

I'm recording

everybody so good morning everyone thank you for your patience actually I think we're going to uh start the meeting but just some quick housekeeping just for all of you to be aware that this meeting is going to be recorded and will be published on New York City Emergency Management's website um if you are interested in actually taking a look at the prior meetings all those could also be found under Emergency Management um in case of an emergency we have two exits we have an exit that is immediately out the door to the left and the other exit is the main entrance that you had um come in initially um also if you do happen to need to use the restroom it's immediately outside the door to the left behind the orange wall with the um that's pretty much it for housekeeping um I'd like to now pass it on to uh good morning everyone I'm Harry Meyer I'm the director for the division of Emergency response and Technical assessment uh first thing I'd like to do is introduce our new Deputy Commissioner uh Mr AR M he is now in charge of the as chair along with of course the secretaries of the LCB OEM so I wanted to know welcome him and welcome of the board and I also want to uh uh thank Deputy Commissioner Cosgro who served as being chair for many years so I just want to acknowledge his work so with that said I to Deputy Commissioner thank you uh good morning uh pleasure to be here happy to be here I first want to thank o for hosting the me acting as the Secretary of LBC so thank you um just U give a brief summary um under the emergency planning and Community right to know act local emergency planning committee LC's must develop an emergency response plan review the plan at least annually to provide information about the chemicals in the community to its citizens plans are developed by the L epcs with stakeholder participation the LPC membership includes at a minimum elected state and local officials police fire civil defense and public health professionals environmental transportation and Hospital officials facility representatives and representatives from Community groups what uh conures both on and off site for such substances designation of facilities and Community coordinators to implement the plan having comprehensive emergency notification procedures establishing a method to determine the probable affected area and population in the event of a hazardous substance release establishing a comprehensive list of equipment personnel and Facilities that are available to respond during such release establishing an evacuation plan developing training programs for personnel who will be responsible for implementing the plan running drills exercise the plan tabl toop or boots on the ground um drills in New York City the community right to know law on is local Law 26 of 1988 requires the city to effectively regulate the storage use and handling ofous substances within the five burrows Department of Environmental Protections division of emergency response and Technical assessment under the Bureau of police and security is entrusted with this responsibility the division through its right to know program manages the reporting and storage of hazardous substances by requiring facilities to report manually on their chemicals the report which is referred to as a tier 2 details the quantity location and chemical nature of every hazardous substance stored used and handled within each filing facility to date there are over 11,000 such facilities according to the department the filing deadline is March 1st of every year tier 2 filing is done online for annual submissions revisions or updates very few facilities still opt to do hard copy filings it's under 10% everything else is online the information within the tier two filing is carefully reviewed by Personnel for accuracy and completeness when issues are identified the facility is contacted to make Corrections this is known as the technical review process as a followup to technical reviews division Personnel conducts physical inspections of the facilities confirm that the documents submission matches with what the facility is actually using storing and handling on only a few occasions do the inspectors identify

