



Texas Emergency Management Advisory Committee

Meeting notes from 05/13/15

ATTENDANCE

Ronnie Bates	Charles Bauer	David Coatney
Leonard Deonarine	Crystal Lyons	David McCurdy
Sharon Nalls	John Owens	Pilar Rodriguez
Bob Royall	Denise Walker	
		Michelle Gonzales (facilitator/scribe)

WELCOME

Opening remarks

Chair Royall advised the meeting will be shortened due to ongoing issues related to continuing severe weather.

TEMAC members introduced themselves and provided their agency and their responsibilities.

AGENDA ITEMS

Member reappointments

TEMAC members have been tasked with developing an internal process for members to seek reappointment. Chief Royall reviewed a list of members' terms with their expiration dates provided by Gonzales. After discussion, it was determined the expiration dates listed were incorrect because the original terms—one-and two-year terms—had been commuted to three-year terms when the first reappointment process occurred. The dates provided will be corrected.

Members brainstormed options and came up with the following:

- Gonzales will put together a list of names of members whose appointments are expiring to be submitted to Chief Kidd by the TEMAC chair.
- Expiring members are to send Michelle Gonzales a brief e-mail reconfirming their interest to continue with TE.
- Members not in good standing, those that have not met the attendance requirements, to be contacted by the TEMAC chair via e-mail to gauge their interest in continuing.

TEMAC members were also tasked with developing a process for recruiting individuals who would like to serve on the committee. Members discussed things to consider when recruiting, including reviewing regions to ensure equal cross representation across the state, specialties, inclusivity, diversity and the maximum number of committee members, currently 19, to ensure the committee remains manageable and effective.

Members brainstormed and came up with the following:

- Persons interested in serving should submit a letter of interest to the TEMAC chair. The chair will seek input from TEMAC members for recommendations to be submitted to Chief Kidd for final approval.
- TEMAC would like to add representation from the tribal element.
- Chair Royall will follow up with Chief Kidd regarding recruiting.

Member Attendance

Per the current charter, committee members are required to attend 50 percent of meetings held. Member attendance was reviewed and two members were found not to be in good standing. It was determined that members not in good standing would be contacted by the TEMAC chair to gauge level of interest in continuing to serve on the committee.

In order to remain in good standing, members must meet current charter requirements unless there are valid reasons as to why he or she could not meet standards. Also to be considered for future attendance, if members are not able to

attend a meeting, he or she will e-mail the TEMAC chair and copy Michelle Gonzales.

TEMAC Chair Election:

Chair Royall was nominated again to continue as chair. The motion was seconded. Royall elected to position again. Royall will serve a one-year term to expire May 2016.

Chair Royall encouraged those who may want to serve in the position in the future to “throw their hat into the ring.”

TEMAC Vice Chair Election

Chair Royall nominated Vice Chair Sarah Somers to serve again. Those at the meeting seconded the motion. Somers was elected to the position again. Somers will serve a one-year term that expires in May 2016. Since Somers was not present, she will be contacted by Chair Royall to determine if she accepts the position again. If she declines, an e-mail will be circulated will be circulated to TEMAC members to gauge interest of other members in good standing in serving in the position.

Note: Chair Royall contacted Vice Chair Somers after the meeting and before the notes were distributed. Somers accepted the nomination.

Chair Report

Since TEMAC last met, two more train derailments, including another in North Dakota, have occurred. There has been a lot of pressure put on the Department of Transportation (DOT) regarding rail safety, as well as continuing interest with maintenance of aging infrastructure. Discussions about this, additional taxes and upcoming legislation are occurring. DOT Secretary Foxx has submitted a multi-point rule that is in the [Federal Register](#) and is available for public comment. The final rule will go into effect in approximately 60 days. The main points of the rule are:

