

# SERC NEWSLETTER



June 24, 2019

## SERC Chairperson

### *A Note from the TEMA Director*

Since Tennessee's SERC was first established in 1987 to implement SARA Title III (the Emergency Planning and Community-Right-to-Know Act (EPCRA)) our priority has always been the safety and wellbeing of Tennesseans. My hope is for this quarterly newsletter to reach our partners and industry professionals and provide pertinent information on training, regulatory updates, and more as we continue the important work of the SERC and the Local Emergency Planning Committees across Tennessee.

Since first being established by Governor McWherter's executive order much has changed in Tennessee – industries have come and gone, populations have moved and government has changed – and in January 2019 the SERC executive order was updated to reflect those changes in government and to reaffirm the State of Tennessee's commitment to ensuring Tennesseans have access to vital information about what is in their communities.

Please enjoy this inaugural issue of the SERC Newsletter. We look forward to receiving your input to make this newsletter a success.

Sincerely,  
Patrick Sheehan  
SERC Chairperson  
Tennessee Emergency Management Agency Director

## STATS FROM OPS

**HazMat Incidents in Tennessee**  
Current as of May 13, 2019

Air: 13	Fixed Facility: 27
Ground: 65	Highway: 87
Pipeline: 2	Water Related: 48
Rail: 20	Total: 262

## SERC Updates/News

After 18 years with TEMA, and 21 years as a State of Tennessee employee, Joe Kennedy will be retiring at the end of June. Michael Rinehart will be taking on the role of SERC support for TEMA.

Please join us to thank Joe and wish him well in his new endeavors!

# Department of Environment & Conservation

**Barry Brawley, Director, TDEC**

Phone: (615) 741-8959

Email: [barry.brawley@tn.gov](mailto:barry.brawley@tn.gov)

**Donovan Grimwood, Small Business Environmental Ombudsman, TDEC**

Phone: (615) 532-4966

Email: [Donovan.Grimwood@tn.gov](mailto:Donovan.Grimwood@tn.gov) or [tn.gov/environment/sbeap](http://tn.gov/environment/sbeap)

## Small Business Environmental Assistance Program

Are you a small business and ever wanted a way to ask a question of TDEC, but weren't sure who to call or worried that it might lead to an inspection? The Small Business Environmental Assistance Program (SBEAP) is available to assist with any environmental question you may have. The SBEAP services are free, confidential, and non-regulatory. Assistance can be provided on permitting, how rules may affect your business, emission factors, calculations, and will make site visits if requested and needed. The SBEAP also works to inform small businesses of changes to the rules that may impact them. The SBEAP encourages you to contact them if you need assistance. Generally, a small business is defined as any business that does not employ a full-time staff member for environmental compliance or oversight.

To reach the SBEAP:

Phone: (800) 734-3619, email: [BGSBEAP@tn.gov](mailto:BGSBEAP@tn.gov), website: [www.tn.gov/environment/sbeap](http://www.tn.gov/environment/sbeap)

Also, follow the Facebook page at [TN Small Biz Buzz](#) or Twitter at [@TNSmallBizBuzz](#) for articles and information relating to small businesses.

## Regulatory Updates

[EPA Seeking Comments on Proposed Amendments to the RCRA Hazardous Waste Manifest Forms](#)

[Management Standards for Hazardous Waste Pharmaceuticals and Amendment to the P075 Listing for Nicotine](#)

# TOSHA

**Wendy Fisher**

Wendy.fisher@tn.gov

Emergencies and disasters can strike anywhere and at any time bringing workplace injuries and illnesses with them. Employers and workers may be required to deal with an emergency when it is least expected and proper planning before an emergency is necessary to respond effectively.

Emergencies can create a variety of hazards for workers in the impacted area. Preparing before an emergency incident plays a vital role in ensuring that employers and workers have the necessary equipment, know where to go, and know how to keep themselves safe when an emergency occurs. These Emergency Preparedness and Response pages provide information on how to prepare and train for emergencies and the hazards to be aware of when an emergency occurs. The pages provide information for employers and workers across industries, and for workers who will be responding to the emergency.