inaccuracies which once identify requires the facility submit a revision to their submission for facilities using materials above the threshold reporting quantities risk management plans need to be developed out of the 11,000 facilities reporting only a little over facilities fall into this category under the right to know law requirements facilities that store and are use extremely hazardous substances substances excuse me or regulated toxic substances that are at or above the threshold planning quantity as listed in the chemical tables of the law are required to repair and submit a risk management plan to the department for review comment and approval after an inspection of the facility is conducted without any deficiencies identified the purpose of the plan is to protect the surrounding Community workers inner responders for the dangers associated with hazardous substances extremely hazardous substances and regulated toxic substances by mitigating the harm posed by the release of such material in general a risk management plan includes a risk analysis a risk assessment analysis a risk reduction analysis and emergency response plan an annual report is published yearly and presents a detailed overview of the past Year's reporting information the annual report is available on the dbp's website I'll turn it over to Harry from here thank you commissioner so uh with that let me go back to om so that uh can discuss last year's minutes thank you very much the 2023 LPC meeting started with General introductions after which the 2022 LC meeting minutes were read um after reading the minutes D reviewed said minutes of the pass sub Advisory board meeting before moving on to the tier metrics for that year which were reported as follows as of June 30th 2023 right to no program received 11,077 tier 2 submissions out of this out of these 11,077 submissions 247 new facilities were added to the database and submitted a 222 tier 2 report a total of 10,790 facilities submitted online and 287 facilities submitted hard copies that is a 97.4% submitted online and 2.6% submitted hard copy reports for the risk management plans the right to no program currently had 389 risk management plan reports on file and one additional facility is required to submit a RM report the right to no program received 35 updates to existing risk management plans and 150 affidavit letters indicating that there were no changes on their existing rmp reports seven risk management plans under review and two facilities that had been inspected for the inspections uh during the 2023 fiscal year right to new program inspection unit performed a total of 3,824 inspections out of these 83 facilities were exempt pilot 315 facilities were PL out business and 1,63 Facilities were closed and no access Grant 153 facilities were issued notice of violation non compliance and regulations the EP reported out uh that they were in the process of hiring and to discuss the review of TI reports and the training of new hires as well as inspections we provided emergency response numbers and outline various special deployments it also discussed uh lithium ion batteries new protocol development and the registration of an onall contract at the end of the meeting final questions were taken um this was a br summary or overview of the transcript of last year's LC meeting as mentioned earlier um the full video of that meeting as well as the associated transcript can be found online on New York City emergency managements very much back to you thank you sir all right as has been customary in the past the hazardous substance Advisory board meeting as well as the LC mer uh when we come to the third meeting of the year so at this point the hazardous substance Advisory board meeting will start part of the LPC and we will start with the reading of the last meeting minutes that took place on March 13 2024 so I'll allow that Joan to uh good morning everyone I'll read the minutes from the last me have on March 13th as Dr har said in attendance was Chief Frank M from har May myself Norine Gallard on from D from fire department we have Captain Vincent Sero Jackie CH from sanitation and Jennifer Ren from Department of Health and attendance Dr Mar opened the meeting by welcoming the participants to the meeting and thank them for attending he then introduced the attendees of the meeting and for a motion to adopt the minutes from the last meeting as they were written since there were no objections they were adopted Dr May then announced that Mr saf yaku who has been a longtime

employee of the dur staff has retired we thank her for her many years of dedicated service to DP Dr May provided an update on the RP Staffing he explained that because of the division the viewer and the agency's hard work D was able to acquire some new person will help strengthen the division's inspection and technically do numbers and help there to reach the goals moving forward in regard the 2023 submission metric was then read by the by myself um Mr nurse she stated that as of March 11th 2024 the right toal program received 10,334 submissions of these submissions 10,159 reports were submitted online and 175 facilities submitted at hard board 174 new facilities were added to the

database director deputy director nurse stated that theal inspection unit has performed 3,29 inspections during the fiscal 2024 year of these 700 and I'm sorry FAL 2023 year 7272 were closed to no or no access was given five facilities were exempt from filing 162 facilities Rel business and 178 were issued notices of violations for not complying with the right toal law and regulation M nurse explained that the division is still in the process of logging r&p documents that that were received and therefore do not have an accurate number of the RS um or aids that will receive this year in regards emergency response Dr Maya R over the numbers of jobs that the division has received and explained that to date the division has received 2014 response jobs which is comparable to last year last recent year according to the current numbers director Maya estimated that the indid will receive close to 3,000 jobs by June he also explained that increase in the number of jobs can be the number of lithium ion battery jobs that the vision has been receiving Dr Maran explained that there's now a lithium ion task force that will hopefully be able to stabilize the number of of lithium ion battery fires in the future he went over the upcoming deployments that individual will be participating in which are St Patrick's parade United Airlines have marathon and the Mi and Yankees home openers in conclusion that Mar asked if anyone had any questions or comments Chief malaz remarked that he's grateful for the agencies that participate and partner with d as we move forward and do what is best for the residents of New York City Dr Mar also thanked the participants and stated that the proposed pass sub board next weekend dat is June 11 which will be combined with the LC meeting that's the end of the minutes from our last meeting thank you okay so just to follow up on a couple of pieces uh under right to know uh it was said that we were going to be hiring personnel which we did uh at the beginning of this year in fact we did hire several uh new inspectors and they were trained and now they're doing inspections and Technical review and that has actually increased our review numbers in a positive way which I'm very pleased to report um actually is something that needs to be added to these uh you know before we start I just want to just bring that because that's very important as many of you use or have access to the tier 2 database you know that tier 2 basically is the foundation where we do audits responses if someone goes out to a facility that's you know there's an issue with you want to have accurate data tier two is the place to so naturally reviewing the documents accurately quickly and you know and of course having them accessible to you is our key role not only do they protect the responders but they're also protecting everyone else in the city because accurate data is what we're aiming for and with close to 11,000 facilities it's actually quite a uh tedious process to say the least but we are going through it and I I mean I can tell you right now that you are hearing numbers from last year but when we did a analysis for the past 6 months just for calendar year 2024 our numbers are close to double what they were last year so definitely this additional personnel has handed out and made us productive the way we're seeking and hopefully by this year we will definitely reach a better goal you know closer to what we wanted and used to have years ago before these you know Personnel reductions took place all over the city and all over the other agencies so I just wanted to add that for that um at this point I'm going to hand it back to Joanne and we're

