

# DIVISION OF EMERGENCY MANAGEMENT

# DIGEST



**WILLIAM P. CLEMENTS, JR.**  
Governor

**LEO E. GOSSETT**  
Director

**ROBERT A. LANSFORD**  
State Coordinator

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# 27th Annual State Emergency Management Conference

The Texas Division of Emergency Management will hold its 27th annual State Emergency Management Conference February 16-18, 1988, at the Austin La Mansion Hotel. Invitations to the conference will be mailed out in mid December. If you do not receive an invitation and would like to attend, please contact the DEM Public Information Office or your Regional Liaison Officer.

On the agenda will be topics such as an update on the status of the Superfund Amendments and Reauthorization Act of 1986 in Texas; a report on tort liability of governments in emergency activities; an overview of the June Guadalupe River flood; reports on the National Emergency Management Association; the Strategic Petroleum Reserve; the rescue of Jessica McClure from a Midland well; a difficult evacuation situation in Pittsburgh, Pennsylvania; and NASA space station and new technology. Workshops on the afternoon of the 17th will include a panel discussion on SARA Title III; the use of packet radio for emergency communications; organizing volunteers in emergency situations; training; and disaster recovery programs.

Governor William P. Clements, Jr., will address the audience Wednesday morning.

Early registration will be on the 16th at the La Mansion from 3 to 6 p.m. and will continue at 7 a.m. on the 17th. The conference program will begin at 8:30 a.m. on the 17th and conclude at noon on the 18th. The conference fee of \$25.00 per person includes a noon luncheon on the 17th and admission to the afternoon workshops.



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Division of Emergency Management  
Texas Department of Public Safety

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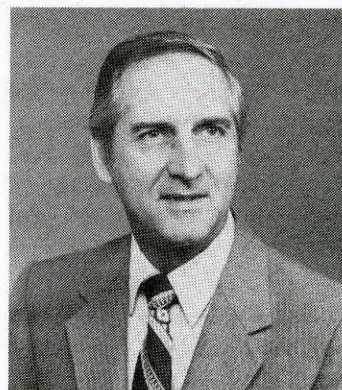
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**DEM  
UPDATE**

**by Robert A. Lansford  
State Coordinator**

The new year will certainly start off in full drive. There are many activities already filling our calendar and we have only a few days left that are unscheduled.

As the years go by, the involvement of emergency management at all levels of government in our daily activities continues to increase at an almost alarming rate. I believe that for the first time we are seeing the term "emergency management" understood by the general population. I have noticed less frequently the phrase bringing a questioning look to someone's face.

I am hopeful that 1988, much like 1987, will be a year of growth for emergency management as we begin to see that coordination of actions by governmental units along with the private sector is the way of the future. No one person, agency, department, or group can be responsible for the success of an emergency management program. It is the combined activities of all, each providing their solution to the puzzle, that completes the picture. Without one another the success of a good, solid program of emergency management will not be forthcoming. We must remember that an emergency management program has four parts -- mitigation, preparedness, response and recovery. If you do not include all four portions, your program will not succeed. With that in mind I wish you good luck for 1988.

**NOTICE:** The La Mansion Hotel is expected to undergo a name change prior to our February conference. The new name was unavailable at press time, however, registered guests will be notified by the hotel as soon as the new name is chosen.



# Tornadoes Sweep Through Texas

A total of 10 Texas counties have been declared major disaster areas because of tornadoes that swept through the state November 15-16. At the request of Governor William P. Clements, Jr., President Reagan declared two of the hardest hit counties, Anderson and Cherokee, disaster areas November 20. As more damage survey information became available, the declaration was amended to include the counties of Smith, Shelby, Panola, Upshur, Burleson, Lee, Madison and Leon.

Ten deaths in Texas were attributed to the storm. Damage estimates indicated that as many as 300 houses and 127 mobile homes were severely damaged or destroyed, and hundreds of others received minor damage. Approximately 100 businesses were damaged, as were several school buildings and churches.