## Regulatory Updates

This website is designed to help workers and employers plan for that possibility. The best way to protect workers is to expect the unexpected and to carefully develop an emergency action plan to guide everyone in the workplace when immediate action is necessary. Planning in advance helps ensure that everyone knows what to do when an emergency occurs.

## Training Opportunities

For TOSHA training opportunities and a course schedule, please visit the [TOSHA Training and Education website](#).

# UT Center for Industrial Services (CIS)

Albert Tieche

Albert.tieche@tennessee.edu

## WHAT IS **TIER II REPORTING** & why is it important?

EPCRA Tier II data helps emergency managers that belong to local emergency planning committees (LEPCs) manage facility fires and other incidences. The industry data also helps keep first responders safe.

**UT** Center for Industrial Services  
INSTITUTE FOR PUBLIC SERVICE

**UT** County Technical Assistance Service  
INSTITUTE FOR PUBLIC SERVICE

**UT** Municipal Technical Advisory Service  
INSTITUTE FOR PUBLIC SERVICE

**TN** Department of Military

We have 4 EPCRA Tier II training programs slated for 2019-2020. The morning session of the training program helps industries and others understand, complete, and file the important reports.

**76%**  
of LEPCs use Tier II data for emergency planning purposes

40% of LEPCs serve rural populations of less than 50,000 people

We want to make sure that our first responders in rural communities have important industry Tier II reports in case there is an emergency.

UT CIS is partnering with the State Emergency Response Commission (SERC), the County Technical Assistance Service (CTAS), and the Municipal Technical Advisory Service (MTAS) to improve LEPC participation statewide.

We are helping to build statewide LEPC networks with multiple presentations in 2019.

**39%** of LEPCs meet quarterly during the year (in twelve months)

**9%** reported that they do not meet



→ **33% of LEPCs report** ←  
**DEDICATED MEMBERSHIP**  
is the greatest single factor contributing to the success of their LEPC

The afternoon session of our 5 statewide EPCRA Tier II Training Programs will have actual LEPC members as presenters to show others how to build membership & operate effective LEPCs.

To discover more about Tier II Reporting and how UT CIS can help your organization, visit [bit.ly/TierII\\_CIS](https://bit.ly/TierII_CIS)

# Department of Transportation

Alan Durham

Alan.durham@tn.gov

## Yellow DOT Program

Did you know that the first 60 minutes following a highway incident with injuries is often referred to as “the golden hour?” That hour can mean the difference between life and death.

YELLOW DOT is a program in Tennessee which can help save lives in those first few critical moments following either an incident or a health emergency on the highway.

It provides responders with medical information as soon as they encounter a highway emergency. Anyone can join the program. However our initial focus is on senior drivers, who often have critical medical information that first responders need to know before addressing an injury on the scene.

Participants in the program will receive a Yellow DOT decal, a Yellow DOT folder, and a medical information sheet.

The participant will complete the medical information sheet, which consists of their emergency contact information, medical information, recent surgeries, hospital preferences, current medications, insurance and physician information. A personalized photo should also be taken and placed on the sheet. This information will be the sole responsibility of the participant and should remain in the glove compartment inside the yellow folder provided. The Yellow DOT decal should be placed on the driver’s side rear window of the vehicle. The decal alerts first responders to the information.

We have enrollment centers all across the state. To find an enrollment site near you visit the [TDOT website](#).



# Tennessee Highway Patrol

**Sgt. Larry Hitchcock**

Larry.hitchcock@tn.gov

The Tennessee Highway Patrol is the sole agency in the State of Tennessee responsible for enforcing laws related to size, weight, and safety regulations for commercial motor vehicles. The Commercial Vehicle Administration Unit of the Tennessee Highway Patrol is responsible for the Department's mission with respect to commercial motor vehicles. We carry this mission out through traffic enforcement, education, and the implementation of special initiatives targeting Commercial Motor Vehicle Safety. These activities include:

