



Haz. Mat.

March 18, 1986

Mr. Thomas O. Bouis
Legislative Lobbyist
8708 Winans Road
Randallstown, Maryland 21133

Dear Mr. Bouis:

I received your recent correspondence requesting Baltimore City's support for House Bill 1466, introduced in the 1986 Session of the General Assembly. This Bill, originally entitled "Occupational Safety and Health - Disaster Prevention," was for the purpose of prescribing minimum professional and on-site supervision requirements for businesses involved in hazardous material disposal and transportation.

House Bill 1466 was heard on February 27, 1986. Subsequent to this hearing, several amendments were proposed which significantly modify the intent of the Bill. These amendments delete the majority of the original language. Substituted are requirements for local jurisdictions to prepare and submit to State government, a preparedness plan for responding to emergencies involving hazardous materials and controlled dangerous substances.

House Bill 1466, and its amendments have been reviewed by public safety officials in Baltimore City. The City has consistently exercised leadership in disaster planning. Adequate safeguards and effective response strategies for immediate activation in any emergency is a top priority. The City's disaster preparedness plan currently incorporates comprehensive procedures and protocols for use in accidents involving hazardous materials, as well as other emergencies. Therefore, the City of Baltimore can immediately comply with the requirements of House Bill 1466, as amended.

In our position statement on House Bill 1466, we will however, suggest that in lieu of a separate plan to address emergencies involving hazardous materials, local jurisdictions be requested to incorporate appropriate response procedures in already existing emergency preparedness plans. Such an approach serves to enhance coordination among various response agencies.

I agree with you that the majority of businesses engaged in the disposal or transportation of potentially hazardous material do exercise responsibility for safeguarding neighboring communities. Local government is in the best position to work

Girl Scout 182
Hazardous Materials

O. Bouis
3, 1986
two

with and monitor the operations of all businesses engaged in such enterprise to insure consistent compliance with safety standards. Continual review, testing, and refinement of the local disaster prevention and response plan are crucial.

I hope we have been able to be of service to you. Public safety officials here in Baltimore City will also be monitoring the outcome of House Bill 1466.

Sincerely,

Mayor

bcc: Henry Bogdan

~~Confidential~~ 52
Hazardous Materials

8708 Winands Road

Randallstown, Maryland

02.18.86
William Donald Shaffer
Mayor of Baltimore
c/o City Hall
Baltimore, MD 21202

Dear Mayor Shaffer:

I am requesting your organization to join with me to support the proposed MARYLAND DISASTER PREVENTION ACT of 1986, (H.B. 1466) copy attached.

This bill is needed to safeguard our citizens against those few businesses who would engage in activities of near disaster potential without proper safeguards, without properly trained personnel, and without due care for the surrounding community. The vast majority of careful businesses who already exercise due care for their employee populations and nearby communities would for the most part remain unaffected by this proposed legislation.

If you would please let me know of your support, I will notify you when the bill is scheduled for a hearing. Ample professional individuals of impeccable credentials are needed to testify in support of this act. The proposed MARYLAND DISASTER PREVENTION ACT of 1986 (H.B. 1466) is supported by the World Safety Organization, the Federal Safety Council of Baltimore and countless community, civic, professional and environmental groups who wish to assure that a major industrial disaster does not occur ever in the beautiful State of Maryland.

*Our Safety
Priority
Community*

Sincerely,

Thomas G. Bouis

*Local
should
disaster
own*

*Call N.J. Murray
or his regional
& call Will Codd
1-800-444-4888*

Call 444-4888

Hazardous Materials

Thomas O. Bouis, CHCM, ASP, CSM,
Legislative Lobbyist
telephone: 655-4036 evenings
597-4488 day

BY: Delegate Kach

(To be offered in the Economic Matters Committee)

AMENDMENTS
PREPARED
BY THE
DEPT. OF LEGISLATIVE
REFERENCE
D.N. : ten
Date, 7/24/85

AMENDMENTS TO HOUSE BILL NO. 1466

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 through 14,
inclusive, and substitute:

"Emergency Preparedness Plan

FOR the purpose of requiring each county and Baltimore City to
prepare an emergency preparedness plan for responding
to a certain emergency; and requiring each county and
Baltimore City to submit a certain emergency
preparedness plan to the Secretary of Public Safety
and Correctional Services by a certain date."