going to go through the 2023 metrics so I know there's a lot of numbers and bear with us you know it's lots of numbers and when I get to my part you're really going to see numbers so I'll leave it to Jo

this okay so this is the Matrix for the 24 CH submission year as of June 2024 right now receive

10,972 um du2 submissions out of these

10,970 um 2 361 new new facilities were added to the database a total of

10,734 facilities submitted online and 338 facility submitted our ACC reports that gives us a 98% TI on online filers which is really good um the in terms of risk management plan we currently has 392 um plans on file and additional two facilities are required to submit rmps for this year the right to received 46 updates to the existing W management plan and 129 affid letters indicating that there was no change on their existing plans there are four wi management plan reports of the review and two facilities reported exception as of and as of dat two facilities have been inspected in regards to our inspection um unit the unit performed a total of 5,4 one inspections thus far during the 2024 fiscal year of these 43 facilities are exempt from filing 242 facilities R for business and 155 facilities were closed or no access was granted so far 276 facilities were issued notices of violations for non compliance with the right to no

reg thank you so now to the fun stuff right emergency response okay now year over year I always make these comparisons and I usually break things up by ranking the types of jobs that we deal with and for the most part year over year the categories are the same I mean during these past two years of course the addition of lithium ion battery fires has been a ific portion it comes up to the top five one of the top five response categories so I'm not going to bore you with numbers because if I do I know you'll fall asleep and it's too early so what I'm going to do is just break it down this way I'm going to just say that by category year over year the pattern is about the same first category are chemical ERS followed by petroleum spills followed by chemical Stills followed by abandoned chemicals and at this point there is a tie between natural gas leaks and lithium iron battery fires and actually it was so close when I say it was a tie at the time this data was run it was 192 versus 199 but during the past two days another four jobs just came in so you can see that lithium jobs are coming in faster than anything else so that's definitely something of interest and I wanted us let's bring up something to your attention when we look at these jobs and you know the rest are nothing indoor air aestus building collapses uh PCB indoor air normal but very low but the top five categories are the ones that I'm interested in but more particular is the lithium I mean if we look at last year alone there were 385 response jobs just for lithium ion facts in our case that is about 15% of our workload just for lithium so 385 at one point the city was

obligated to not only handle these on its own it was 100% the city's responsibility to handle and

disposed when you look at it from that perspective you can see that financially it's a significant burden just to give you an idea for the jobs the city handled alone last year with a contract in place that was mentioned from last year's lapc meeting we spent close to half a million dollars to do this now let me just explain why this is important why the difference between us handling how much we're spending the number of jobs and what actually happened during the past two

years there was as all of you are aware the fire department is the prim response agents who handles mitigates controls extinguishes these you know

fires in the past the fire department was obligated to or the city if you want to call it the city was obligated to do the full disposal irrelevant of what was going on about a year and a half ago the fire department OEM and ourselves entered into an agreement a protocol where Whenever there was a response we work together and try to implement the mechanism where responsible parties will be identified once that happened the local law there's a local specific local law that we tap into it's known as local law for or the spill Bill the New York City emergency response wall all right that's the key this is something that the has by working together F we have in US came up with the procedure where where we once we identify a responsible party we issue something called a commissioner's order what that is you know I'm tempted to read you the law and I'm afraid to because I know it's early for it but I have to let me explain it this way the law said I'm afraid to because I know it's early for it but I have to let me explain it this way the law says under chapter 6 section 24 608a for anyone who's interested when the commissioner of the has reason to believe that there has been a release or there exist resists a substantial threat of release into the environment of a hazardous substance which may present an immediate and substantial danger to the public health or welfare or the environment the commissioner May at his or her discretion order any or all responsible persons to implement any response measures or to cooperate and assist the commissioner in implementing any response measures deemed to be necessary to protect the public health or Ware or welfare of the environment or if the commissioner in the exercise of his or her discretion concludes that seeking an implementing any such measures by a responsible person may be detrimental to Public Health or welfare or the environment due to the likelihood of delay or ineffectiveness of such responsible response for you know the on behalf of the responsible party that the commissioner May Implement such response measures on their behalf a lot of words can simply put it means plan as written the fire department responds to the fire they extinguish it they stabilize the back they pack it Bic in media to make it EP comes in we know if there's a responsible party mind you we issue this order to the responsible party to mitigate and absorb all costs to remediate the