- Enforcement of motor vehicle and criminal laws focusing on commercial motor vehicles
- Regulation of commercial motor vehicles and motor carriers per Title 49 CFR
- Public Education and Awareness
- Driver/vehicle inspections
- Carrier Investigations and New Entrant Safety Audits
- Data Collection

The Highway Patrol uses various regulatory, enforcement, and educational strategies to achieve its mission. Tennessee has troopers certified to conduct all levels of the North American Standard inspections, including passenger carriers, cargo tanks, and hazardous materials. The Tennessee Highway Patrol, in partnership with the Federal Motor Carrier Safety Administration conducts commercial motor vehicle targeted enforcement and public education and awareness programs geared toward both the industry and the general public to increase awareness of commercial motor vehicle safety issues and the operation of passenger vehicles around commercial motor vehicles.

# Environmental Protection Agency

Erika White

White.erika@epa.gov

## Reporting Exemption for Air Emissions from Animal Waste at Farms

Two environmental laws, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Emergency Planning and Community Right-to-Know Act (EPCRA), require reporting of releases of hazardous substances that meet or exceed reportable quantities within a 24-hour period. The purpose of the notification is for federal, state, tribal, and local officials to evaluate the need for an emergency response to mitigate the effects of a release to the community. On June 4, 2019, EPA Administrator Wheeler signed a final rule to amend the emergency release notification regulations under EPCRA. This amendment adds a reporting exemption for air emissions from animal waste at farms. For more information visit <https://www.epa.gov/epcra/cercla-and-epcra-reporting-requirements-air-releases-hazardous-substances-animal-waste-farms>

## America's Water Infrastructure Act

On October 23, 2018, America's Water Infrastructure Act (AWIA) was signed into law. The law requires community (drinking) water systems serving more than 3,300 people to develop or update risk assessments and emergency response plans (ERPs). Community water systems shall to the extent possible coordinate with local emergency planning committees established under the Emergency Planning and Community Right-To-Know Act of 1986 (EPCRA) when preparing or revising an assessment or emergency response plan under the AWIA. Further, AWIA amended EPCRA and now requires state and tribal emergency response commissions to notify the applicable State agency (i.e., the drinking water primacy agency) of any reportable releases and provide community water systems with hazardous chemical inventory data. These requirements went into effect immediately upon signing the law. For more information visit [https://www.epa.gov/sites/production/files/2019-04/documents/awia\\_epcra\\_fact\\_sheet\\_draft\\_508\\_ser\\_c\\_terc\\_lepc\\_final\\_4-10-19.pdf](https://www.epa.gov/sites/production/files/2019-04/documents/awia_epcra_fact_sheet_draft_508_ser_c_terc_lepc_final_4-10-19.pdf)

# Contact Information

## **Tennessee Emergency Management Agency (TEMA)**

Director Patrick Sheehan  
Patrick.sheehan@tn.gov

Joe Kennedy  
Joe.kennedy@tn.gov

Michael Rinehart  
Michael.rinehart@tn.gov

## **TEMA Legal Council**

Laura Scruggs  
Laura.g.scruggs@tn.gov

## **Department of Environment & Conservation**

Director Barry Brawley  
Barry.brawley@tn.gov

Donovan Grimwood  
Donovan.grimwood@tn.gov

## **UT Center for Industrial Services (CIS)**

Albert Tieche  
Albert.tieche@tennessee.edu

Bryan Lane  
Bryan.lane@tennessee.edu

## **Department of Transportation**

Alan Durham  
Alan.durham@tn.gov

## **Department of Safety & Homeland Security**

### **Tennessee Highway Patrol**

Sgt. Larry Hitchcock  
Larry.hitchcock@tn.gov

## **Department of Health**

Chip Cook  
Hansel.cook@tn.gov

## **Department of Labor & Workforce Development**

### **Tennessee Occupational Safety And Health Administration (TOSHA)**

Wendy Fisher  
Wendy.fisher@tn.gov

Steve Hawkins  
Steve.Hawkins@tn.gov

## **Environmental Protection Agency**

Erika White  
White.Erika@epa.gov

For article submission, please email Maggie Hannan at [maggie.hannan@tn.gov](mailto:maggie.hannan@tn.gov)