

**DEPARTMENT OF PUBLIC SAFETY
EMERGENCY MANAGEMENT**

**TIMOTHY R. COOPER
DEPUTY DIRECTOR**



Sussex County

DELAWARE
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**SUSSEX COUNTY
LOCAL EMERGENCY PLANNING COMMITTEE
MEETING MINUTES
July 11, 2024**

There were thirty-four members/guests in attendance.

**Charles Stevenson, IV
Kelly Kruger
Steven Phillips
Mark Dolan
Nicholas Butler
Bill Davis
John Thielemann
Danielle Breitzkreitz
Mindy Anthony
Michael Kaupa
Ed Hudson
Trevor Cantwell
Chris Mitchell
Omar Jackson
Dave Irwin
Andy Jones
Chris Ramos
Lisa Donaway
Adam Kooker
Tom Gagnon
Scott Bossert
Tony Susi
John Ward
Tyler Yawornicky
Glen Marshall
Tim Cooper
Brandon Olenik
Kelly Barr
William Martinez
Anuj Kumar
James A. Smith, Jr.
Alberto Martinez
Edward Strouse
Kristin Deno**

**Sussex County LEPC
Sussex County, EOC
DEMA
DNREC-ARP
DNREC-EPCRA
DNREC-EPCRA
Sharp Energy
Dentsply Sirona
DNREC
Mountaire Farms
Sharp Energy
DHS
NRG
ICP Group
New Castle County LEPC
DENTSPLY
DHS
DHS
DNREC
CISA
DBRC
Red Cross
Mountaire
US Cold Storage
SCEMS
Sussex EMA
Kent County, LEPC
DNREC
Tidal Health
DNREC
Delmarva Power
Mountaire
VA
Trinity Logistics**

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

The minutes of the May 9, 2024, meeting were approved.

Chairman Stevenson compiled the meeting attendance list.

REPORTS-

DNREC-EPCRA-Nicholas Butler

Department of Natural Resources and Environmental Control (DNREC)

EPCRA Reporting Program LEPC Report – July 2024

1. RY 2023 Reporting Summary

Delaware facilities submit their EPCRA Section 312 reports (often referred to as annual Tier II reports) online using the Tier II Manager™ (T2M) database. As of July 1st, the annual Tier II reports grew to 2714 for RY 2023, an increase of ~2% compared to RY 2022 at this time last year.

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

The tables below contain Tier II reporting data according to a facility's LEPC designation. Facilities usually determine their own LEPC, but these determinations should be verified by each LEPC. LEPC's can access and view the reports through the T2M system.

Table 1. RY 2023 Submitted EPCRA 312 (Tier II) Reports

	1 Year Ago 07/05/2023 RY 2022	Last LEPC Meeting 05/01/2024 RY 2023	Current 07/01/2024 RY 2023
Sussex LEPC	966	1015	1018
Kent LEPC	533	532	533

New Castle LEPC	1004	1010	1011
Wilmington LEPC	147	152	152
State Total	2650	2709	2714

Note:

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

Table 2. Active Facilities in the T2M Database

	EPCRA 302 Facilities (EHS > TPQ)	Total Facilities 07/01/2024
Sussex LEPC	61	1014
Kent LEPC	52	531
New Castle LEPC	151	999
Wilmington LEPC	26	159
State Total	290	2703

Note:

- Data sourced from T2M Facilities tab.
- New facilities added since 1/1/24 may not have been subject to RY 23 Tier II reporting, while some facilities that reported for 2023 may have been deactivated, and there remains other facilities whose status is unknown (Table 5). Therefore, caution is advised when comparing Table 1 vs. Table 2.

Table 3. Calendar Year 2024 Fee Payments

Facility Status	Total Receipts
Fee-Paying facilities	1913 fee paying
Fee-Exempt facilities	715 government
Fee-Exempt facilities	86 non-profits
Total Fees Paid	\$ 485,320

Note:

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

Table 4. Changes Since Last LEPC Meeting (05/01/2024 - 07/01/24)

	New Facilities	302 Submittals	311 Submittals	312 Updates	312 Revisions	312 Annuals Due 3/1/24
Sussex LEPC	1	0	0	2	0	3
Kent LEPC	0	0	0	2	0	1
New Castle LEPC	0	0	1	2	1	1
Wilmington LEPC	0	0	0	0	0	0
State Total	1	0	1	6	1	5

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

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

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

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

2. Status of Missing Facility Reports

On July 1st, 2024 there were 29 active facilities (compared to 32 on May 1st) listed in the Tier II Manager™ database that have not reported for RY 2023.

- 3 facilities on DNREC's May 2024 list (originally ten government/nonprofit facilities) were resolved. DNREC will continue to pursue the remaining 7 facilities.
- The 22 facilities listed below continue to need a determination by the LEPCs if the facilities are still in operation, and if so, to acquire updated contact information.