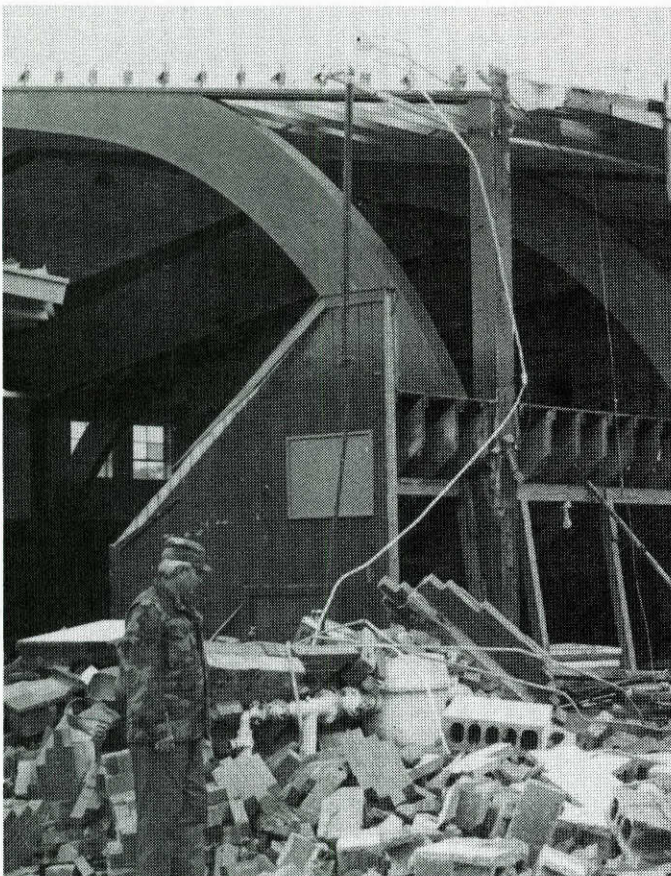
Disaster Application Centers were set up in Palestine, Jacksonville, Center, Whitehouse, Giddings, Caldwell, Ore City and Madisonville.

To date, more than 1,000 storm victims have applied

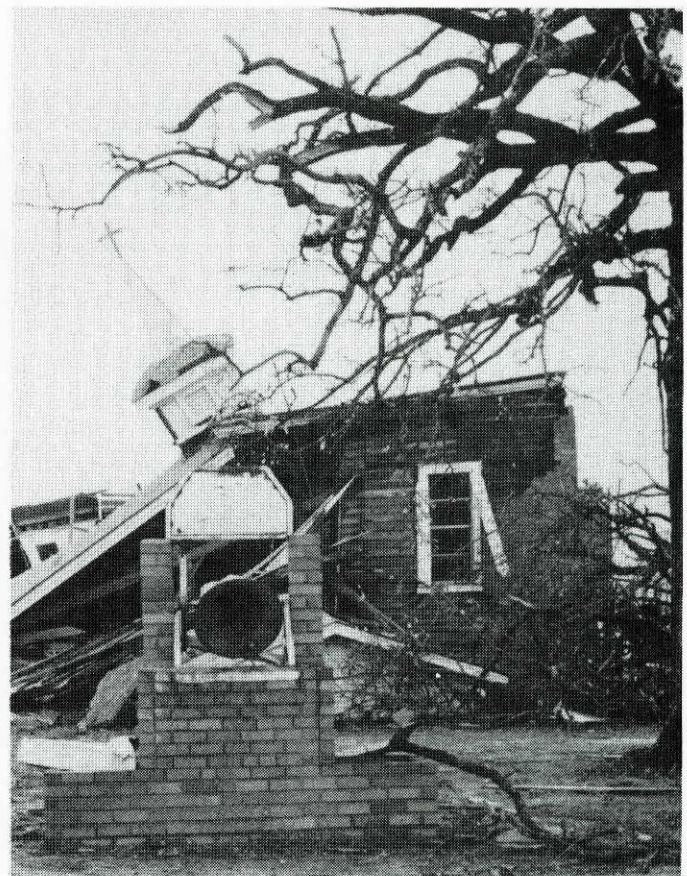
for some type of aid. Of the 500 applications made to the Individual and Family Grant program, 397 have been processed, and 291 of those have been approved. The Department of Human Services, which administers the state and federally funded grant program, has sent out checks totalling more than \$600,000.