situation naturally that's a big deal because I just quoted you a number from last year of half a million dollars that's with the implementation of commissioner orders if there was no commissioner order you can add another third to this cost so you are going to go from 500,000 to at least 675 to 700,000 that's for battery fires this protocol that was developed has been so successful that almost a third of these jobs have been absorbed through the oversight of FD o us and be mitigated by the responsible people causing

this I know there are many jobs where there is no responsible part a bike blows up you know it happens scooters catch on fire it happens there's no responsible part but there are cases where there are responsible parties

now one thing that has come up recently and this is where the fire department and the particular join forces

bike shops now bike shops are very

interesting sometimes many a time they like to have batteries that well they're not certified they're not underwriter laboratory listed they're basically someone in their basement taking Parts putting them together and selling sing them for a cheap price how many of these have happened we all know a terrible story that happened on Addison Street we all remember that one where there were fatalities there more than just that one Cas many of these bike shops do their own work without authorization they just do it profit comes

first the fire department police department ourselves well that's a problem we faced and it's not you're one bike or two bikes you're talking some cases Drums of baggies and when I say drums 55 gallon B you know size drums with hundreds of baggies and sells not one or two enough to take a building down if it they all go up together the fire department actually with us went back and forth and this is where the lawyers came in and had to come up with a mechanism cuz he said local law 4287 It Was Written in 1987 well lithium batteries never existed however the wording of a threat or Potential Threat is an open-ended statement the thean batteries can produce a threat or a Potential Threat so the law applies but how do you apply the fire code to D code that was an interesting and difficult bridge that had to be built

because fire code is unique in its own way has specifics the's law is unique and has its specifics well there was a mechanism built and to that I thank all the parties involved and ju actually specifically on July 13th of

2023 a protocol was developed and this of course is for partners of FD hazman the fire inspectors fire prevention Fire Department in general and us where the fire code specifically under a section called 309 3.2 allows the fire department to conduct inspection and declare something as being hazardous guess what our law is the hazardous substance that was the bridge that one word hazardous the key to having these two work together and I will read the ver because this took not days took months actually to come up and it's simple and that's the uniqueness of this it's simple and to the point and it works and it sticks and it's helping the public and the environment from these you know avoiding and averting these dangers from happening when the fire department responds and they inspect and they find something that they deem hazardous they actually use code FC 30932

and it says in in their violation it lists the number of batteries or modules depending because it could be pieces or cells and then there's an

observation why is it has could be fire damage could be water exposure could be thermal runaway or overheating or more more non-factory ification guess what so you had this great idea of making your own batteries well that's a non-factory modification and of course observable physical damage whatever that means could be burnt cracked Etc but non-factory modification is the

critical once that order is issued then we actually are able to issue a commissioner's order and that forces the responsible party to secure the material hire a licensed hazardous materials contractor and dispose of the material according to all applicable

law that one thing that was done since last July has made a significant impact on what was going on here now to add to this recently another law was passed which is called local law 39 now local law

