties impacted within Kansas predominately;
- Will continue State EAS Committee meetings as needed;
- Will have a review of the plan annually, and will be revised every 3 years;
- Will continue technical assistance to counties as needed for completion of IPAWS applications, and once the system gets established;
- Kent Cornish thanked and congratulated Jonathan on doing a great job with getting information from 285 Radio & TV stations across state;

- The Biological Incident Annex is a portion of the KRP, was updated & draft was submitted to KDEM to be included in the 2014 KRP;
- KDHE Preparedness Program is funded by 5 year co-operative agreement from Centers for Disease Control and Prevention (CDC) & the US Department of Health & Human Services under the Hospital Preparedness and Public Health Emergency Preparedness Program;
- Started last year, and needed to come up with a 5 year strategy that included 15 capabilities;
  - 15 capabilities on public health & emergency preparedness side and 8 capabilities on the health care emergency preparedness side, but the 8 interact with the 15;
- Part of strategy needed was to map out ways to address the capabilities in the 5 year range;
  - For 2012-2013, the top level is state level capabilities;
  - KDHE worked for a year on 3 capabilities, then the next year the local & regional level works on capabilities based on tools, resources, etc. that KDHE has helped combine;
  - The following year exercises are done;
  - For 2013-2014, the state is working on information sharing, non-pharmaceutical intervention, & public health laboratories; the local / regional level is working on public information warning, medical surge, & volunteer management;
  - Exercises are community & health care system preparedness, community health care system recovery, & emergency operations coordination;
- 2013-2014 Hospital activities:
  - Required to attend healthcare coalition meetings;
    - Have had hospital preparedness regions & public health preparedness regions since approximately 2003-2004;
    - The hospital preparedness program asked KDHE to come up with health care coalitions which broadens out the hospital community to engage more of the health & medical sector looking at region wide planning issues;
    - Have 7 hospital regions that mirror the HLS regions;
  - Required to attend ESF 8 meetings:
    - Started this in 2012;
    - Put a lot of emphasis on local health departments to bring together the community county-based ESF health & medical groups to look at their planning needs related to their own county emergency operations plan, as well as what is going on outside of emergency preparedness – i.e. community health assessments, etc.;
  - Update medical surge plans / protocols:
    - Can mean within their own facility;
    - How does that interact with entire emergency management program;
  - Required to participate in quarterly KS Health Alert Network and EMResource drills;
  - Required to participate in an annual exercise – preparedness, recovery or emergency operations coordination;
- 2013-2014 Health Department activities:
  - Required to attend healthcare coalition;
  - Required to conduct ESF 8 meetings;
  - Update public information Standard Operating Guide (SOG) and SOG training;
  - Update the Medical Surge plans & procedures;
  - Review / revise volunteer needs & goals within community;
  - Required to participate in an annual exercise- preparedness, recover, or emergency operations coordination;
- Full scale exercise planning:
  - Required to conduct a full scale exercise within the fiscal year for all participating hospitals

- & health departments;
- KDHE partnered with KSNG and KDEM to participate in Vigilant Guard 2014 – focused on Wichita Cities Readiness Initiative counties (Sedgwick, Cowley, Butler, & Harvey);
- Required to show capability in medical surge (integration with hospitals – how interacts with EMS & public health), information sharing (situational awareness), and emergency operations coordination;
- Using Vigilant Guard as stepping off point for other exercises;

### **Health Preparedness Senior Advisory Committee Proposal**

**Mike McNulty, KDHE**

- In 2002, US Department of Health and Human Services & CDC cooperative agreements required the establishment of a Hospital & Public Health Bioterrorism Senior Advisory Committees in KS;
- Gov. Graves established the KS Bioterrorism Coordinating Council and the KS Hospital Preparedness Planning Committee by executive order in 2002;
- Gov. Sebelius combined both groups by executive order in 2004, naming them the KS Bioterrorism Coordinating Council, and expanded the membership;
- The KS Bioterrorism Coordinating Council has met quarterly since 2004 and have met all the necessary requirements;
- Due to the KS Bioterrorism Coordinating Council, the state has received \$134 million in federal hospital and public health preparedness dollars since 2004;
- Updated Federal requirements:
  - Added “Membership of the senior advisory committee must, at a minimum, include jurisdictional officials directly responsible for the administration of DHS preparedness grants and Assistant Secretary for Preparedness Response (ASPR) and CDC (hospital and public health) preparedness cooperative agreements.”
  - Need to have KDEM, KDHE, & KHP involved as those agencies have a hand in those grants;
- Looked at the meetings being held, the cost of the meetings, the attendance of the meetings, and what was coming out of meetings;
- Came up with the following recommendation: Would like to release the KS Bioterrorism Coordinating Council and let the executive order expire, and transfer those duties as a Senior Advisory Committee to the CEPR;
  - In 2011, CEPR accepted to be senior advisory committee for KHP; think this would be the same;
  - Both committees (CEPR & KS Bioterrorism Coordinating Council) have all hazards in mind; when look at the intent of the guidance from federal government to increase coordination of emergency preparedness activities, specifically related for the monies that KDHE receives from CDC, HPP, & DHS counterparts;
  - Think the best way to integrate that is to move to responsibility to CEPR;
  - Will be cost saving move in regards to meeting costs, meeting rooms, travel time, etc.;
- KDHE respectfully requests that CEPR to approve the request to be the senior advisory committee for the Hospital and Public Health Emergency Preparedness Cooperative Agreement and to let the KS Bioterrorism Coordinating Council be released;
  - Chairman: have spoken with Mike for about a month now regarding this & think that this is a worthwhile venture;
  - Q: Would KDHE be responsible for cost of travel?
    - A: When we get into specifics, there will be some discussions;
  - Angee Morgan: would like to state that our agency supports this as well, but would this require a special meeting?
    - A: Think that can also be part of the discussions, but could give written updates that