FEMA's Temporary Housing program has had 449 applications, of which 330 were approved. FEMA has already sent checks totalling more than \$250,000 to assist those whose homes were made uninhabitable because of the disaster. The U.S. Small Business Administration has approved 12 loans to homeowners or renters for a total of \$138,900. A total of 63 individuals and 10 businesses have applied for SBA loans; more applications are expected prior to the January 31, 1988, deadline.

The Texas Employment Commission, which administers the Disaster Unemployment Assistance program for the U.S. Department of Labor, has approved 200 persons who are out of work because of the disaster for DUA benefits.



*A National Guardsman surveys the damage to a school in Palestine.*



*A church near Jacksonville was among the structures destroyed by the twisters.*



# SARA Title III: A Trail of Tiers

by  
**Mike Scott**  
 Program Manager, DEM

The Ninety-ninth Congress enacted Public Law 99-499, the Superfund Amendments and Reauthorization Act of 1986, commonly known as SARA. Title III of that Act, "Emergency Planning and Community Right-to-Know," requires several actions of local and state governments as well as industry and other facilities that use, process, or have present in certain quantities one or more of over 400 specified extremely dangerous chemicals. Title III was adopted, in part, in response to the Bhopal, India disaster of December, 1984. That incident demonstrated that certain highly toxic substances with a high propensity to become airborne pose special response problems for communities. The Congress through Title III has imposed many requirements on the states and local jurisdictions; however, funding for chemical-related reporting, planning, and administration of this national environmental program have not been appropriated.

The critical question is: How do state and local governments implement the federal mandates of Title III without funding and without the disruption of effective existing emergency planning concepts and established programs? Let's take a look at the various sections of the law in a search for solutions. Title III has four major sections: Emergency Planning (301-303), Emergency Notification (304), Community Right-to-Know Reporting Requirements (311,312), and Toxic Chemical Release Reporting--Emissions Inventory (313).

Sections 301 and 303 create a framework for state and local emergency contingency planning by requiring the establishment of a State Emergency Response Commission, Emergency Planning Districts and Local Emergency Planning Committees. In many states this has been accomplished by using existing state agency organizations and local governmental jurisdictions, such as the county, as well as existing emergency management, law enforcement, emergency medical and fire personnel, etc.

Under Section 301, each Local Emergency Planning Committee (LEPC) must prepare an Emergency Contingency Plan by October 17, 1988, and revise the plan annually. It is imperative that the planning completed for hazardous materials should be accomplished in conjunction with and as an integral part of other all-hazard planning. The LEPC should pursue planning in the multi-hazard functional approach. Coordination with existing community all-hazard plans is essential in completing the Title III planning requirements in a meaningful, cost effective, and timely fashion. It would

be ill-advised and inefficient to create a plan to deal only with a single hazard.

The Emergency Release Reporting Requirements (Section 304) apply to any facility that uses, produces or has present a hazardous chemical, including non-manufacturing, storage and agriculturally-related facilities. This requirement applies to a large number of facilities that do not presently fall under the OSHA Hazard Communication Standards or the annual reporting requirements under Section 311 and 312 of Title III.

Because Title III represents a "cut and paste" consolidation of the House and Senate versions of the legislation there is confusion in Section 304, 311, and 312 in that various provisions apply to several lists of chemicals. This confusion is compounded by additional federal agency authorities as well as each State's regulatory requirements.

