

# DIVISION OF EMERGENCY MANAGEMENT DIGEST



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*Brush Fire Cutline*

*Major brush fires March 10-13 in several North Central Texas counties required staffing of the State EOC by DEM personnel and several other state agencies. Southwestern Texas had its share of brush fires at the same time. The Texas Forest Service, National Guard, Highway Department, Department of Public Safety, Parks & Wildlife Department and numerous local fire departments helped gain control of the situation. The U.S. Forest Service assisted in bringing the North Central fires under control. Some 300,000 acres were burned in Shackelford, Callahan and Throckmorton counties and about 16,000 in Val Verde and Kinney counties. Because of the costs to state agencies to fight the fire, the Federal Emergency Management Agency declared them eligible to receive federal financial assistance.*



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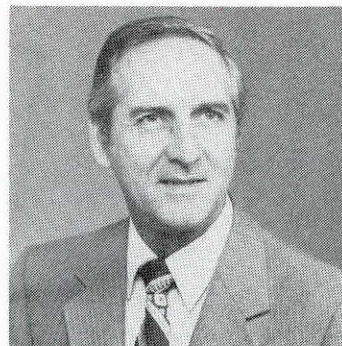
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# DEM UPDATE



**by Robert A. Lansford  
State Coordinator**

Progress in the advancement of the statewide emergency management program has become a steady movement. Not only are we recognizing the needs and requirements of the program, but also the responsibility of having sufficient trained personnel to implement programs.

The issue facing many state and local governments today is one of limited financial resources. The federal government is sometimes quick to initiate new requirements without supplying resources to implement the required actions and often without sufficient lead time to "gear up" for new activities. It seems that some believe the answer to any problem is the quick passage of another piece of legislation instead of reviewing existing statutes and striving to make what is already in place more efficient and productive. With each budget cycle at all levels of government is it becoming more of a challenge to meet the demand for services with existing resources. That again is a reason for us to streamline our operations to reduce those unnecessary and duplicative procedures that so often exhaust our already scarce resources.

Emergency management is a science. It demands well thought out practices, managerial policies and public service as its main goal. The general public looks to us in times of crisis and our credibility is on the line. Let's not lose the credibility by acts that have little or no meaning.



# State Provides Comments For Title III 'White Paper'

In February of 1988 the Environmental Protection Agency requested Texas, along with several other states, to evaluate an EPA "white paper" that sought to review the implementation problems and solutions of the Superfund Amendments and Reauthorization Act (Title III) from a regional and state perspective. The white paper, written on behalf of EPA Deputy Regional Administrators, evaluates the SARA Title III program, including the statute, regulations, policy, implementation activities, and results to determine if program or statutory changes are needed to improve its efficiency and effectiveness.

To obtain representative national information, regional and state questionnaires covering all of SARA Title III were used. Every region and nine states were formally asked to fill out the questionnaires, and 11 additional states voluntarily offered their input to the study. States were selected on the basis of size and experience and problems with Community-Right-to-Know programs.

Several of the key issues as provided by a study group consisting of the Texas Water Commission, Texas Air Control Board, Texas Department of Health, and Division of Emergency Management are outlined below:

## **Funding**

Texas strongly agrees with the EPA assessment that a lack of funding for Title III has been and remains the predominant impediment to its successful implementation. This implementation, if conducted properly, would involve the commitment of additional work resources at a time when state and local governments are struggling to fulfill existing obligations without the benefit of increased budgetary considerations.

Compounding this problem is the reluctance on the part of the Federal Emergency Management Agency (FEMA) to sanction the involvement in Title III activities of those state and local officials currently receiving FEMA funding, except when taking part in all-hazard contingency planning. Without the authorization of the use of existing funding as well as new supplemental funding, a proper and timely implementation cannot be assured.

## **Comprehensive Response Plans**

In the White Paper, a recommendation is made that SERCs (State Emergency Response Commissions) should approve LEPC (Local Emergency Planning Committee) comprehensive emergency response plans. The Division of Emergency Management opposes this

recommendation on the basis that Texas has an established program for all-hazard plan evaluation (as do many states) and this requirement would be a duplication of effort contrary to established procedures. The approval authority must reside with the officials required to develop and implement the plan. Requiring the SERC to approve plans would be inconsistent with the manner in which most local governments legally approve plans. In addition, it is very doubtful that in the larger states the SERC has the personnel, funding, or time to complete a thorough evaluation of emergency management related response plans.