are already provided and since KDHE is part of September agenda, could give a more detailed report then;

- Q: What will this entail, CEPR getting a briefing and approving, or a more labor intensive in regards to reviewing plans?
  - A: Don't think there will be any plans to be approved, etc.;
- Chairman: have included minimum responsibilities for the CEPR in the packet given to members prior to the meeting, over the years have taken a broad definition of what CEPR's responsibilities are as far as CEPR's authorities; think that this is appropriate;
- Motion made to accept KDHE's proposal made by Mark Willis, seconded by Oscar Thomasson. Motion carried. Mike McNulty did not participate in vote.

#### **Kansas Dept. of Agriculture Food and Agriculture Incident Annex Update**

**Sandy Johnson, KDA**

- Started update in January 2011;
- Received technical assistance from FEMA;
- Have over 80 stakeholders represented, and had 25 agencies and associations participating;
- Took 3 existing plans – Food Emergency Response Plan, Plant Emergency Plan, and Foreign Animal Disease Plan and combined them in April 2012;
- Unique to annex:
  - 90% of what happens in annex does not require a SEOC activation – is handled locally;
  - Little or no local authorities or subject matter experts;
  - Do not receive funding from the Stafford Act;
  - If foodborne illness or zoonotic disease outbreaks, KDHE is lead & Ag is support;
  - Response is different than other agencies, starts with federal response first, then goes down to local;
  - Loss of life is minimal or non-existent, major concern is economic loss;
- Currently working on:
  - Working on update, most of which is in the Foreign Animal Disease section;
  - Working on year 2 of our Strategic Plan – developing Standard Operating Guides (SOGs);
    - Communication spreadsheet of every stakeholder – who to contact, when to contact them, & what to tell them;
    - Crisis communication – PIO is working on;
    - Movement control – having issues with Oklahoma & Missouri;
    - Cleaning & disinfection;
    - Quarantine management;
  - Conducting an exercise on October 9<sup>th</sup> & 10<sup>th</sup> mostly in Manhattan, but will also involve agencies in Topeka;
    - Exercise will involve over 200 people from 9 states, as well as several federal agencies, and KSU – is a foot & mouth exercise;
    - Will have live play the first day to correct deficiencies from exercise in Oklahoma, second day will involve a 2-day time jump to deal with longer-term issues;
- Have sent most current draft to KDEM for addition to 2014 KRP; if have any changes to be made before it is promulgated in January, will make sure to get those in as quickly as possible;
- Addressing gaps that will come about from exercise;
- Many of the HLS regions will be using grant funds to conduct agriculture related exercises & workshops in 2014 & 2015;

#### **EPA Program, Rules and Regulations Update**

**Fatima Ndiaye, EPA**

- After the plant explosion in West Texas, there has been lots of public interest about how chemical

facilities are being made safer, especially ammonium nitrate;