Table 5. List of Facilities with Missing Reports

	Company Name	FID	Facility Name / Site Name	Location	Latest Submittal Report
New Castle County LEPC					
1	Builders FirstSource (BFS LLC)	330	Stanton LBM	Newark	2022
2	Komal Associates	275	Star Gas and Diesel	Wilmington	2022
3	YRC Inc. d/b/a YRC Freight	121	YRC Inc. d/b/a YRC Freight (184)	New Castle	2022

4	Moran Foods	235	Save-A-Lot #294	New Ca	2021
5	PHC MeadowWood	969	MeadowWood Behav Health System	New Ca	2021
6	Tesla Industries, Inc	217	Main Facility	New Ca	2021
7	SimplexGrinnell	198	SimplexGrinnell, 557	New Ca	2020
8	Newark Country Club	197	Maintenance Building	Newark	2015
9	Goodman Distribution	219	Newark # 284	Newark	2010
Wilmington LEPC					
1	Barclay Bank	240	Dryrock	Wilmington	2021
2	Barclay Bank	240	Juniper	Wilmington	2021
3	St. Francis Hospital	350	St. Francis Hospital	Wilmington	2021
4	Elwyn Inc	951	Delaware Elwyn	Wilmington	2021
5	Ingleside Homes Inc	103	Ingleside Retirement Apartments	Wilmington	2020
6	Chiquita Brands International	654	Chiquita Fresh, N.A.	Wilmington	2017
7	Edgemoor Materials	949	Edgemoor Materials	Wilmington	2014
Sussex County LEPC					
1	Georgetown Air Services LLC	292	Fuel Farm	Georgetown	2022
2	James Thompson Co.	302	James Thompson	Greenwood	2022
3	YRC Inc. d/b/a YRC Freight	120	YRC Inc. d/b/a/ YRC Freight (177)	Seaford	2022
4	National Concrete Products	136	National Concrete Products	Greenwood	2012
Kent County LEPC					
1	Mills Bros Mkts Inc	560	Mills Bros Mkts #1	Milford	2016
2	Gill & Deol LLC	984	South Little Creek Fu	Dover	2008

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

3. EPCRA Public Portal & Other Program Updates

- Kelly Barr joined DNREC's EPCRA group as a summer intern on June 3rd to assist us with Community Right-to-know promotional events during June, July, and August.
- DNREC identified following events to participate in promoting community right to know. LEPC's are encouraged to join these events and suggest other outreach activities.
 - Smyrna @ Night in Smyrna on June 15th
 - First Friday in Milford on July 5th

- West Side Farmers Market in Wilmington on July 10th
- The upcoming Nanticoke RiverFest in Seaford on July 12th
- The upcoming Delaware State Fair in Harrington on July 18th – July 27th
- DNREC presented the Public Portal module of Tier II Manager database at the SERC meeting on June 12th, 2024. We are also in touch with our vendor Hazconnect for annual improvements to the database. Updates to the database will be implemented later this summer in the Annual Maintenance Package.

-DEMA UPDATES- Steven Phillips

SERC Report

- The next Planning and Training Committee meeting is on August 15.
- The next Information and Technology Committee meeting is on July 10.
- The next SERC meeting is on September 11.
- The SERT Plan is in Final Draft status, waiting on comments from the Fire Service.
- At the March SERC meeting, NCC LEPCs FY25 Budget and a request to purchase radio equipment for the Kent County DECON Truck were approved. The SERC also approved an Equipment Storage MOU between SERC and Christiana Fire Company and approved sponsoring the 18th Annual HazMat Training Workshop.
- Reports for the FY24 SERC Annual Report were requested on July 1. The period of performance to cover is July 1, 2023 to June 30, 2024.

HMEP Report

- Currently in Year 2 of the HMEP three-year grant period. \$179,752.00 Total Grant Amount for Year 2. For Year 2 we have spent \$55,301.98.
- Requested Quarterly Reports from HMEP Subgrantees on July 1 with a return date of July 15.

DEMA Report

- FEMA was in-state for a federally evaluated radiological exercise on May 21. Great showing from all participants.
- Chris Murtha left state service on June 14. Paige Fitzgerald remains as DEMA's only Deputy Director.
- CISA Chemical Security Summit on July 11 and 18. The Seminars will feature important chemical security information for industry organizations, facility owners and operators, government officials, first responders, and law enforcement. Sessions include case studies of real-world scenarios (including drones and cyberattacks), transnational threats to the chemical industry, "wicked problems," updates to the ChemLock program, artificial intelligence, and more.
- The Delaware State Fair runs from July 18 to 27. DEMA has a booth at the Delaware Building.

SCEMS-Glen Marshall-
No Report

DECON Trailer Updates-
No Updates

Kent County LEPC-Brandon Olenik-
The Kent County LEPC meeting was held on Tuesday, July 9th, 2024, at the Chesapeake Utilities Safety Training Center in Dover.

New Castle County LEPC-Dave Irwin-
The LEPC Meeting for New Castle County was held on Monday, July 8th, 2024, at DSFS- New Castle County Division. The Annual Hazmat Workshop will be held on May 9th, 2025, and May 10th, 2025 at the Delaware State Fire School in Dover.

Wilmington LEPC- Willie Patrick-
No Report

Mark Dolan-DNREC
-Facility inspections continue at propane facilities.

Wayne Vogel-DPH-
No Report

Red Cross-Tony Susi-
Red Cross continues to work on hurricane preparation for the upcoming season.

Delmarva Power-Jim Smith –
No report

Sussex County LEPC-Chip Stevenson-
-Attended the New Castle County LEPC meeting on May 13th and July 8th.
-Attended the Kent County LEPC meeting on May 14th and July 9th.
-Attended the virtual DNREC-EPCRA meeting with Oregon OSFM on May 24th.
-Attended the SERC meeting on June 12th.
-Attended the SERC Information & Technology meeting on July 10th.
-Participated in the Delaware Risk Reduction Consultation exercise on May 13th.

-PRESENTATIONS-

Anuj Kumar and Nicholas Butler of the DNREC-EPCRA program provided a presentation of the new EPCRA Public Portal.

NEXT MEETING- Thursday September 12, 2024, 10 A.M.-Sussex County Emergency Operations Center, 21911 Rudder Lane, Georgetown, DE.