## **Liability**

SERC and LEPC members should be provided federal exemption from liability for planning efforts associated with the Title III program. In many cases, the SERC and LEPC members are volunteers and have no specific legal requirements to participate in the development of a plan. Neither SERC nor LEPC members should be held liable for plans developed with the intent of benefiting the local community and the state.

## **Enforcement**

Except for a broad authority to initiate civil litigation, there are presently no provisions for state and local governments to enforce compliance with Title III requirements. For this reason, it is anticipated that the role of state and local government will be to identify significant violators and refer them to EPA for enforcement action. Should enabling legislation be passed in Texas, the appropriate member agencies of the SERC will modify their roles to assume a more direct enforcement posture.

## **Chemical Lists**

One of the major sources of confusion surrounding various Title III requirements concerns the existence of four separate, non-identical lists of toxic substances derived from markedly different criteria. The state encourages the coordination of the various listing of criteria and the subsequent creation of a combined, automated master list for Title III with all inconsistencies between Threshold Planning Quantities and Reportable Quantities resolved. Two recommendations made by the study group are: 1. EPA should make available at low or no cost a master "floor" list, including the essential 5,700 OSHA hazardous chemicals. This should also be available in the common database formats. 2. EPA should discontinue the phrase "Reportable

**Continued on page 5**



## Training And Response Part Of TDH's Radiation Programs

During FY 1987, more than 2,300 first responders -- local firemen, law enforcement officers, and emergency medical services personnel -- were trained by the Texas Department of Health's Bureau of Emergency Management EMS division. Louis Berry supervises the training section, and Lee Hancock, Jim Sutton, and Garland Latham are instructors in the program. Ted Chinn, State Radiological Defense Officer, assisted local officials in developing plans and resources to deal with peacetime incidents or accidents and nuclear attack.

Some 40,000 radiation detection instruments are issued to city, county, state and federal organizations throughout Texas, according to Tom Payne, State Radiological Maintenance Officer. The Radiological Instrument Maintenance and Calibration Service is part of TDH's Bureau of Emergency Management. Three technicians -- Bill Patrick, David Ramsey, and Mike Rutherford -- provide service and calibration to the instruments on a four-year cycle. In FY '88 they expect to service between 12,000 and 14,000 instruments. Payne, Patrick, and Rutherford are also assigned to respond to emergencies at Texas' nuclear power plants in the event of an accidental off-site release of radiation.

Payne said Bureau of Radiation Control personnel investigated 226 incidents involving radioactive materials in Texas last year, including highway accidents, lost radiation sources, and over-exposure of persons to radiation.

"By training emergency first responders to recognize and deal with radiation dangers, and by providing detection equipment, I feel we have possibly prevented unnecessary radiation exposure to many Texas residents," Payne said. "I believe the many benefits of radioactive materials far outweigh the related dangers as long as the materials are used and handled properly," he said.

The extent of potential radiation dangers was demonstrated by an incident in Juarez, Mexico, in 1984. Contaminated steel reinforcement rods and table pedestals from Juarez were brought into the United States. Many persons in Juarez were exposed to varying amounts of radiation, and at least 15 still suffer ill effects from the exposure, according to reports Payne has seen.

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## Chemical Companies Inform LEPCs

Chemical and refining companies in East Harris County have informed local emergency planning committees and fire departments of the chemicals present at their facilities in cooperation with the Superfund Amendments and Reauthorization Act (SARA) Title III.

This information supplements earlier information already shared with local communities through Community Awareness and Emergency Response (CAER) teams, said C.L. Roy, Chairman of the East Harris County Manufacturers Association, Inc., which represents some 90 companies.

"Through CAER, representatives from local chemical companies, government and emergency response agencies have been working together since 1985 to effectively prepare for and avert accidents," said Roy. "The information provided under SARA's Title III is the same tpe of information we've been sharing with the communities since CAER was introduced."

In 1986, Congress enacted SARA. Included in this federal legislation is "The Emergency Planning and

Community Right-to-Know Act," commonly known as Title III.

Under the Community Right-to-Know Reporting section of Title III, by March 1, 1988, local emergency planning committees and fire departments across the country are to be informed by companies which manufacture, use of store hazardous or toxic chemicals of the amount of those chemicals present at their facilities.

This information is available to the public through the community's local emergency management office.

Title III also calls for cooperative efforts between industrial sites and their communities to develop emergency plans to handle potential accidents, and set up a local emergency planning committee (LEPC).

In Harris County communities where CAER teams are established, those teams will function as LEPCs.

"We all benefit from the teamwork that takes place through CAER," Roy said. "Having a safe, healthy and well-prepared community is a common goal for us all."