- On August 1, 2013, the President issued an executive order directing the Federal Government (EPA, FEMA, OSHA) to:
  - Improve operational coordination with state & local partners;
  - Enhance Federal agency coordination and information sharing;
  - Modernize policies, regulations, and standards;
  - Work with stakeholders to identify best practices;
- In July, met with KDEM & other agencies about how to better share information and get facilities in compliance;
- On August 30, EPA came out with new guidance; is on the EPA website: [www.epa.gov/emergency](http://www.epa.gov/emergency);
- EPA will be sending a notice to stakeholders on how to address the ammonium nitrate holders in state; notice will come out in October – November timeframe;
- Most facilities / farms think they are non-exempt from reporting, but EPA is stating that they are not non-exempt if they are blending, mixing, storing, or managing ammonium nitrate; EPA has people on site to help people to understand if they need help regarding reporting;
- Toxic Release Inventory (TRI) Regulatory Updates:
  - Can find out if a particular facility initiated any pollution activities in the most recent calendar year;
  - Determine if a particular facility has reported to TRI;
  - Begin conducting research into toxic chemical releases across the U.S. or in a specific region;
  - Final report is due out in December; can be found at [www.epa.gov/tri](http://www.epa.gov/tri);
- Electronic Reporting of Toxics Release Inventory (TRI) Data Final Rule:
  - As of August 27, 2013, EPA is requiring facilities to report non-trade secret TRI forms electronically, using forms provided by EPA;
  - Also requires any revisions or withdrawals of previously submitted forms to be submitted electronically (no paper forms or CDs will be accepted);
  - Becomes effective January 2014;
  - 98% of companies reporting to EPA are reporting electronically, and this will help get data faster, and will help check for errors;
- LEPCs received Outstanding Achievement Awards at LEPC Conference in July 2013;
  - Awards presented to Anderson, Cowley, & Shawnee Counties;
    - Anderson: JD Mersmann received award for communities of less than 20,000 residents;
    - Cowley: Rick Shellenbarger received award for communities with population between 20,000 and 80,000 residents;
    - Shawnee: Karl McNorton received award for communities of 80,000 or more residents;
- Abilene Products Co., Inc. paid \$90,660 settlement for violations of Clean Air Act;
  - EPA received numerous complaints regarding facility, and it was inspected in November 2011;
  - Company was found to have more than 9 times the threshold quantity of anhydrous ammonia;
  - EPA worked with company for 2 years to come into compliance;
  - Company chose to remove 99,000 pounds of anhydrous ammonia from facility;
  - They will complete a supplemental environmental project valued at \$75,370 as part of settlement; will also install a weather station & automated safety system to increase the

- safety of the chemicals still on site;
- Coffeyville Resources Refining & Marketing paid \$300,000 for violations to Clean Air Act:
  - EPA has been working with company for approx. 5-7 years;
  - This is 3<sup>rd</sup> settlement within that time;
  - First settlement addressed several Clean Air Act violations and resulted in significant reductions in sulfur dioxide and nitrogen oxide emissions from the facility; settlement became final in April 2012;
  - Second settlement resolved issues related to a 2007 oil spill into the Verdigris River; settlement required the upgrades to the facility to help prevent future spills, and to pay for cleanup costs related to the spill; settlement became final in March 2013;
  - Third settlement addresses deficiencies in the refinery's Risk Management Program, which is intended to prevent and reduce the severity of accidental releases of harmful substances into the air; also requires facility to complete a comprehensive audit of the refinery's compliance with the Clean Air Act Risk Management Program throughout the facility and all vessels containing hazardous toxic or flammable substances; facility must also complete an audit to evaluate the alkylation unit, which houses large volumes of highly corrosive hydrofluoric acid, to ensure operations are consistent with industry safety standards;
  - Settlement is subject to a thirty day public comment period and approval by the Federal Government before becoming final;
- EPA Regional Response Team meeting on October 22, 2013;

### **Remarks from Committee Members:**

- Jack Taylor:
  - Introduced new members on committee and advised of one upcoming retirement;
- Chris Howell:
  - Appointed to National Advisory Council at FEMA, first meeting coming up in October;
- Angee Morgan:
  - Inviting everyone to State Preparedness Day at the Kansas State Fair on 9/9;
  - Working with vice-Chair Tim East and Wolf Creek Nuclear Plant on the upcoming FEMA graded Wolf Creek exercise;
  - Have 15 open disasters & working on getting another one for period of July 24 – August 16, 2013; so far have 64 counties that are doing assessments and are around \$10 million in damages as of today;
- Keith Meyers:
  - Dept. of Commerce is in the process of submitting a grant proposal to the National Governor's Association in regards to a policy that will cover a 16 month period starting this fall; will be selecting 6 states and focuses on accelerating credentialing or transitioning military and military veterans; can pick 3 out of 5 categories of occupations; State of Kansas' proposal will focus on EMT and paramedics, police patrol officers, truck drivers, etc.
    - Big issue is getting standardizing training, in regards to the criteria in which credit is given;
    - House bill 20-78 lays groundwork for giving credit for previous trainings but there are other opportunities that exist;
- Tim East:
  - Have a 2 day FEMA graded exercise in November 5 -6, 2013;
  - Once every 6 years, FEMA requires to do an ingestion pathway exercise; KS is very proactive, so this exercise is done every 3 years;

- John Sweet:
  - Appreciates opportunity to be part of commission;
  - KDHE, KDEM, Dept. of Commerce, and League of Municipalities put together a COOP plan for county clerks offices;

### **Remarks from Public:**

- Anthony Fadale:
  - Thanks everyone at the state as a team, team does very good for accessibility preparedness as a part of the emergency management program;
  - Self & Martha Gabehart helped get the state accessibility standards to match the federal standards;

### **ANNOUNCEMENTS AND ADJOURNMENT**

- **Next Meeting: December 5, 2013 at Eisenhower Center, Nickell Armory.**