

DIVISION OF EMERGENCY MANAGEMENT

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Volume 33, Number 4

Texas Department of Public Safety

Austin, Texas

July-September 1987

Title III: Information For Governments And Industries

The following information was compiled by the staff of the Hazard Communication Project, Occupational Health Program, Texas Department of Health, to help clarify the requirements of Title III Section 311, 312, and 313.

Section 311: List of Chemicals (40 CFR Part 370.20-370.21)

What must be reported: Section 311 requires that facilities that must prepare or have available material safety data sheets (MSDSs) under the OSHA Hazard Communication Standard, must file MSDSs or a list of chemicals. This applies only to manufacturers (SIC codes 20-39) until May 23, 1988, at which time most nonmanufacturers will be brought under the OSHA HCS and Title III. Many employers are already required to file annual chemical lists under the Texas Hazard Communication Act, and must continue to do so because Title III, Sec. 321, states that Title III does not preempt State laws.

The Texas Department of Health will be the chief recipient agency in Texas for lists under the Texas Act and Title III. Section 295.9 of the Texas Board of Health rules requires that a **list of chemicals** be filed with the Texas Department of Health, Occupational Health Program -- MSDSs themselves will not be accepted, unless requested by the Department. Employers covered by both the Texas Act and Title III must adhere to the most stringent reporting requirements of both laws. The list must be on a form published by the Department (available in September 1987). The list must include the chemical or common name of each substance and any hazardous component as provided on the MSDS. In October, 1987, the Texas Department of Health will begin collecting filing fees for such lists. See the *Texas Register*, Chap. 295, in late September or early October, 1987, for the final rules regarding chemical lists and fees. An MSDS must be submitted for any Title III reportable chemical to the fire department and Local Emergency Planning Committee, but the local authorities may require a chemical list instead.

By whom: Manufacturers and Importers (includes SIC codes 20-39). Starting May 23, 1988, most private nonmanufacturers.

To whom: Local Emergency Planning Committee; Local Fire Department; **list of chemicals only** to the Texas Department of Health, Occupational Health Program.

By when: October 17, 1987. Manufacturers must still comply with the State's June 30 annual deadline for filing a chemical list.

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Official Publication

Division of Emergency Management
Texas Department of Public Safety

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Published bimonthly by the Texas Department of Public Safety, Austin, Texas. All copy and photographs should be addressed to Digest Editor, Division of Emergency Management, Texas Department of Public Safety, P. O. Box 4087, Austin, Texas 78773-0001. Include Zip Code on all new addresses or change of address. Telephone Number (512) 465-2000, Ext. 2138. Reprinting with credit permitted.

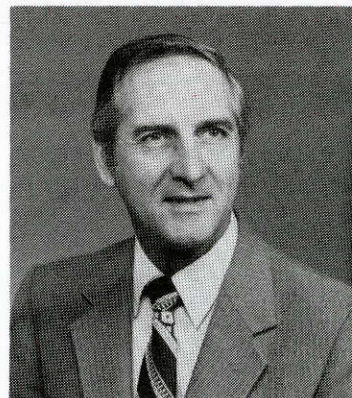
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DEM UPDATE



by Robert A. Lansford
State Coordinator

I recently returned from the annual fall meeting of the National Emergency Management Association (NEMA) held this year in Jackson, Mississippi. As you may know, NEMA is composed primarily of my counterparts from the 50 states as well as the territories of the United States.

The meeting this year centered around three primary issues: SARA Title III, FEMA's policy on all-hazard planning and response activities, and the upcoming congressional action on the amendment to PL 93-288 (better known as the Federal Disaster Relief Act of 1974).

The subject of SARA Title III finds all states in the same position of trying to implement a federal law with no financial resources. Every state director at the meeting voiced concern about similar problems in trying to meet the requirements. We had a panel of federal agencies that included FEMA, EPA and OSHA personnel who attempted to justify their actions concerning Title III requirements, but no one was impressed.

We also heard from Julius Becton, the national director of FEMA, who addressed FEMA's policy and position on the use of EMA funds to participate in activities that do not include attack preparedness. Basically, FEMA is saying that you cannot use EMA-funded positions to do planning in hazard-specific activities and not include attack preparedness. In other words, your all-hazard planning must include attack preparedness. We do not have a problem with that at the state level. I hope those of you on EMA have a similar approach to all-hazard planning.

The third issue is the proposed amendment to PL 93-288, which is HR 2707 in the U.S. House of Representatives and a piece of companion legislation in the Senate. We, NEMA, adopted a resolution supporting HR 2707, as it will benefit all of us in future federal disaster declaration.