AMENDMENT NO. 2

On page 1, strike in their entirety lines 16 through 19,
inclusive, and substitute:

"Article 41 - Governor - Executive and Administrative
Departments

Section 2041

Annotated Code of Maryland

{1982 Replacement Volume and 1985 Supplement}.

(over)

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AMENDMENT NO. 2

On Page 1, strike beginning with "Article" in line 22 down through "VIOLATION." In line 4 on page 4 and substitute:

"Article 41 - Governor - Executive and Administrative

Departments

2041.

(A) EACH COUNTY AND BALTIMORE CITY SHALL PREPARE AN EMERGENCY PREPAREDNESS PLAN FOR RESPONDING TO AN EMERGENCY THAT INVOLVES HAZARDOUS MATERIALS OR CONTROLLED HAZARDOUS SUBSTANCES AS DEFINED IN HEALTH-ENVIRONMENTAL ARTICLE.

(B) EACH COUNTY AND BALTIMORE CITY SHALL SUBMIT THE EMERGENCY PREPAREDNESS PLAN REQUIRED UNDER THIS SECTION TO THE SECRETARY OF PUBLIC SAFETY AND CORRECTIONAL SERVICES BY JULY 1, 1987."

Hazardous Materials

HOUSE OF DELEGATES

61x2753

No. 1466

K3

By: Delegates Rach and Chamberlain
Introduced and read first time: January 31, 1986
Assigned to: Economic Matters

A BILL ENTITLED

AN ACT concerning

Occupational Safety and Health - Disaster Prevention

FOR the purpose of requiring employer's engaging in processes, activities, or operations that pose a serious potential for disaster to provide a competent person of responsibility at the site for a certain period of time to perform certain duties; requiring the competent person of responsibility to maintain professional liability insurance; requiring the Director of the Maryland Emergency Management and Civil Defense Agency to require the Commissioner to determine the disaster potential of any employer's processes, activities, or operations on the request of a citizen; providing certain penalties; defining certain terms; and generally relating to disaster prevention and occupational safety.

BY adding to

Article 89 - Division of Labor and Industry
Section 33B
Annotated Code of Maryland
(1985 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 89 - Division of Labor and Industry

33B.

(A) (1) IN THIS SECTION THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(2) "PROCESSES, ACTIVITIES, OR OPERATIONS THAT POSE A SERIOUS POTENTIAL FOR DISASTER" INCLUDE:

(I) THE PRODUCTION, HANDLING, STORAGE, OR TRANSPORTATION OF ANY DEADLY SUBSTANCE WHICH MAY:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.

WILLIAM DONALD SCHAFER, INITIATOR

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37

ATMOSPHERE; AND
MORE THAN 100 YARDS FROM THE POINT OF RELEASE;

(II) THE PRODUCTION, HANDLING, STORAGE, OR TRANSPORTATION OF EXPLOSIVE SUBSTANCES, WHETHER GASES, LIQUIDS, VAPORS, OR SOLIDS, IN A QUANTITY THAT IF EXPLODED WOULD REASONABLY BE EXPECTED TO PROPEL FLAME, SHRAPNEL, OR OTHER MATERIALS GREATER THAN 100 YARDS FROM THE POINT OF EXPLOSION;

PURPOSE DURING ANY PERIOD OF OCCUPANCY OF 1,000 PERSONS OR MORE;

OVERNIGHT ACCOMMODATIONS OR SPACE FOR ANY PURPOSE IF THE FACILITY:

1. IS MORE THAN 7 STORIES IN HEIGHT; AND
2. HAS 500 OR MORE OCCUPANTS INCLUDING EMPLOYEES; AND
3. IS OF COMBUSTIBLE CONSTRUCTION; OR
4. THAT IS NOT FULLY SPRINKLER PROTECTED;

OR
OPERATIONS THAT THE COMMISSIONER DEEMS AS HAVING DISASTER POTENTIAL.