39 took effect on September 16th of 2023 after our agreements in July and it technically reads it prohibits the sale lease rental or distribution of powered micr Mobility devices like ebikes and scooters unless the electrical system and batteries have been certified by an accredited testing laboratory for compliance well guess what between the fire code 30932 between our commissioner's order according to local La 4 and now under local law 39 under local law 39 we are now closing the Box around all these players who have been manufacturing batteries on their own that are unstable and causing a lot of these problems that we deal with every day last year I sat here and I said to you we're going we're facing a significant and sometimes considered insurmountable problem but a year later that insurmountable is no longer insurmountable and now there's a mechanism to address it so that's what I want to bring to your attention that there's been a lot of hard work by many dedicated people to address the significant issue that has not only caused you know damage to property but has also cost the lives of many innocent people so at this point City and May and we are most probably the most I would say New York City is the one with the most advanced most I would say most dedicated group of people were going after these illegal and improper devices that are causing damage in and that is something that everyone around this table should be pleased to hear because years ago all we were hearing or all I was talking about was how many fires we had now that's not the issue now we have mechanisms to try to mitigate this I mean there is a committee that we sit on uh there are several agencies that sit on this committee and there are all kinds of proposals and legislative uh mechanisms in place to do trade-ins for Batteries uh uh purchasing BuyBacks but these are all mechanisms that are programs things taking place but these take a while to implement I mean there are a lot more batteries out there that fall under the category of not being UL or laboratory accredited so that will take years for that process to complete itself but in the interim those are on ground the boots underground now have a mechanism to fight this and I have even witnessed bike shops Shuff or to being arrested which is something they deserve and I can say in the sense that once you're warned you should

stop but some of these people get Warn and they do it go back right to the same way do it again with no concern so there the fire department I have seen have taken that step and have implemented arrests and that is something that is accredited in Department fire department because sometimes these people only put profit first life is irrelevant to them so that is something that we must acknowledge the dedication of FD and the partners that are doing this so that is something I wanted to talk about I mean this comes under the category of noteworthy emergency responses and special deployments well this is a noteworthy you know not only response a no worthy prot call procedure and something that reflects on the dedication of all these people that's what I wanted to present this year and I'm very proud that and honored that we are able to make the statement on behalf of these agencies that this is happening now it's not we're here to put fires out or dispose of fires they do the hard work of putting them out I do the work of getting rid of them but that was not the answer the answer is for trying to avoid that from even beginning and it's happening now so with that that's the 2024 noteworthy emergence response you know summary the fun stuff is special deployments well that's well we always have those deployments and last time where I spoke we stopped at the Met and Yankee openers but after that we did have a five Bor bik tour we did the Road Runner Brooklyn half Marathon we did the Israeli uh parade uh which was definitely under some of the highest security I've seen uh the Puerto Rican Day Parade we did that and in a week or so we're going to do the pride parade and then to life wor so that's some of the fun stuff and that I wanted to BR up so with that said I think my part is is done and I thank you all for allowing me to present today so and I'll go back to thank you very much har um I concludes the uh the agenda so I don't know if there

any thank you everybody work was done this year I uh thank commissioner cosbro for uh his dedication and I thank the team here everybody

else thank you very much everyone and hope

to you reive emails from me the director of Affairs and the privacy officer for New York City Emergency Management I also serve as the secretary for the LC try to organiz and get this meeting set up each year it's nice to meet all of you thank you again for AR Moss I'm the newly appointed Deputy Commissioner for police and security at DP and I come here by

way I'm Harry Meer and I'm the director for the division of emergency respons and Technical assessment for the my name is Joan nuris and I'm the deputy director for emergency response in technical assessment at my name is mattley I'm an executive agency council at the legal division of office relations I'm P officer Madison gley representing the Coast Guard Emergency Management operations plan

Department attorne Rich M with nation grid leison to New York City agencies everyone man here name Isam I work at New York City do the emergency manager for the New York City area council office ENT hiar Ready New York City do director of Environmental Compliance John Carlton regional coordinator for New York State dishes uh jul Peter Deputy emergency manager New York City region New York State d r I'm



with New York State Department Environmental Conservation response I'm a project manager I want to say that uh maty Austin who was our chief of our section retire after 45 year of service so I'm I'm here as

representative good morning everybody I'm Captain Vincent Sereno I'm the executive officer for FDNY hasm operations and I've been the liaison to the lepc for the past 20 years hey I'm sha hop a region 2 uh I'm the response section supervisor there and the uh R2 alternate co-chair good morning my name is Keith Glenn I'm also with USA Region 2 based in Edison New Jersey and I'm an onene coordinator and emergency responder good morning everyone rapael Dominguez I work with ner and San for New York state do I'm one of the Deputy Regional Emergency managers and the special incident coordinator for the traffic Management Center good morning my name is Sanji oress I'm the chief council at New York City Emergency Management hi everyone Elijah Muhammad uh the contest specialist here at NM i c uh F staff New York State

issues senior agency Council New York City

ag assistant commissioner for office of emergency response

very nice to meet all of you and thank you very much for coming if anyone wants to stay around and chat for a little bit we have the room for a little bit more time so thank you very much again another question I always kind of think about is