Do not forget the annual state conference -- February 16-18, 1988 -- at the La Mansion Hotel in Austin. We'll be sending you more information about it in December.

Pampa/Gray County EM Council Embraces Title III Requirements

by Steve Vaughn
Emergency Management Coordinator

Now that the City of Pampa and Gray County have been made aware of the impact of Title III, it has become the desire of the elected officials of the City and County government to proceed with the implementation of that EPA Act.

Working through the Emergency Management Council or Community Awareness and Emergency Response steering committee, as it has become known, Title III implementation is underway. At the CAER steering committee meeting held July 21, 1987, the following policy was adopted concerning the implementation of Title III. A subcommittee was appointed made up of representatives of industry, city, county and state government. The subcommittee is at this time busy putting together information concerning the necessary reporting procedures in order to comply with the Act. Members of the Fire Dept. Haz-Mat team have made contact with the State Office of Emergency Management and are documenting the needs for compliance. This is being handled by obtaining an accurate list of chemicals maintained by EPA as being toxic or hazardous. The state will also supply the forms to be used in reporting to EPA. Once the subcommittee receives this information on documentation from the state, the next step will be to begin a hazard analysis. The focus of the

hazard analysis will be on locating industries, businesses, transporters and storage facilities where toxic and hazardous chemicals are maintained.

It will be the policy of the Emergency Management Council to approach the operators of these facilities from the standpoint of assistance and cooperation. We feel that this can be accomplished by approaching the individuals who are in control of a hazardous or toxic chemical which meet the EPA's criteria for Title III and explain the entire Act to those people. It will be our position to offer assistance in emergency planning to meet the requirements of Title III, to offer assistance in the filling out of forms necessary to meet or comply with Title III, and to offer persons affected by Title III fair and equitable representation to the local emergency planning council.

It is our belief that working through the local Emergency Management program, the State Emergency program, the Federal Emergency Management Agency and the Community Awareness and Emergency Response program of the Chemical Manufacturing Association, we can meet the needs of our industry and business community. The beauty of this program is that not only do we meet all of these needs, but we at the same time comply with the provisions of Title III without having to force any members of our community to do anything against their will.

CAER Resource Center Established

The nation's first Community Awareness and Emergency Response (CAER) Resource Center was dedicated September 15, 1987, at the Deer Park Public Library. The CAER Resource Center houses a wide variety of information and reference material specifically dealing with possible community emergencies.

"Deer Park residents, students and others can use the information to become better informed about local industry, chemicals and other products manufactured in this area, and how the CAER effort works in this community," said Jimmy Burke, Deer Park Mayor and chairman of the Deer Park CAER Team.

"Information about many other potential emergencies, such as hurricanes and floods, will be added to the Center's collection as it comes in," said Burke. "The establishment of the CAER Resource Center at the Deer Park Library is a community effort made possible by the

fullest cooperation among the library, the Deer Park CAER Team and the local businesses and industries," said Burke.

"As material becomes available it will be added to the Resource Center. We welcome and need additional reference material, especially from smaller companies that handle and use potentially hazardous materials," said Bill Black, chairman of the CAER Community Awareness Committee, sponsor of the Deer Park Library's CAER Resource Center.

"Now that the Deer Park CAER Team is the official Local Emergency Planning Committee (LEPC) for Deer Park, under recently enacted federal and state legislation, it is especially timely that resources such as this are available to the public," said Black. "I am pleased Deer Park is the first city in the country to establish such a community information source."

Title III Continued

Section 312: Chemical Inventories (40 CFR 370.25)

What must be reported: Section 312 requires that facilities must submit a **Tier I inventory** form on chemicals covered by Section 311. A Tier II inventory, which is more detailed, may be filed instead. The inventory includes emergency and hazardous chemical information for each OSHA or EPA category of health and physical hazard. The facility must list:

1. An estimate (in ranges) of the maximum amount of chemicals for each category present at any time during the preceding calendar year.
2. An estimate (in ranges) of the average daily amount of chemicals in each hazard category (the original 23 OSHA categories will be reduced to 5 by EPA).
3. The general location of hazardous chemicals in each category.

Section 312 also requires that facilities must submit **Tier II inventory** information upon request for each substance subject to the request. The facility must list on the form:

1. The chemical name or the common name as indicated on the MSDS.
2. An estimate (in ranges) of the maximum amount of the chemical present at any time during the preceding calendar year.
3. A brief description of the manner of storage of the chemical.
4. The location of the chemical at the facility.
5. An indication of whether the owner elects to withhold location information from disclosure to the public.