(3) "COMPETENT PERSON OF RESPONSIBILITY" MEANS A PERSON WHO:
(I) IS EMPOWERED BY THE EMPLOYER WITH MANAGEMENT AUTHORITY TO ACT TO PREVENT DISASTER; AND
(II) HAS 30 SEMESTER CREDITS FROM ANY COLLEGE IN ONE OF THE FOLLOWING SUBJECT AREAS:

1. OCCUPATIONAL SAFETY AND HEALTH;
 2. INDUSTRIAL HYGIENE;
 3. HAZARDOUS MATERIALS MANAGEMENT;
 4. FIRE SCIENCES; OR
 5. EMERGENCY PREPAREDNESS; OR
- (III) HAS PROFESSIONAL CERTIFICATION IN ANY OF THE CATEGORIES LISTED IN § 33B(A)(2)(II) OF THIS ARTICLE ISSUED BY THE:

*Given this 10th day of May, 2022
Hazardous Materials*

WILLIAM DONALD SCHAEFER, MAYOR

HOUSE BILL NO. 1466

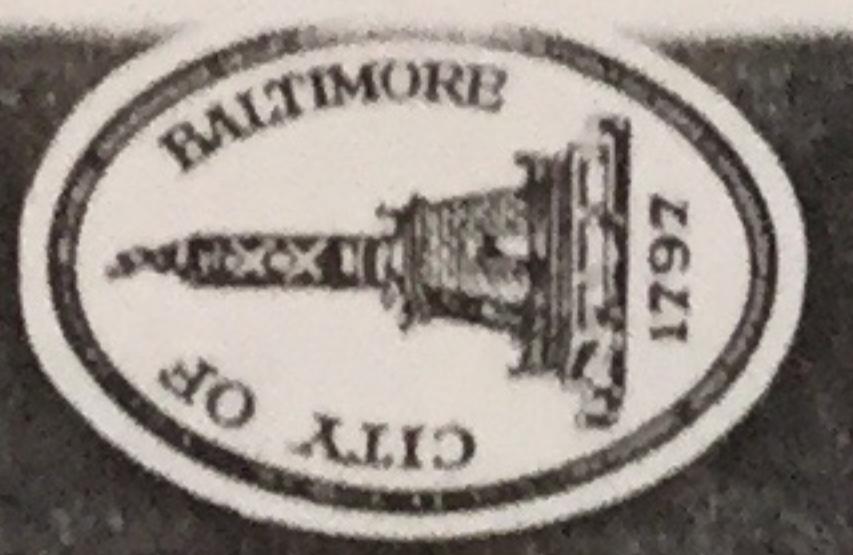
1. WORLD SAFETY ORGANIZATION;
2. INTERNATIONAL HAZARD CONTROL
MANAGEMENT BOARD;
PROFESSIONALS;
INDUSTRIAL HYGIENISTS;
GOVERNMENTAL
PROFESSIONAL SAFETY
ASSOCIATION;
OR
APPROVED BY THE COMMISSIONER; OR
IS APPROVED BY THE COMMISSIONER.
("WORKSITE COMPLIANCE REGULATIONS" MEAN:
(1) THE REGULATIONS ADOPTED BY THIS STATE THAT
ARE PERTINENT AND APPLICABLE TO THE PREVENTION OF
ANY DISASTER;
(II) THE REGULATIONS ADOPTED BY THE FEDERAL
GOVERNMENT THAT ARE PERTINENT AND APPLICABLE TO THE PREVENTION OF
ANY DISASTER; OR
(III) ANY RECOMMENDED SAFE PRACTICES FROM
NATIONAL CONSENSUS GROUPS THAT ARE PERTINENT AND APPLICABLE TO
THE PREVENTION OF ANY DISASTER AND WHICH HAVE BEEN ADOPTED BY THE
COMMISSIONER.
(B) AN EMPLOYER WHO ENGAGES IN PROCESSES, ACTIVITIES, OR
OPERATIONS THAT POSE A SERIOUS POTENTIAL FOR DISASTER SHALL
PROVIDE A COMPETENT PERSON OF RESPONSIBILITY AT THE SITE FOR THE
DURATION OF THE DISASTER POTENTIAL TO IMPLEMENT AND CARRY OUT
WORKSITE COMPLIANCE REGULATIONS.
(C) THE COMPETENT PERSON OF RESPONSIBILITY SHALL MAINTAIN
PROFESSIONAL LIABILITY INSURANCE IN AN AMOUNT PERIODICALLY
ESTABLISHED BY THE COMMISSIONER.
(D) THE DIRECTOR OF THE MARYLAND EMERGENCY MANAGEMENT AND
CIVIL DEFENSE AGENCY SHALL ON RECEIPT OF A WRITTEN REQUEST BY A
CITIZEN OF THIS STATE, REQUIRE THE COMMISSIONER TO DETERMINE THE
DISASTER POTENTIAL OF ANY EMPLOYER'S PROCESSES, ACTIVITIES, OR
OPERATIONS IN THIS STATE.
(E) ON DISCOVERY OF ANY EMPLOYER VIOLATING ANY PROVISION OF
THIS SECTION, THE COMMISSIONER SHALL:
(1) ISSUE AN IMMINENT DANGER CITATION TO THE
EMPLOYER;