Through additional federal legislation or by "federal agency deregulation," the various Title III lists can be simplified to provide a better understanding as to what type, when and to whom emergency notification should be made in the case of a reportable spill or release. The Environmental Protection Agency's July publication entitled "Title III List of Lists" clarifies the point that a consolidation and simplification is necessary.

At the state and local governmental level specific warning points for any disaster or emergency situation should be established and notification procedures for the appropriate emergency personnel provided. Traditionally, the police or fire department has been the first notified in the case of an accidental chemical spill or release. It should be the role of emergency managers to assure that once an emergency notification is received that the appropriate local, state and federal personnel are also notified according to related regulatory requirements.

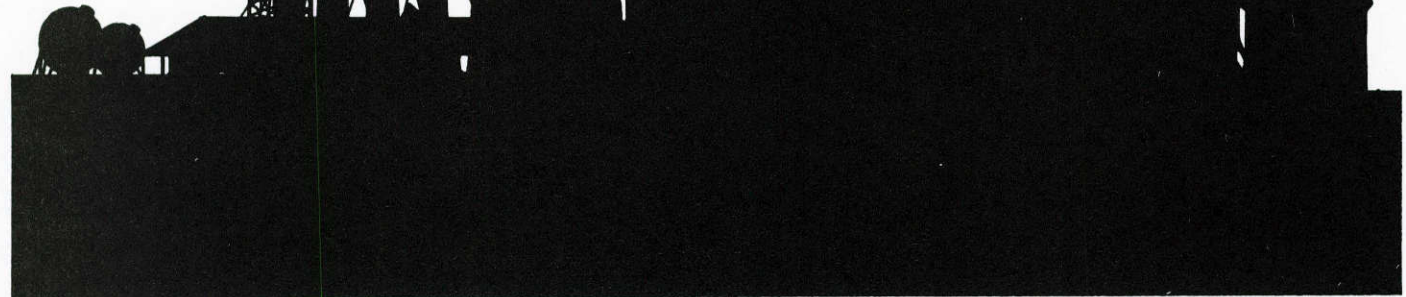
Under Sections 311 and 312, manufacturing facilities that use or produce hazardous chemicals must supply a Material Safety Data Sheet for each such chemical or a list of chemicals to the state, the Local Emergency Planning Committee, and local fire department; there are two reporting "tiers" under Section 312. On August 24, 1987, the Occupational Safety and Health Administration extended the scope of its Hazard Communications Standard to an estimated 3 million non-



manufacturing employers. This change also places those non-manufacturers in the position of reporting under Sections 311 and 312 of Title III after May 23, 1988. In addition chemicals may be subject to reporting requirements in other statutory provisions at the federal level such as: SARA, Section 302 - Extremely Hazardous Substances; CERCLA Hazardous Substances; SARA, Section 313 - Toxic Chemicals; and RCRA Hazardous Wastes.

The reporting requirements of Section 311 and 312 place considerable financial burden on industry and local and state government. Again, funding to implement the program associated with these reporting requirements was not made available from the U.S. Congress. Since Title III is federal law, the federal government should finance its implementation.

It is obvious that having knowledge of the geographic locations and types of certain quantities of chemicals within a community is potentially valuable information to the general public, emergency planner and the



emergency responder. Information provided by facilities which have present quantities of chemicals which if involved in an accident may be lethal can be used by the emergency management community directly in hazard mitigation, emergency planning and emergency response.

Under Section 313, certain chemical manufacturing facilities that use or produce toxic chemicals in excess of certain statutory threshold amounts must file an annual toxic chemical release report with the U.S. Environmental Protection Agency.

Uniform reporting appears to be a difficult task to accomplish under Section 313. Various manufacturers could calculate chemical release information differently or misinterpret directions which may reduce the reliability of the data compiled. In addition, the administrative requirements of this section will be considerable for the Environmental Protection Agency, the state, and local governments as assistance is requested to implement this program.



Emergency notification, planning, reporting and annual release inventory information can provide a profile of the hazardous material geography of a community. A union of this information with the data analysis and modeling capabilities of the computer can provide valuable information to the emergency responder and planner.