Note: In October, 1987, the Texas Department of Health will begin collecting filing fees for such inventories.

To whom: Local Emergency Planning Committee, Texas Department of Health, Occupational Health Program; Local Fire Department.

By when: **Tier I Inventory** - March 1, 1988 and annually thereafter on March 1.

Tier II Inventory - Upon request or in lieu of Tier I.

Section 313: Toxic Chemical Release Reporting (40 CFR Part 372)

What must be reported: Facilities must complete a toxic chemical release form for specified chemicals as listed on the New Jersey and Maryland toxic chemical emissions lists, combined, reflecting any releases of those chemicals to the environment. The following information must be included in the toxic chemical release form:

1. The name, location, and type of business.
2. Whether the chemical is manufactured, processed, or otherwise used, and the general categories of the use of the chemical.
3. An estimate (in ranges) of the maximum amounts of the toxic chemical present at the facility at any time during the preceding year.
4. Waste treatment/disposal methods and efficiency of methods for each wastestream.
5. Quantity of the chemical entering each environmental medium annually.
6. A certification by a senior official that the report is complete and accurate.

By whom: Manufacturers (SIC codes 20-39) that manufactured, processed, or used a listed toxic chemical in excess of specified threshold quantities, and that have 10 or more full-time employees.

To whom: EPA Region VI, Texas Water Commission, Texas Air Control Board, Texas Railroad Commission, and other State agencies having jurisdiction.

By when: Facilities using listed toxic chemicals over 10,000 pounds in a calendar year must report by July 1, 1988 and annually thereafter.

Facilities manufacturing or processing listed toxic chemicals over 75,000 pounds in 1987 must report by July 1, 1988; over 50,000 pounds in 1988 must report by July 1, 1989; over 25,000 pounds in each calendar year after 1988 must report by July 1 of the following year.

Search Efforts Aided By Volunteer Group

Officials involved in coordinating a search and rescue operation now have an additional resource to consider -- C.E.S.A.R. (Children-Education Search and Rescue Association).

C.E.S.A.R. is a group of highly-specialized, trained para-professionals who use specially-trained, non-aggressive dogs to conduct search operations. The organization is non-profit and available 24-hours a day, everyday, to conduct searches in Texas and five surrounding states.

The C.E.S.A.R. teams are members of the National Search and Rescue Association, and in addition to ground tracing, there are specialized teams for water search and rappelling (the dogs are trained with special harnesses so that a human rappeller can pull them up cliffs).

Association co-founder Cynthia Giles noted that a search team can be activated within 10 minutes of a request for help, and that time is of the utmost importance in order to have the best opportunity to find a missing person still alive. "Also, dogs can continue to search at night because they search by scent," Giles said.

Some of the dogs are specially trained to scent bodies that are under water, while others specialize in ground tracking of specific individuals who are lost. "Air-

scenting" dogs are used frequently in disaster situations where victims may be trapped under debris, because the dogs are trained to scan the air for any human scent.

One dog located the body of a drowning victim within an hour, after authorities had dragged the lake for about eight hours and found nothing. In another instance, dog teams found the body of a hiker who had been missing for five days in a snowstorm, 36 hours after they had been called in and began their search.

All of the teams are volunteer, and there is no charge for any of the group's services. The group accepts private, tax-deductible donations of money, supplies, and equipment.

The C.E.S.A.R. volunteers also conduct related safety programs, such as the Child Registry Program, which teaches child safety and provides identifying information for parents to use should their child become lost, and the Hug-A-Tree Program, which teaches children what to do when lost, how to survive, and how to be found alive.

The group also conducts tracking and trailing seminars and teaches "do's and don'ts" to searchers who assist law enforcement personnel. For information on C.E.S.A.R.'s training programs call the group at (817) 535-7273.

DEM Personnel

Preston C. (Chuck) Krueger, Jr., has joined the Population Protection Planning section as an Engineering Assistant. Chuck is a graduate of the University of Texas at Austin School of Architecture and has been associated with several architectural planning and engineering firms.

RADEF Shop To Move

The Radiological Instrument Maintenance and Calibration (RADEF) Shop of Texas Department of Health will move to a new location sometime in January. The new location and physical address will now match the Shop's current mailing address, which is Texas Department of Health, Bureau of Emergency Management, 1100 W. 49th St., Austin, Texas 78756. Attn. RADEF Shop.

Any instruments needing service and calibration should be sent to the above address. New telephone numbers will be announced as soon as they are available.