- Enhanced braking systems for trains (electronic pneumatic braking will be required).
- Speed restrictions, particularly through densely populated areas. Maximum speed in rural areas (70 mph). Key trains maximum speed reduced to 50 mph. Certain crude oil trains speed cannot exceed 40 mph.
- Track integrity and crew size: Enhance tracks. Add more visible tracking devices at the back of the train. Enhance rail operations so timing and control will be much improved. Enhance rail crossings and safety for workman on the trains, as well as additional procedures for drug and alcohol.
- Routing and notifications: Carriers whose trains carry one million gallons or more of crude oil must tell the State Emergency Response Commission (SERC) the quantity and frequency that they come through a jurisdiction. Chair Royall noted this information may not always be accurate because if there is a track that is busy, they will often reroute. The SERC gave that information out on a need to know basis. Could call the SERC and that information would be released to emergency planner. The emergency order expires in 2016. The final rule says that information will be provided to the intelligence fusion centers, such as those for the state of Texas, Bexar County, Harris County and around the country. It was misreported that the information would not be reported to SERCs
- Notifications - This order requires that each railroad establishes a point of contact with each company to provide information about hazardous materials coming through the community to help plan. However, TSA has put a Secure Sensitive Information tag on the entire dossier of hazardous materials being transported. In order to get all that information, you will have to sign a non-disclosure order with the railroad to get all the information released. Royall feels this could negatively impact rural communities that do not have knowledge or access. Requires class one railroads to invest in “Ask Rail,” which provides instant information. This does not apply to short lines or privately owned lines.

During his report Chair Royall was asked how jurisdictions deal with private companies like those out of Mexico. Royall replied jurisdictions cannot unless the company is using a class one railroad track.

- Oil pollution Act of 1990: These high-hazard, highly flammable materials are being added for cleanup purposes.

- Classification: There must be better classification of the materials being transported. The onus to be put on the oil and gas industry to ensure situational awareness or they must be required to stabilize the materials before materials are offered for shipment.
- Construction of new tank cars: Will require the thickness of the tank shell to increase, required pneumatic braking, high-volume pressure release valves and must have thermal insulation for a 100 minutes of thermal protection from a pool fire. The impact means less quantity that can be shipped at one time, so there will be more traffic on an aging infrastructure.
- Railroads will be required to provide additional training to emergency responders.

Emergency Responder Definition

Coatney provided two current drafts of the definition. One from TEMAC and one from the First Responders Advisory Council (FRAC). They are:

FRAC:

“Emergency Responder” means any fire, health, law enforcement, medical, public works, utility and related personnel, as well as agencies, authorities or other technical specialists specifically activated to provide initial response to an emergency.”

TEMAC:

“Emergency Responder means federal, state, local nongovernmental, emergency public safety, fire, law enforcement, emergency response, public works, utility, emergency medical (including hospital) and related personnel, agencies and authorities or personnel specifically activated to address the emergency.

Discussion occurred and points were considered such as would private resources fall under the FRAC definition. After discussion, TEMAC respectfully submits the following draft definition for emergency responder to Chief Kidd for consideration.

“Emergency Responder means any fire, health, law enforcement, medical, public works, utility and related personnel, as well as agencies, authorities or other technical specialists specifically activated to provide response to an incident.”

TEMAC Charter Update

The TEMAC Charter update is temporarily on hold and will be reviewed at the third quarter meeting. In the interim, a “strawman” or draft will be put together and then sent out to TEMAC members for comment.

A few suggestions were made regarding the charter, to include removing references to one-year terms and facilitators. A member asked if a segment could be included liability protection of TEMAC members. The member specifically asked if there is legal counsel provided by DPS for TEMAC members representing TDEM.

OPEN FORUM

Note: Part of this discussion was not captured due to the scribe being called away for other business related to the ongoing 2015 Texas Emergency Management Conference.

David Coatney

Under [HB 2827](#), which is in committee, statewide mutual aid is provided for jurisdictions without having regional mutual aid in place first. The bill does not preclude or prohibit jurisdictions from having regional mutual aid. If codified, jurisdictions can rely on SB 11 (80th Legislature) to be a true mutual aid document.

Coatney, who sits on several committees and councils, recommended Chief Kidd attend one meeting a year or possibly have him meet with committee chairs or have all committees and councils attend one mass meeting with Chief Kidd to ensure situational awareness, visibility, collaboration, communication and that groups are not working at cross purposes.

Crystal Lyons

Invited members to attend a workshop regarding ADA requirements. Lyons provided a link to the current ADA Best Practices Tool Kit for State and Local Governments located at <http://www.ada.gov/pcatoolkit/toolkitmain.htm>.

Bob Royall

Emergency Operation Centers (EOCs) do not fit either the ICS model or emergency support functions (ESF) as laid out under the National Response Framework. Doc Lumpkins with FEMA is recommending updates to NIMS for development of a structure unique to EOC missions. Currently, most EOCs are hybrids of the ICS model and ESFs.

Dr. Charles Bauer

Dr. Bauer expressed gratitude for the broad group experience and service of the committee.

NEXT MEETINGS

Wednesday, August 19, 2015

1:00-5:00 p.m.

Texas Division of Emergency Management

Texas Department of Public Safety

Austin, Texas