Hazardous material planning should be pursued within the multi-hazard functional approach. The planning requirements of Title III should be merged within a community's multi-hazard plans and not supersede the multi-hazard functional approach to planning.

The public does have the right to know that certain potentially dangerous quantities of chemicals are present in a location should an accident occur. However, the public awareness program associated with this activity will require a major effort to be successful.

Substantial federal funding at the state and local levels is essential to the success of achieving the goals outlined in Title III.



# Around The State

**Noel Hodges**, Divisional Officer for the State of South Australia Emergency Services, visited DEM recently to exchange ideas and information about the way Texas and South Australia handle emergency situations. He also attended the Texas Gulf Coast Emergency Management Association conference in Clear Lake City.

**Jack Parks**, El Paso City/County Emergency Management Coordinator, has been elected national president of the American Society of Professional Emergency Planners. Jack has been the El Paso EMC since 1977, and is the immediate past chairman of the Rio Grande

MAST Coordinating Committee. He is a graduate of the University of Texas at El Paso, Pacific Lutheran University, and the National Emergency Management Staff College.

New officers for the **Texas Gulf Coast Emergency Management Association** are Denny Holt, president (re-elected); Dick Hawkins, vice president; and Corina Love, secretary. The new board of directors are Jack McCann, Liz Gonzales, Fletcher Hickerson, J.C. Brewer, Jan Wheelis, George Peck, Dick Nugent, George Stapleton, Jerry McNeill, and Joyce Durbin.

## DEM Personnel

**Robert L. Halverson**, deputy coordinator for operations, has accepted a position with the State Board of Insurance effective January 1. **Norman R. Root** is the new Illustrator at Population Protection Planning. Norman previously worked for engineering and architectural firms as a designer. He replaces **Karen Stewart**, who has taken a position as Forensic Artist with the Crime Analysis Section of the Criminal Intelligence Service at the Department of Public Safety. **Donna Kissman** is the new Resource Planning Typist for the Division. Donna was a secretary and word processor operator for the Texas Department of Highways and Public Transportation before joining DEM. She replaces **Anna Martinez**, who was promoted to Resource Management Secretary, replacing **Heather Krause**. Heather is now at home fulltime with her baby girl. **The Nuclear Waste Programs Office** has been transferred to another division within the Governor's Office.

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## 1988 Hazardous Materials Training Schedule

Members of Local Emergency Planning Committees and first responders are encouraged to attend hazardous material training courses sponsored by DEM and Texas A&M University. Funds for the courses are provided by Section 305a, SARA Title III. For registration

information contact: Oil and HazMat Training, Texas Engineering Extension Service, Texas A&M University, College Station, Texas 77701-3000, phone (409)845-3418.

### February, 1988

HazMat Contingency Planning  
Dallas, February 1-5  
Odessa, February 8-12  
Amarillo, February 29-March 4  
Tank Truck Accident Course  
College Station, February 8-10

### March, 1988

HazMat Contingency Planning  
San Antonio, March 14-18  
Harlingen, March 28-April 1  
Tank Truck Accident Course  
College Station, March 14-16

### April, 1988

HazMat Contingency Planning  
El Paso, April 4-8  
Tyler, April 18-22  
Analysis of HazMat  
Corpus Christi, April 25-26  
Recognize and ID HazMat  
Corpus Christi, April 27

### May, 1988

Pesticide Challenge  
Lubbock, May 10-11  
McAllen, May 17-18  
HazMat Tactical  
College Station, May 9-13  
HazMat Incident Analysis  
Odessa, May 31-June 1

### June, 1988

Recognize and ID HazMat  
Odessa, June 2  
Beaumont, June 16  
Commanding the Initial Response  
College Station, June 6-8

HazMat Incident Analysis  
Beaumont, June 14-15  
Tank Truck Accident Course  
College Station, June 29-30

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# SPECIAL NOTICE DIGEST SUBSCRIPTION RENEWAL

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