Professional Development Series (PDS)

● Introduction to Emergency Management (PDS)*

A 4 1/2-day course examining the need for a structured emergency management effort and the importance of a comprehensive, integrated approach to managing emergencies. Participants formulate the elements of an integrated teamwork system and devise specific actions for improving their own contributions as members of local emergency management teams. This course is designed for all disciplines who must work together in response to an emergency.

● Emergency Planning Course (PDS)*

This 4 1/2-day course seeks to improve planning skills and promote the preparation of integrated, generic, comprehensive emergency management plans at regional and local levels by adapting well-established planning concepts to the context of emergency management. Participants experience the planning process, leadership and team building for emergency planning, and action planning techniques.

● Basic Skills for Emergency Program Management (PDS)*

This concentration of course modules is designed for emergency management officials and their staffs in the full realm of emergency program management. Content reinforces existing management skills required for emergency operations. The Basic Skills series strengthens leadership and communications skills, facilitates decision making and problem solving, introduces relevant techniques for budget formulation and creative financing, and outlines approaches to training. The four course modules will be conducted in two blocks:

Basic Skills I

- Leadership and Influence (3 days)*
- Decision Making and Problem Solving (1 day)*

Basic Skills II

- Effective Communications in Emergency Program Management (2 days)*
- Creative Financing (2 days)*

Exercise Program

● Exercise Design Course*

This 3 1/2-day course provides knowledge and develops skills that will enable the participant to train a staff and to conduct exercises that will test the community's plan and operations response.

● Regional Exercises

State sponsored exercises that provide the local jurisdiction with a scenario to be adapted for local use will be held in each region and available for day and evening participation.

Emergency Management Courses

● Developing Volunteer Resources

A 1 1/2-day course designed to improve participants' abilities to deal with a broad range of issues in the management of volunteer services. Issues include identification of tasks requiring volunteer services, skill definition and specification of qualifications, publicity and recruitment, skill development and maintenance, and motivation strategy that promotes continued involvement and quality performance.

● Hazardous Materials Contingency Planning

A one-week course for emergency management personnel responsible for hazardous materials planning and coordination under Title III. The course covers emergencies including transportation, use, storage, and disposal of hazardous materials; and episodic releases of air toxic chemicals from fixed-site facilities.

Emphasis is placed on interagency cooperation planning concepts and the identification of technical assistance available.

● Instructional Techniques for Emergency Program Managers Course

This 2-day course provides participants with an understanding of the concept of instructional models. There is opportunity of hands-on experience with audio-visual aids. A class presentation is required of each participant.

● Shelter Systems Officer Course

A one-week course designed to train shelter systems officers in how to develop shelter systems, coordinate and supervise shelter management and operations, and recruit and train shelter managers. Graduates of this course will be prepared to return to their communities and teach the eight hour shelter manager course.

● Disaster Recovery Course

A 2-day course that introduces the basic procedures of recovery. The course addresses the various federal and state assistance programs, to include individual assistance, public assistance, and declared agricultural disaster. Emphasis is placed on the coordination of damage assessment, necessary documentation and procedures.

● Analysis of Hazardous Materials

A 1 1/2-day course discussing the dangers posed by hazardous materials incidents and how those dangers affect the role and tasks of the emergency manager. The course focuses not only on the nature and characteristics of hazardous materials, but also on key situational factors at the scene of accidents.

Radiological Protection Courses

● Fundamentals Course for Radiological Monitors*

A one-week course designed to test the revised and updated materials FEMA intends to use to train radiological monitors in the implementation of radiological safety measures. Course topics include monitoring techniques, radiological countermeasures, peacetime radiological protective actions, and nuclear weapons effects.

● Fundamentals Course for Radiological Response Teams*

A one-week course designed to train individuals assigned to state and local government Radiological Emergency Response Teams. Included are requirements and techniques of proper response and management of incidents involving various radiological hazards in order to minimize property damage, injury, and loss of life.

● Fundamentals Course for Radiological Officers*

A one-week course designed to test the revised and updated materials FEMA intends to use to teach management functions required for a radiological safety/defense (RADEF) system at the state and local levels.

● Radiological Officer Refresher Course*

A one-week course designed to provide Radiological Officers with a review of radiation and its effects, radiation protective actions, and Radiological Officer's responsibilities.

● Radiological Monitoring Refresher Course*

A four hour workshop designed to update the skills of previously trained radiological monitors. The workshop addresses principles of radiological safety, measuring and recording radiation exposure and rates, operational checks and proper care of RADEF equipment, and guidance on radiation hazards associated with various all-hazard operations.

* Accreditation

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