



CITY OF HOUSTON

City Council

Interoffice

Correspondence
Sallie Alcorn
At-Large 5

To: Mayor Sylvester Turner

Subject: Joint PS&HS-RNA Committee
Meeting Follow Up Recommendations

CC: Chief Sam Pena
Marvalette Hunter
William Paul Thomas

From: Council Members Kamin and Alcorn

Date: May 12, 2020

Dear Mayor Turner,

On April 30, the Public Safety and Homeland Security (PSHS) and Regulatory and Neighborhood Affairs (RNA) Committees held a virtual joint meeting to discuss the city's policy and regulatory options for improving regulation of hazardous materials and storage as a follow-up to the Watson plant explosion.

The agenda included a presentation by Houston Fire Department (HFD) Chief Sam Pena. Chief Pena described modifications to Chapter 28, the hazardous enterprises ordinance. He also addressed other initiatives aimed at strengthening HFD's response to chemical disasters. Additionally, Hector Rodriguez, Division Manager in the Planning Department, provided an overview on the city's current site plan review procedures related to hazardous enterprises. Finally, members heard from Greater Houston Local Emergency Planning Committee (GHLEPC) Chair Dr. Denise Walker who presented an overview on the agency and its role in emergency response.

This memo outlines our recommendations following the joint committee meeting.

- We support Chief Pena's initiatives and recommendations included in his presentation comprising of, but not limited to:
 - Amending Chapter 28's definition of "enterprise" to add, "exterior storage of hazardous materials exceeding the Maximum Allowed Quantities (MAQ)" as well as other proposed changes outlined by Chief Pena.
 - Lowering storage thresholds to establish similar MAQ thresholds for indoor and outdoor storage of hazardous chemicals for the purpose of triggering a planning review for a Hazardous Enterprise Permit. There will be a need here to work with Building Officials as state law may preempt the city's efforts as has been seen in previous efforts.
 - 2015 IFC Code and Local Amendment adoption:
 - Third-party inspections to be required for periodic inspection for permitted storage vessels (interior and exterior) and associated handling systems; inspections to ensure proper function based on manufacturer's recommendations and code requirements.
 - Require inventory change reporting from businesses: Certificates of Occupancy to be issued based on hazardous inventory submitted by business owners and online reporting requirement for inventory change.
- The City of Houston currently has one HAZMAT unit for the entire 669 square miles of our city, stationed on the east side. We recommend HFD aggressively pursue grant funding for a second unit. If funding from grants proves unsuccessful, funding for an additional unit will need to be addressed in an upcoming CIP. We also understand an additional unit will require \$1.6 million in operating funds for staffing, maintenance, etc.



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- We recommend the mayor's government relations teamwork at the state level to address "Right to Know" laws during the upcoming legislative session. These laws should not hamper the ability of residents living nearby a hazardous enterprise from obtaining relevant information affecting their properties.
- It was made clear throughout Dr. Walker's presentation there is a great need to bolster the GHLEPC to increase efficiency, support, and response. Dr. Walker advised the entity was made aware of the Watson explosion a day later and assistance offered by GHLEPC was rejected. In addition, Dr. Walker repeatedly stated the committee is volunteer based and members don't have the time or resources to carry out mandated responsibilities. Many council members expressed dissatisfaction with this; therefore, we recommend staff from the Office of Emergency Management, HFD, and HPD be involved in GHLEPC bi-monthly meetings to provide increased support and communication.
- We recommend the city continue to seek proactive measures to protect neighborhoods from dangerous chemicals stored in all types of facilities, from industrial sites to public storage units.

We would like to thank HFD and Chief Pena, Planning Department Director Margaret Wallace-Brown and Division Manager Hector Rodriguez, Bill Kelly, Jamaal Smith, and Ande Mattei with Government Relations, Brian Crimmins in the Mayor's Office of Economic Development, and Kim Mickelson in the Legal Department for their participation throughout this process.

Thank you for your consideration and for allowing our committees to work on efforts to better protect Houstonians from chemical disasters.

Sincerely,

A handwritten signature in black ink that reads "Abbie Kamin".

Council Member Abbie Kamin

A handwritten signature in blue ink that reads "Sallie Alcorn".

Council Member Sallie Alcorn