## Simulated Radiation Accidents Help Jurisdictions Prepare

Scenario: An overturned truck near a major highway; injured people; radioactive material containers scattered around and a leaking container of a burning hazardous chemical endangering the victims and vehicle.

This is the scenario for disaster drills being conducted throughout Texas by the Texas Radiological Officer, Ted Chinn. The drill is over and equipment back in service in about an hour. A critique of the exercise immediately afterward helps the participating responders and local officials update their plans and review skill levels so that additional training can be conducted if necessary.

The drills are usually conducted after the community has been visited by the State Radiological Officer to analyze the status of the jurisdiction's Radiological Protection Program. The Radiological Protection Annex to their local Population Protection Plan with prototype Standing Operating Procedures is then developed. Personnel are trained through radiological monitoring, radiological response team, and radiological officer courses. The community's Emergency Management Director or Coordinator is contacted and a date for the drill is established.

The EMC is requested to set a time and location for the drill, preferably away from a populated or congested area, and to furnish a wrecked van or truck, a video camera, and people to act as accident victims. The scenario requires participation by the jurisdiction's EMS, law enforcement, fire department, and environmental protection agency if one exists.

Since many radioactive materials are shipped in unplacarded vehicles because of the low curie amount and packaging, the accident is staged to represent a real situation. The vehicle is placarded with the hazardous chemical designation rather than the "Radioactive" placard. However, shipping papers properly identify the items being transported.

It is suggested to the EMC that only the response agency leaders be told about the drill in advance. Experience has shown that trained responders' reactions are more realistic if no advance warning is given.

The props used in these drills are two radioactive Type II labeled cardboard boxes with .8 millicuries of Cobalt 60 each, a radioactive Type II labeled small lead container (pig) with 3.2 millicuries of Cobalt 60, a five gallon metal container of simulated hazardous chemical, smoke candles to simulate fire, and gasoline lantern mantles wrapped in a thin plastic bag with a thin sheet of lead on one side to place next to a victim's skin to simulate radioactive contamination.

Television, radio, and newspaper coverage is encouraged. This allows citizens to learn about community preparedness and is a great morale booster for the emergency responders.

For more information about conducting this exercise contact Ted Chinn, State Radiological Officer, Texas Department of Health, 1100 West 49th St., Austin, TX 78756-3199, or call 512-465-2601.

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## Nuclear Crisis Course For Home Study Offered

An new home study course designed to help individuals and families survive a nuclear attack against the United States is being offered by the Emergency Management Institute.

The course, "Preparedness Planning for a Nuclear Crisis," covers the effects of nuclear weapons, evacuation and sheltering, and the preparation and stocking of fallout shelters. It also gives guidance on how to develop family emergency plans to improve the chances of family survival should an attack occur.

The course, HS-4 in the institute's catalog, is open to the general public at no charge. Successful completion can lead to one semester hour of credit from SUOMI College, Hancock, MI.

The Emergency Management Institute, a part of the Federal Emergency Management Agency, is located in Emmitsburg, Md.

Registration materials may be obtained by contact DEM in Austin or your Regional Liaison Officer.



# DEM Personnel

**Robert L. Dentino** has joined DEM as the State Plans Officer. Bob has a Bachelor of Science degree in Engineering Construction and has served in the U.S. Air Force as a pilot and plans officer and as a curriculum specialist for the Egyptian Air Force Academy. **Elsa Benavidez-Munoz** has been promoted from Accounting Clerk III to Auditor II, replacing **Susan Hadick** who has moved to Houston. Elsa has a Bachelor of Business Administration in Administrative Services from St. Edward's University in Austin, and has been with DEM since 1985. **Kathryn J. Fischer** is the new Secretary at Population Protection Planning. Kathryn attended Nixon-Clay Business College in Austin.

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## Around The State

The State of Texas has recodified state laws. The **Texas Disaster Act of 1975**, Article 6889-7, has been filed under Chapter 418 (Emergency Management) of Vernon's Texas Codes Annotated. The Division is in the process of preparing new handouts to reflect that change. The scope of the law has not changed.

**Kathleen Bean**, City of Crowley EMC, has been named 1987 Volunteer of the Year by the City. She received the award for her participation in PTA and Helping Hands, as well as for her nearly six years as the volunteer EMC.

An **April 1** tornado caused damage in the City of Gladewater and near State Highway 300 and FM 726 in Upshur County. Fifty-four houses and 11 mobile homes were damaged or destroyed. Several businesses and public buildings were also damaged. The U.S. Small Business Administration approved the county for its disaster loan program, which allows eligible homeowners, renters, and owners of small businesses to receive low interest rate loans. Farm and ranch losses were declared eligible for loan assistance through the U.S. Department of Agriculture Farmers Home Administration.