HOUSE BILL NO. 1466
DEEMS
(2) IMPOSE A FINE, AS THE COMMISSIONER DEEMS
APPROPRIATE; AND
(3) REQUIRE THE IMMEDIATE AND NONSTOP ABATEMENT OF
THE VIOLATION.
SECTION 2. AND BE IT FURTHER ENACTED, that this Act shall
take effect July 1, 1986.

WILLIAM DONALD SCHAEFER, MAYOR

Hazardous Materials

NAME & TITLE	Francis W. Kuchta, Director	CITY OF
AGENCY NAME & ADDRESS	Department of Public Works	BALTIMORE
SUBJECT	Hazardous Chemical Emergencies	



MEMO

DATE: November 27, 1985

TO
The Honorable William Donald Schaefer
Mayor of Baltimore
250 City Hall

[Handwritten signature]

① Swift
② Fire Dept
③ DPO

It is standard operating procedure for forces of the Department of Public Works to respond to every call of three alarms or more at the Fire Department. Members of the Highway Maintenance/Special Services provide equipment for demolition and fire debris removal and barricades to assist the Fire Department. A valve truck of the Bureau of Water and Waste Water responds to operate water valves so that the maximum amount of water can be directed to the fire scene.

With regard to responding to a fire or other incident involving hazardous vapors or chemicals, more direction and special equipment (like respirators) would be needed. Our response would be controlled by the Fire Department so that our people would not rush in and then become part of the problem instead of the solution.

Seems to me that responses to hazardous chemical problems can be plugged into SWIFT. The Fire Chief obviously would be in touch with you or your office if he has a major problem in this area. The SWIFT Program already involves those agencies that can provide food, housing, health care, etc. and provides the system for alerting these agencies.

The SWIFT Program also has the communication network to coordinate the efforts of the agencies through a central location, either your office or the communication center of the Department of Public Works in the Municipal Building.

[Handwritten signature]

DIRECTOR

FWK/jpb

[Handwritten signature]

[Handwritten text]



In reply refer to: MO
Direct dial (301) 396-

May 1

Dear

Over the past several months, a committee composed of representatives of city and state emergency response groups and local industry has developed an Emergency Response Procedure to enhance the city's preparedness to respond to incidents such as a hazardous material emergency. In an effort to communicate the results of this activity, two representatives of your group are invited to an information meeting to be held in South Baltimore General Hospital's auditorium in the Gruhn Building, 3400 South Hanover Street on Monday evening March 17, 1986 at 7 p.m. At this meeting, committee representatives will review the plan, seek your comments on it, and solicit your help in effecting its dissemination. The meeting will be attended by representatives of groups like yours from your area.

Your thoughtful input and participation is important to this effort and your attendance will help to assure the safety and well-being of your community should there be an emergency.

I look forward to meeting you on March 17th. If you have any questions prior to the meeting, please contact Bette Beggs at 396-4055.

Sincerely,

Naomi Benyowitz
Chairman
Public Awareness Committee
Hazardous Materials Council