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## 'White Paper' continued from page 2

table Quantity" and use "Reportable Release Quantity," or RRRQ, so that the context will be clear to readers of Appendix A, The List of Extremely Hazardous Substances.

### Toxic Release Inventories

The data collected under the requirements of Title III, Section 313, while considered a wealth of heretofore unavailable information, is similarly seen as potentially the area where the most controversy and public misunderstanding could arise. Although the necessary expertise does exist at the state level to put the raw data into a proper context, the necessary time and personnel commitments are simply unavailable at this time. Further, it is felt that an assessment of public risk and safety should not be done solely on the basis of estimated annual emissions data. Although suited for defining the basis of developing general multimedia toxic strategies, it is felt that the use of computerized models for detailed health risk assessments would not be appropriate.

### Training

The need and demand for hazardous material and emergency response training in Texas remains great and is anticipated to accelerate with the implementation of Title III. In an effort to meet those demands, we strongly recommend the reinstatement and increase of FEMA training support grants and the intensified utilization of existing state and private training delivery systems.

### Information Management

Because of the requirements placed on state and local entities by Title III without any corresponding funding, the state agrees strongly that EPA should develop a comprehensive data management strategy which would provide for the storage and retrieval of area, facility and chemical specific information, while providing access to automated data bases containing definitive chemical lists and profiles; toxic chemical release inventories; health effects and research information. To be effective, we feel that direct access to this information should be provided to the states at little or no cost.



# Flood Program To Pay Claims For Anticipated Erosion Damage

June 1, 1988, is a significant date for any property owner whose building may be subject to damage as a result of water-related erosion.

Under provisions of the Housing and Community Development Act of 1987, owners of buildings subject to "imminent collapse or subsidence" as a result of erosion may be eligible for claim payments from the National Flood Insurance Program (NFIP) to relocate or demolish the building, if flood insurance coverage is in place before June 1.

After that date, to be eligible for this coverage, flood insurance has to be in effect for two years (or the period of ownership, if less) before the building is condemned or certified to be subject to collapse or subsidence. The provisions of the law related to this erosion coverage expire Sept. 30, 1989.

Before the new law became effective, NFIP followed standard insurance industry practices and paid claims only when damage actually occurred.

Under the new law, the owner may relocate an NFIP-insured building to a location beyond established erosion set-back lines, in which case the NFIP will pay up to 40 percent of the value of the building for the expense of the move.

Should the owner of an insured building subject to damage choose to demolish the building, he/she could

be eligible for a claim equal to the value of the building or the amount of insurance coverage in place, whichever is less, plus up to 10 percent for the cost of demolition.

Payments will not exceed the actual cost of either demolition or relocation.

NFIP provides flood insurance coverage for buildings only. Thus, there can be no claims for damage to the land caused by erosion.

Until the Federal Insurance Administration (FIA), which administers the NFIP, publishes final regulations required by the law, buildings are eligible for the new coverage only when they are condemned (or otherwise declared uninhabitable) by an appropriate state or community official and are determined to be subject to imminent collapse or subsidence.

When regulations are in place, the appropriate local or state official will have to certify that the danger exists.

FIA, part of the Federal Emergency Management Agency, will contract with the National Academy of Sciences to obtain recommendations on methodologies for developing erosion rate data, as required by the new law.

The NFIP is a program of the federal government, but flood insurance may be purchased through any licensed insurance agent or broker.

## EMI Home Study Courses Gain Full Accreditation

The home study program offered by the Emergency Management Institute (EMI) has been granted full accreditation by the National Home Study Council.

Accreditation by the Council means that EMI offers a quality home study program that meets the standards established by the accrediting agency.

The Institute, a part of the Federal Emergency Management Agency (FEMA), currently offers four home study courses. Three others are being developed, EMI officials said.

The courses, available at no charge to those involved in disaster response and emergency management and the

general public, are taken by upwards of 10,000 people each year. Those who are interested may receive one semester hour of credit from Suomi College, Hancock, Michigan.

Courses now available include Emergency Program Manager, Emergency Management USA, Radiological Emergency Management, and Preparedness Planning for a Nuclear Crisis, two of which are currently under revision. Other courses soon to be available include Natural Hazards Management, Basic Disaster Operations, and Hazardous Materials.

Information and registration materials may be obtained by contacting DEM in Austin or your Regional Liaison Officer.

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